

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

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FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION BILL

Mr. HATCH. Mr. President, in the final hour of our legislative business early last December 10, we passed a remarkable bill. It had no ideological division, did not cost the taxpayers a dime, and will benefit Americans in every part of the country. And, like the House did, we passed it unanimously.

This bill had the somewhat unwieldy title of the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act. While not lending itself to a catchy acronym, it is accurately descriptive. For more than 50 years, a Federal law has provided legal protection for art loaned by foreign governments for exhibition in the United States. Confidence in that protection is an essential piece of the complex arrangements that can take years to complete in order to bring wonderful exhibits to American museums for everyone to enjoy.

America has hundreds of museums of all sorts. The art museum at Brigham Young University, for example, is one of the largest and best attended in the Mountain West. When it began working on a major exhibition of art from Islamic countries, some of its loan requests were unexpectedly denied. It turns out that a 2007 Federal court decision had made such loans risky, rather than secure. After that court decision, the act of lending, even after State Department review and approval, could actually lead to a new category of lawsuits against the foreign lenders.

This legislation, now signed into law, reverses that court decision and clarifies that lending art after State Department review does not raise the possibility of new litigation. Foreign governments can once again have confidence that lending art for exhibition will improve cultural understanding and enrich people's lives without the threat of new lawsuits.

The bill has two narrow exceptions. I want to thank Dr. Wesley Fisher, director of research at the Conference on Jewish Material Claims against Germany, and Rabbi Andrew Baker, director of International Jewish Affairs at the American Jewish Committee, for their help in drafting the exception for Nazi-era claims. The second exception covers comparable state-sponsored coercive campaigns of cultural plunder. Art that was looted in such a campaign should not be given protection for exhibition in the United States.

The senior Senator from California, Mrs. FEINSTEIN, was my principal partner in this effort. She and her staff have been patient, thoughtful, and dedicated; in particular, I want to thank her chief counsel, Eric Haren, and counsel Lartease Tiffith for working so diligently with my own chief counsel, Tom Jipping. The problem to

be solved was clear, but it was challenging to find the right language to solve that problem without unintended consequences.

I also want to thank the Association of Art Museum Directors, their director of government affairs Anita Difanis, and their special counsel Josh Knerly. They have been committed to this goal from the start, and their effort began with educating many of us about this unique area of law and policy. They mobilized hundreds of art institutions and associations to support this bill. And they were flexible about many things while staying focused on the essentials.

I gratefully acknowledge the consistent support for this legislation from the BYU Museum of Art, the Utah Fine Arts Museum, and the Utah Museums Association. We have a vibrant art community in Utah, and this legislation means that these fine institutions have additional opportunities to bring new experiences to the people in our great State.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter from James S. Snyder, director of The Israel Museum in Jerusalem. He writes that the risk of new lawsuits has been "a disincentive to lend works to American museums," but that this legislation "will ensure that museums worldwide can continue to lend to American museums in the precise spirit of international cultural cooperation that U.S. Immunity from Seizure protection was intended to provide." That, in a nutshell, is the problem and the solution we are enacting today.

This legislation restores the confidence that foreign governments need to lend art for exhibitions that Americans across the country can enjoy. That is something we can all be proud of.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ISRAEL MUSEUM,  
Jerusalem, March 17, 2013.

Hon. ORIN HATCH,  
U.S. Senate,

*Hart Office Building, Washington, DC.*

DEAR SENATOR HATCH: I am Director of The Israel Museum, Jerusalem, an encyclopedic museum embracing the history of material world culture from pre-historic archaeology of the ancient Holy Land through the rise of Judaism, Christianity, and Islam; Jewish world culture; and the fine arts of the Western and non-Western traditions. Our collections comprise over 500,000 objects, and our 600,000 sq. ft. campus sits on a signature 20-acre site in Jerusalem. We are internationally active as producers of temporary exhibitions in Jerusalem and internationally and as major borrowers and lenders from sister institutions worldwide.

Our international museum community, which enjoys a close and collegial relationship with our American counterparts, is concerned about the trend toward a weakening of the Immunity from Seizure protection customarily offered by U.S. museums when they request loans from foreign museums. These concerns are two-fold:

First, that foreign museums risk being sued in connection with works loaned to an

American exhibition if there is a question that works on loan are held by their lending institutions in violation of international law. The act of lending can therefore be used as the basis to seek damages in a U.S. court, which is counter to the premise that Immunity from Seizure protects works on loan from legal action while they are on loan; and

Secondly, foreign museums that loan works with clear provenance to an American exhibition may nonetheless be sued with regard to other works in their collections that may lack full provenance. In this regard, the simple act of lending, in the spirit of international exchange, opens us to possible claims with regard to any and all works in our collections.

Each of these potential circumstances raises troubling concerns, and, taken together, they are a disincentive to lend works to American museums, given the potential risk of suit in U.S. courts. And this prospect is exactly what U.S. Immunity from Seizure was originally established to avoid.

Anything that you can do to strengthen Immunity from Seizure in the U.S. will ensure that museums worldwide can continue to lend to American museums in the precise spirit of international cultural cooperation that U.S. Immunity from Seizure protection was intended to provide.

Please let me know if I can answer any further questions in this matter.

Sincerely,

JAMES S. SNYDER,  
Director.

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TRIBUTE TO SARAH R. SALDAÑA

Mr. CORNYN. Mr. President, today I would like to pay tribute to a dedicated public servant and Texan, Sarah R. Saldaña. Ms. Saldaña is stepping down as Director of U.S. Immigration and Customs Enforcement, ICE, and retiring after many years of Federal service.

Born as the youngest of seven children to working-class parents in Corpus Christi, TX, Director Saldaña learned the importance of hard work and education at a young age. After she graduated from W.B. Ray High School in 1970, Director Saldaña attended Del Mar Junior College and graduated *summa cum laude* from Texas A&M, formerly Texas A&I, University in 1973. Shortly thereafter, she began her career as an 8th grade language arts teacher at D.A. Hulcy Middle School in Dallas. Later, she worked as a technician for the Equal Employment Opportunity Commission, EEOC, and as an investigator and management intern for the Department of Housing and Urban Development, HUD. Additionally, she worked as a Federal Representative for the Department of Labor Employment and Training Administration until 1981.

Ms. Saldaña then decided to pursue a legal education at Southern Methodist University, SMU, in Dallas, TX, where she earned her J.D. in 1984. Following graduation, she clerked for the Honorable U.S. District Judge Barefoot Sanders. As a trial attorney, Director Saldaña was an associate for the law firms of Haynes and Boone, and then Baker Botts, where she became partner in their trial department.

In 2004, she returned to public service and became an assistant U.S. attorney for the Northern District of Texas, where she prosecuted a variety of criminal cases. She also served as the deputy criminal chief in charge of the district's major fraud and public corruption section.

In 2011, Ms. Saldaña was nominated and confirmed to become the first Latina United States attorney in the history of Texas and only the second woman to hold that position in the 135-year history of Texas' Northern District—a region that includes the Dallas-Fort Worth Metroplex and spans 100 counties and stretches across 95,000 square miles.

In 2014, Ms. Saldaña was confirmed to lead the U.S. Immigration and Customs Enforcement. As ICE's Director, she helped to oversee the largest investigative agency within the Department of Homeland Security and to protect the safety and security of the United States.

Throughout her career, she has served with integrity and character. Ms. Saldaña has served the people of Texas and the United States with honor—fighting illegal immigration, public corruption, organized crime, sexual predators, and other dangerous criminals.

Her legacy will continue to benefit the American people and I join with her family, friends, and coworkers in saying that her experience and dedication to public service will be missed.

I offer my appreciation to Sarah R. Saldaña for her service to our Nation and send my best wishes for the years ahead.

#### TRIBUTE TO DR. BETH BELL

**Mrs. MURRAY.** Mr. President, today I wish to recognize an exceptional public servant, Dr. Beth Bell, who is retiring from the directorship of the National Center for Emerging and Zoonotic Infectious Diseases, NCEZID, at the Centers for Disease Control and Prevention, CDC.

Dr. Bell began her career with the CDC in 1992, in my home State, as an epidemic intelligence service, EIS, officer assigned to the Washington State Department of Health, where she led a seminal investigation into E. coli infections. After completing her EIS training, she moved to CDC Atlanta to join the hepatitis branch in the division of viral and rickettsial diseases, later serving as chief of the epidemiology branch in the division of viral hepatitis. During her 13 years working on viral hepatitis, she led important efforts to better understand the epidemiology of hepatitis A in the United States, applying this knowledge to the development and implementation of hepatitis A vaccination policy. These extraordinary efforts contributed to reductions in national hepatitis A incidence of more than 95 percent. She also worked on implementation of global infant hepatitis A and B vaccination

programs during the early days of the Global Alliance for Vaccines Initiative. She later served as the acting deputy director of the National Center for Immunization and Respiratory Diseases during the H1N1 influenza pandemic before being appointed director of the newly formed Center for Emerging and Zoonotic Infectious Diseases, NCEZID, in 2010.

In that role, Dr. Bell has been at the forefront of the agency's critical and complex emergency response efforts. In 2014–2015, Dr. Bell was called upon to lead the center through the largest Ebola epidemic in history. After reaching a near breaking point where, according to CDC Director Dr. Tom Frieden, it was “spiraling out of control” in late 2014, the epidemic was contained through the aggressive use of proven outbreak-control measures such as patient isolation and contact tracing.

In 2016, Dr. Bell found herself leading the response to yet another pandemic as Zika exploded in South and Central America, Puerto Rico and the Caribbean, and Florida. The impact of Zika on women and children through microcephaly, a life-threatening condition in which children are born with unusually small heads, was heart-breaking and historically significant—never before has a mosquito-borne infection caused such devastating birth defects. CDC's early alert—under Dr. Bell's leadership—to people traveling to countries with Zika likely prevented an untold number of infections among women of child-bearing age; and, continuing through her very last day of Federal service, Dr. Bell was critical in CDC's support for U.S. territories, cities, and States—as well as other impacted countries.

In addition, Dr. Bell oversaw the Center's response to chikungunya spreading throughout the Americas in 2013–14, the second-largest outbreak of West Nile virus disease in the United States in 2012, and hundreds of outbreaks of foodborne disease. Her leadership of the Center during each of these outbreaks has been remarkable, and all Americans have benefited from her steady hand and commitment to service. Dr. Bell also held leadership roles during CDC responses to the 2001 anthrax attacks and Hurricane Katrina in 2005. Her outstanding leadership, scientific judgment, and expertise have been critical to the success of the Center in these endeavors.

In 2012, she was called upon to lead the Center's response to the fungal meningitis outbreak associated with contaminated steroid products—America's largest healthcare related outbreak ever. The New York Times called it “one of the most shocking outbreaks in the annals of American medicine.” Following her testimony before the Senate HELP committee, Dr. Bell was lauded for CDC's prompt and decisive role in the response, which likely prevented many hundreds of infections and deaths among patients who would

otherwise have received injections of fungus-contaminated medication.

She also directed two new cross-cutting infectious disease initiatives that have already shown benefits to the field of public health: the Advanced Molecular Detection, AMD, and the Antibiotic Resistance Solutions Initiatives. Together, these initiatives are helping scientists better understand how infections spread and transforming our national capacity to detect, respond, contain, and prevent drug-resistant infections. Because of Dr. Bell's leadership, our Nation will be better equipped to address the growing threat of antibiotic resistance, as well as a myriad of other public health threats.

Dr. Bell exemplifies steadfastness and courage in protecting the Nation's health. She has demonstrated an unwavering level of dedication and passion for public health at all levels, recognizing the important roles of State, local, county, tribal, and Federal partners.

Dr. Bell has been a true public servant. I ask that we honor Dr. Bell today for her invaluable leadership to the CDC and America's public health efforts.

#### TRIBUTE TO RAY MABUS

**Ms. COLLINS.** Mr. President, today I wish to congratulate Secretary Ray Mabus on his retirement as the 75th Secretary of the Navy. It has been a great pleasure to work with Secretary Mabus during his impressive and storied tenure as the longest serving Secretary of the Navy since World War I.

Since his confirmation in 2009, Secretary Mabus has continually reaffirmed his commitment to ensuring America's naval forces are second to none. During his more than 7 years of service, Secretary Mabus has also demonstrated an unwavering commitment to building our naval fleet and supporting America's shipbuilding industrial base. He has put 84 ships under contract across the country, more than the last three Navy secretaries combined, and invested significantly in our aging shipbuilding infrastructure.

Secretary Mabus's focus on increasing shipbuilding has allowed the men and women at Bath Iron Works, BIW, to continue building high-quality destroyers, which are the workhorses of our Navy. To allow the Navy to operate these ships to their fullest potential while remaining mindful of the budget constraints faced by our military, Secretary Mabus supported energy initiatives to reduce dependence on fossil fuels. His focus on power-saving technologies, like diesel-electric plants in new ships, has reduced the Navy and Marine Corps' fuel expenses by 30 percent.

In Maine, Portsmouth Naval Shipyard, PNSY, has received approximately \$100 million in modernization funds since 2009, enabling it to maintain its status as the gold standard for public naval shipyards and further