

am sure my colleagues recall recent reports, from just a few weeks ago, detailing the FBI's use of secret planes to spy on people in dozens of cities without a warrant. These reports troubled both my colleagues and me, and left unclear exactly when the government thinks it is okay to surveil people from the air. As I have stressed many times before, the American public deserves to know the laws that the government relies on to surveil people, and the limits of those laws. And that's what this bill sets out to do.

Now, drafting legislation in an area where technology is advancing rapidly and so many policy issues intersect, is a very difficult task. But I am confident that the Protecting Individuals From Mass Aerial Surveillance Act of 2015 reflects feedback from several stakeholders, experts and civil liberties groups, and provides the government the tools it needs to keep us safe without sacrificing our civil liberties.

This bill would generally prohibit federal aerial surveillance without a warrant, but with several exceptions. It would allow the government to aerially surveil to protect people from disasters, terrorist attacks, entry of illegal substances at national borders, and other emergency situations. In addition, it would allow for government agencies to survey wildlife and conduct research by use of aerial vehicles, in order to ensure that habitats are preserved and environmental risks are assessed properly.

This bill also would prohibit the government from identifying people that happen to appear in aerial surveillance, unless it has probable cause to believe those people have committed specific crimes. All information gathered in violation of the bill would be barred admission as evidence in any court of law, and the bill would also prohibit private operators of aerial vehicles from being proxies for unlawful government surveillance.

I want to stress that we cannot stand to wait much longer to pass sensible limits on a type of surveillance whose technical capabilities are advancing rapidly. With the proliferation of drones in US airspace, and the numbers expected to increase by the thousands in the following few years, there is a real concern that the law has not been keeping up with technical advancements. And drones are not the only concern—use of planes and helicopters equipped with modern surveillance equipment make the technological landscape an incredibly dynamic one. That's why this bill today would remain technology neutral and apply to both manned and unmanned aerial vehicles.

To my fellow colleagues, I strongly believe that this bill strikes the proper balance between allowing for aerial surveillance and protecting individual privacy. I am glad to have received help and feedback from the Center for Democracy and Technology, SOAR Oregon—a leading voice in Oregon's UAV

industry, the Small UAV Coalition, the Electronic Frontier Foundation, the ACLU, and other experts. I hope my colleagues will join me in supporting this bill and offering their feedback. At this time, I would like to ask that this statement be entered into the RECORD.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 1599. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am joining again with Senator GRASSLEY in introducing the Criminal Antitrust Anti-Retaliation Act, legislation that will provide protections to employees who come forward and disclose to law enforcement agencies pricefixing and other criminal antitrust behavior that harms consumers. This bill includes changes that we made in the Judiciary Committee last Congress, which enabled it to pass the Senate unanimously. Senator GRASSLEY and I have long worked together on protecting whistleblowers, and this legislation continues those efforts.

Whistleblowers are often instrumental in alerting the public, Congress, and law enforcement agencies to wrongdoing in a variety of areas. These individuals take risks in stepping forward and deserve to be protected from retaliation. Congress should encourage employees with information about criminal antitrust activity to report this information. The Criminal Antitrust Anti-Retaliation Act does exactly that by offering meaningful protection to those who blow the whistle on illegal behavior such as pricefixing.

This legislation is modeled on whistleblower protections that Senator GRASSLEY and I authored as part of the Sarbanes-Oxley Act. The protections are narrowly tailored and do not provide whistleblowers with an economic incentive to bring forth false claims. Last Congress, we made modest changes to the bill in the Judiciary Committee to improve the definition of a covered individual and clarify that protections only apply to employees reporting criminal violations. The protections in this bill build on recommendations from key stakeholders in a 2011 Government Accountability Office report to Congress.

The antitrust laws offer critical protections for consumers that promote free enterprise. By extending whistleblower protections to this area of the law, this bipartisan bill will help to ensure that criminal antitrust violations do not go unreported. This bill passed the Senate unanimously last Congress. I urge the Senate to pass it again.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 203—DESIGNATING JUNE 20, 2015, AS “AMERICAN EAGLE DAY” AND CELEBRATING THE RECOVERY AND RESTORATION OF THE BALD EAGLE, THE NATIONAL SYMBOL OF THE UNITED STATES

Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. CORKER, and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 203

Whereas the bald eagle was chosen as the central image of the Great Seal of the United States on June 20, 1782, by the Founding Fathers at the Congress of the Confederation;

Whereas the bald eagle is widely known as the living national symbol of the United States and for many generations has represented values such as—

- (1) freedom;
- (2) democracy;
- (3) courage;
- (4) strength;
- (5) spirit;
- (6) independence;
- (7) justice; and
- (8) excellence;

Whereas the bald eagle is unique only to North America and cannot be found naturally in any other part of the world, which was one of the primary reasons the Founding Fathers selected the bald eagle to symbolize the Government of the United States;

Whereas the bald eagle is the central image used in the official logos of many branches and departments of the Government, including—

- (1) the Office of the President;
- (2) Congress;
- (3) the Supreme Court;
- (4) the Department of Defense;
- (5) the Department of the Treasury;
- (6) the Department of Justice;
- (7) the Department of State;
- (8) the Department of Commerce;
- (9) the Department of Homeland Security;
- (10) the Department of Veterans Affairs;
- (11) the Department of Labor;
- (12) the Department of Health and Human Services;

- (13) the Department of Energy;
- (14) the Department of Housing and Urban Development;

- (15) the Central Intelligence Agency; and
- (16) the United States Postal Service;

Whereas the bald eagle is an inspiring symbol of—

- (1) the spirit of freedom; and
- (2) the sovereignty of the United States;

Whereas the image and symbolism of the bald eagle has played a significant role in art, music, literature, architecture, commerce, education, and culture in the United States, and on United States stamps, currency, and coinage;

Whereas the bald eagle was once endangered and facing possible extinction in the lower 48 States, but has made a gradual and encouraging comeback to the lands, waterways, and skies of the United States;

Whereas the dramatic recovery of the national bird of the United States is an endangered species success story and an inspirational example to other wildlife, environmental, and natural resource conservation efforts worldwide;

Whereas, in 1940, noting that the species was “threatened with extinction”, Congress passed the Bald Eagle Protection Act (16 U.S.C. 668 et seq.), which prohibited killing,

selling, or possessing the species, and a 1962 amendment expanded protection to the golden eagle, thereby establishing the Bald and Golden Eagle Protection Act;

Whereas, by 1963, there were only an estimated 417 nesting pairs of bald eagles remaining in the lower 48 States, with loss of habitat, poaching, and the use of pesticides and other environmental contaminants contributing to the near demise of the national bird of the United States;

Whereas the bald eagle was officially declared an endangered species in 1967 under the Endangered Species Preservation Act of 1966 (Public Law 89-669; 80 Stat. 926) in all areas of the United States south of the 40th parallel due to the dramatic decline in the population of the bald eagle in the lower 48 States;

Whereas the Endangered Species Act (16 U.S.C. 1531 et seq.) was signed into law in 1973, and, in 1978, the bald eagle was listed as “endangered” throughout the lower 48 states, except in Michigan, Minnesota, Oregon, Washington, and Wisconsin, where it was designated as “threatened”;

Whereas, in July 1995, the United States Fish and Wildlife Service announced that bald eagles in the lower 48 States had recovered to the point where populations of bald eagles previously considered “endangered” were now considered “threatened”;

Whereas bald eagles residing in the lower 48 States rebounded to about 11,000 pairs by 2007;

Whereas the United States Department of Interior and the United States Fish and Wildlife Service removed the bald eagle from Endangered Species Act protection on June 28, 2007, but the species continues to be protected under the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668 et seq.), the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703 et seq.), and the Lacey Act of 1900 and the amendments thereto (16 U.S.C. 3371 et seq.);

Whereas the trained, educational bald eagle “Challenger” of the American Eagle Foundation in Pigeon Forge, Tennessee, was invited by the United States Department of the Interior to perform a free-flight demonstration during the official bald eagle delisting ceremony held at the Jefferson Memorial in Washington, DC;

Whereas experts and population growth charts estimate that the bald eagle population could reach 15,000 pairs by 2015, even though a physical count has not been conducted by State and Federal wildlife agencies since 2007;

Whereas caring and concerned agencies, corporations, organizations, and people of the United States representing the Federal, State, and private sectors passionately and resourcefully banded together, determined to save and protect the national bird of the United States;

Whereas the recovery of the bald eagle population in the United States was largely accomplished due to dedicated and vigilant efforts of Federal and State wildlife agencies and non-profit organizations, such as the American Eagle Foundation, through public education, captive breeding and release programs, hacking and release programs, and the translocation of bald eagles from places in the United States with dense bald eagle populations to suitable locations in the lower 48 States which had suffered a decrease in bald eagle populations;

Whereas various non-profit organizations, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, contribute to the continuing recovery of the bald eagle through rehabilitation and educational efforts;

Whereas the bald eagle might have been lost permanently if not for dedicated conservation efforts, and strict protection laws

like the Endangered Species Act of 1973, the Bald and Golden Eagle Protection Act of 1940, the Migratory Bird Treaty Act of 1918, and the Lacey Act; and

Whereas the sustained recovery of the bald eagle population will require the continuation of recovery, management, education, and public awareness programs to ensure that the population numbers and habitat of the bald eagle will remain healthy and secure for generations to come: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 20, 2015, as “American Eagle Day”;

(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a way to generate critical funds for the protection of the bald eagle; and

(3) encourages—

(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and

(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

**SA 2058.** Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. McCRAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table;

**SA 2059.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. McCRAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2058.** Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. McCRAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table;

On page 599, after line 21, add the following:

(g) ENHANCED SCOPE OF AUTHORITY.—Subsection (a)(1) of such section, as amended by subsection (b)(1) of this section, is further amended by inserting after “activities described in paragraph (2)” the following: “, to support the security cooperation objectives of the United States.”

(h) PROCEDURES.—Such section, as amended by subsections (b) through (f) of this section, is further amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) COORDINATION OF ACTIVITIES.—The Chief of the National Guard Bureau shall

designate a director for each State and territory to be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.”

(i) ANNUAL REPORT.—Paragraph (2)(B) of subsection (f) of such section, as redesignated by subsection (h)(1) of this section, is amended—

(1) in clause (iii), by inserting “or other government organizations” after “and security forces”;

(2) in clause (iv), by adding at the end before the period the following: “and country”;

(3) in clause (v), by striking “training” and inserting “activities”; and

(4) by adding at the end the following:

“(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).”

**SA 2059.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. McCRAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

#### SEC. 1628. SENSE OF CONGRESS ON MILITARY INFORMATION SUPPORT OPERATIONS.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) military information support operations are an important component of Department of Defense communications efforts and provide commanders with a valuable tool to shape the operational environment; and

(2) the Secretary of Defense should develop creative and agile concepts, technologies, and strategies to more effectively counter and degrade the ability of state and non-state adversaries to persuade, inspire, and recruit using both traditional and emerging forms of communication and information related-capabilities.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

**Mr. WICKER.** Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 17, 2015, at 10 a.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “Oversight of the Consumer Product Safety Commission.”

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

**Mr. WICKER.** Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 17, 2015, at 9:30 a.m. in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of