United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, THURSDAY, JUNE 26, 2014 No. 101

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of night and day to whose will all the stars are obedient, we submit to Your sovereignty and might. Remind our lawmakers that You are often closest to us when we feel far from You. Give our Senators confidence in the triumph of Your eternal purposes. May they strive each day to do something that will strengthen their hold upon the world unseen. Impart to them the wisdom to release Earth's fleeting things, as they seek to conform to the life of the world to come.

And, Lord, please bless our faithful Senate pages who will be leaving us soon.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 26, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

BIPARTISAN SPORTSMEN'S ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 384, S. 2363, the Hagan Sportsmen's legislation.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 384, S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until noon, with the time equally divided and controlled between the two leaders or their designees.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that the previous order with respect to the Krause nomination be modified so that the Senate will proceed to executive session at 11:45 a.m. and vote on the motion to invoke cloture on the Krause nomination, with all previous provisions remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. At 11:45 a.m., the Senate will vote on the nomination of Cheryl Ann Krause to be U.S. circuit judge, and that will be a cloture vote. She has been nominated by the President for the Third Circuit.

At 1:45 p.m., we will confirm several additional nominations, but we expect to have only one rollcall vote at that time.

MEASURE PLACED ON THE CALENDAR

Mr. REID. Mr. President, H.R. 3301, I am told, is due for a second reading; is that true?

The ACTING PRESIDENT pro tempore. The majority leader is correct.

The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 3301) to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, and for other purposes.

Mr. REID. Mr. President, I object to any other proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

IMMIGRATION REFORM

Mr. REID. Mr. President, the late comedian Leslie Nielsen said: ''Doing nothing is very hard to do . . . you never know when you're finished.'' Perhaps that is the case with the Republican-controlled House of Representatives. They just don't know when to finish doing nothing on immigration reform.

Today marks the 365th day that the tea party-driven House of Representatives has sat on their hands refusing to fix our broken immigration system. The Senate was able to pass immigration reform 52 weeks ago because both Democrats and Republicans in the Senate understood the urgent need to amend our Nation's immigration laws. Yet for 12 months—52 weeks—radical Republicans in the House have refused to address the real issues affecting the

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

American immigration system. Instead of obsessing over the President's deportation policies, they should pass this legislation. They have made it clear they will not act on immigration reform until they can trust the President—whatever that means—to enforce the law.

The bill that passed the Senate 52 weeks ago has the most stringent border security measures in the history of the world. What we have agreed to do with the border is unbelievable. So any complaint about border security is just not well taken.

It appears to me the Republicans want more deportations and more families torn apart. Do they also want more debt? Immigration reform will reduce the debt by $1 trillion. Is the immigration platform by the extremists in the Republican Party to deport first and find solutions later or never? I guess that is what it is.

Recently, Republican Congressman DARRELL ISSA circulated a letter demanding that President Obama end a program that prevents young people with longstanding ties to America from being deported. He offers no plan to solve our Nation's immigration quandary or to keep families together—just more deportations.

There is not anyone who believes this country can fiscally or physically deport 11 million people. The bill Congress passed many years ago in 1985—I guess is when it was—didn't work. It allowed people to come here without proper documentation. We tried a program, and it simply hasn't worked—employer sanctions. It doesn't matter how we got to where we are; we have to change things. We must have comprehensive immigration reform. Again, Congressman ISSA offers no plan to solve our Nation's immigration quandary or keep families together—just more deportations. They are running out of excuses. Congressman ISSA and Republicans have gone so far as to turn a humanitarian crisis at our Nation's southern border into a political game.

The people coming from Central America to America are trying to escape a war-torn and poverty-ridden country. Yesterday, the Republicans reached a new low by accusing these kids—some of them 3 years old—of lying about the reason they have come to the United States. They are fleeing violence, extreme poverty, and they are coming because they are scared. They are afraid. These children are vulnerable and need to be reunited with their parents, and that is what we are trying to do.

Our Nation cannot deport our way out of this problem. Immigration reform is about families, and we are not the Republican-dominated House of Representatives. We, as a nation, value families and see the family structure as a cornerstone of our communities.

Undocumented immigrants, regardless of how they got here and why they lack the proper documentation, are our neighbors and our classmates. As I have just explained, there are 11 million people, and they play a crucial part in our economy and the communities where they live. I don't know why the House Republicans don't realize that. If they did, they would be working to fix our immigration system.

Waiting 52 weeks? They have done nothing for 365 days. They claim to be working on jobs bills and legislation to reduce the debt. If that is the case, why don't they do something about raising the minimum wage? Why don't they do something about extended unemployment benefits? Why don't they do something about making it so my daughter, my wife, and daughters and wives and mothers all over America get paid for doing the same work men do? That would be good for the economy. How about student debt. Why don't they do something about the debt students have—$1.3 trillion.

Yesterday or the day before Senator DURBIN spoke about a company that went bankrupt. They have one school in Nevada. It is a for-profit school that has been ripping off young men and women—some not so young—for years. Senator DURBIN said more than 90 percent of all the income that institution got came from Federal loans, and the default rate is extremely high. Why don't we do something about student debt?

The fact is the Senate-passed immigration bill reduces the deficit and spurs the economy more than all the House bills currently awaiting Senate action combined.

I urge my Republican friends and the Republican leadership in the House to stop doing nothing and bring immigration reform to a vote.

As the comedian said: ''Doing nothing is very hard to do . . . you never know when you're finished.'' Maybe that is the problem with them. Perhaps now is the time for newly appointed House majority leader KEVIN MCCARTHY, who comes from Bakersfield, in the State of California, where comprehensive immigration reform is certainly necessary, to take a position on immigration reform. Will he bring the Senate-passed bill to a vote? If not, what does he propose?

Republicans in the House have a choice of allowing a vote on commonsense immigration reform in July or certainly be the ones to blame for not doing it. There is certainly a lot of blame to go around, and it is all focused in one direction.

The Republicans in the House have wasted enough time already. Bring this legislation before the House for a vote. It would pass overwhelmingly. I would bet we could get a majority of the Republican votes, and of course it would get 90 percent of the Democratic votes over there. It has enough bipartisan support to pass. So let it come up for consideration. This is a democracy. Let them have a vote. Americans want us to fix this Nation's broken immigration system. So let's do it and do it now.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

MIDDLE-CLASS JOBS

Mr. MCCONNELL. Yesterday I talked about how supposedly moderate Senate Democrats are supposedly incapable of advancing important policies they claim to support, policies such as approving the Keystone Pipeline. These Senate Democrats just can't stop talking about how much they love Keystone. Yet they will not stop enabling their own Democratic leadership to block approval of this shovel-ready, job-creation project. They have been doing so for years now. So it is hard to take what they say very seriously.

That is true when it comes to the Obama administration's war on coal jobs too. Some of our friends on the other side want their constituents to think they will stand up to this elitist war on middle-class jobs. These Senators want everyone to believe they are opposed to this administration's waves of job-killing energy regulations.

The truth is it is just the opposite. These Democratic Senators say they are ready to stand and fight, but when push comes to shove we can't find them anywhere. Instead, we continually see them supporting the majority leader and the Democratic Senate leadership that dutifully does the bidding of President Obama and the far left.

On this issue the Democratic leadership has gotten ever more extreme in its defense of the war-on-coal jobs. Multiple times I have tried to offer legislation that would ease the pain for Kentucky's coal families—hard-working Americans who just want to work and put food on the table.

I pushed for Senate approval of commonsense bills, such as the Saving Coal Jobs Act and the Coal Country Protection Act, but the majority leader blocks those efforts at every turn, and none of the so-called moderate Senate Democrats ever come to the floor to assist me in my efforts. Every time they choose to follow a party line instead—the party line of the majority leader they support.

The most troubling is the majority leader whom these Democrats support is so determined to stamp out opposition to the President's job-killing regulations he has taken to shutting down the legislative process altogether. His efforts have even begun to affect our committee work.

Case in point. Just last week Senate Democratic leadership pulled the Energy and Water appropriations bill from committee consideration because it feared a procoal jobs amendment I wanted to offer that might actually pass. We saw yet another example of that this week when Senate Democrats pulled the Financial Services appropriations bill from committee consideration for the same reason. The Senate Democratic leadership apparently doesn't want Members of the Senate, even in committee—even in committee—to have any real say in the

contours of the President's energy regulations—regulations that will affect millions of our constituents in profound ways.

Appropriations bills are exactly what the Senate should be voting on. Our constituents sent us here to debate big issues, to amend and improve policies that work, and to repeal the ones that don't. That is our job description. But the Democratic majority won't allow us to fulfill it.

The extremism here is really worrying. But the majority leader couldn't get away with it if the Democrats in his conference who claim to be ''moderate'' would actually stand up to him for once. The so-called moderates could stand up to him when he tries to shut down the legislative process, but they don't. The so-called moderates could stand up to him when he blocks every reform of the President's job-killing regulations or when he blocks every effort to approve the Keystone Pipeline, but they don't. They won't even stand up to President Obama when he jets off to speak to partisan groups and friendly audiences that rarely have the best interests of coal country at heart.

I know the President will also be trying out a new PR campaign today to see what life is really like for the middle class—for those beyond the White House gates. But he won't see the consequences of his EPA regulations at a political rally. He won't see what his IRS has done to grassroots organizations. He won't hear from the families of veterans who died while waiting for a bureaucrat to hand out a doctor appointment. And he won't see the damage ObamaCare has caused for working families.

Well, if he is actually serious about this initiative, then he will come to Kentucky to see the tragic effects of his policies firsthand. I invite him to visit with local coal families in my State and hear the other side of the story they won't hear from California billionaires. I invite him to meet with the veterans I hear from every day, and I invite him to meet with families such as the Whitehead family from Allen County, who write to me about the damage his ObamaCare law has already done to them. But I doubt he will, and I doubt the so-called moderate Senators will push him to do so anyway.

So perhaps it is time these Senators stop referring to themselves as moderate at all. If they are not willing to stand up to the majority leader or the President when it counts, then they are just another party-line Democrat. It is really too bad, because we Republicans on this side of the aisle want to come to bipartisan solutions on the issues affecting so many of our constituents. We want to pass commonsense energy legislation that can create well-paying jobs, increase North American energy independence, and lower utility prices for struggling middle class families. We want to give Congress a say on extreme policies from the administration that take aim at middle class jobs in each of our States. But we can't do any of that without dance partners on the Democratic side. And there is hardly a true moderate in sight anymore. I can remember when we used to have moderates over on the Democratic side, but we can't find them today. It is a shame for our country.

I and my party are going to keep fighting for the middle class either way, even if we have to continue carrying on the battle for sensible, commonsense solutions all by ourselves.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:45 a.m., with the time equally divided and controlled between the two leaders or their designees, and with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

Mr. SANDERS. I thank the Chair.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 2548 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SANDERS. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

KRAUSE NOMINATION

Mr. TOOMEY. Mr. President, I rise this morning to speak on the nomination of Cheryl Krause to serve as a judge on the Third Circuit Court of Appeals.

Cheryl Krause was nominated by the President on February 6, 2014.

I want to start with a few thank yous for where we are in this process. First, Chairman LEAHY and Ranking Member GRASSLEY. I appreciate their expediting the consideration of Cheryl Krause through committee. They moved that process along very quickly.

I thank Leader REID and Leader MCCONNELL for agreeing to bring Ms. Krause's nomination to the Senate floor so quickly. In fact, later this morning my understanding is we have a cloture vote on consideration of her nomination.

From my point of view, this is part of an ongoing effort I have with Senator CASEY, my colleague from Pennsylvania—a bipartisan collaboration to make sure we are filling vacancies as they occur, as quickly as we responsibly can, to make sure we have as close to a full complement of Federal judges as we possibly can.

So thus far, in the 3½ years I have been in the Senate, Senator CASEY and I have worked closely, and we have had 10 people who have gone through the entire process—from the application process, the vetting process, the consideration, the recommendation by Senator CASEY and myself jointly to the White House, the nomination, and through the confirmation process—10 people who have successfully gone through that process already. There are four additional candidates, recently nominated by the President at the recommendation of Senator CASEY and myself, and I am very hopeful the Senate will confirm all four of them later this year.

We still have remaining vacancies, and we are working on filling those vacancies as well, but we are making progress, and it is in this spirit of bipartisan cooperation in filling vacancies on the Federal court that Senator CASEY and I are both enthusiastically supporting the nomination of Ms. Krause to the Third Circuit.

I certainly hope my colleagues on both sides of the aisle today will vote to support her confirmation.

Cheryl Krause is an extremely qualified individual. There is no question about that. She has a wealth of legal experience in both public service and in private practice. In fact, her background is so impressive that the ABA gave her a unanimous well-qualified rating.

She has excellent educational credentials. She earned her undergraduate degree from the University of Pennsylvania, where she graduated summa cum laude. She went on to Stanford Law School, where she graduated with highest honors. She clerked for Justice Kennedy on the U.S. Supreme Court.

She has been a U.S. attorney in the Southern District of New York, where she served for 5 years. She has taught at the University of Pennsylvania Law School. She is currently a partner at the law firm of Deckert LLP.

So she has a wealth of experience—it is relevant experience—and a terrific background. She has been both on the prosecution side and on the defense side, so she understands both perspectives, both of which need to be understood to have a properly balanced perspective on the court.

In addition to a very strong legal record, Cheryl Krause has demonstrated a commitment to serving her community. She served as counsel to the Philadelphia Board of Ethics. She has represented children with disabilities. She has led Deckert's partnership with Penn Law School in a project that supervises law students representing indigent defendants.

She comes from a family of public service. Her husband has a distinguished career in the United States military.

So, to conclude, I am confident Ms. Krause will serve as an excellent Federal appellate judge. She has the crucial qualities we look for in a candidate for such an important post: intelligence, integrity, experience, a

commitment to public service, and an understanding of and respect for the limited role the judiciary plays in our constitutional system.

The Senate Judiciary Committee apparently shares my confidence in Cheryl Krause. They unanimously reported her out of committee, unanimously supporting her confirmation.

So I am pleased to speak on behalf of this highly qualified nominee, and I urge my colleagues to support her confirmation.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

RECESS APPOINTMENTS

Mr. GRASSLEY. Mr. President, I rise today to praise the Supreme Court's decision to strike down President Obama's illegal recess appointments. Article II, section 2 of the Constitution provides for only two ways in which Presidents may appoint certain officers:

First, it provides that the President nominates and, by and with the advice of the Senate, appoints various officers.

Second, it permits the President to make temporary appointments when a vacancy in one of those offices happens when the Senate is in recess.

On January 4, 2012, the President made four appointments. They were purportedly based on the recess appointments clause. He took this action even though they were not made, in the words of the Constitution, ''during the recess of the Senate.'' These appointments were blatantly unconstitutional. They were not made with the advice and consent of the Senate, and they were not made ''during the recess of the Senate.'' In December and January of 2011 and 2012, the Senate held sessions every 3 days. It did so precisely to prevent the President from making recess appointments. It followed the very same procedure as it had during the term of President Bush, and that was done at the insistence of Majority Leader REID. President Bush then declined to make recess appointments during these periods, thus respecting the desire of the Senate and the Constitution that we were in session. But President Obama chose to attempt to make recess appointments despite the existence of the Senate being in session.

The Supreme Court said today:

> [F]or purposes of the Recess Appointments Clause, the Senate is in session when it says it is, provided that, under its own rules, it retains the capacity to transact Senate business.

That is a quote from the decision.

No President in history had ever attempted to make recess appointments when the Senate said it was in session. And I am a little surprised, since President Obama had served in the Senate, that he would not know how this had been respected in the past by Presidents.

President Obama failed to act ''consistent with the Constitution's broad delegation of authority to the Senate to 'determine the Rules of its Proceedings,' '' as the Constitution states.

These illegal appointments represent just one of the many important areas where President Obama has disregarded the laws with his philosophy of the ends justify the means.

We should all be thankful the Supreme Court has reined in this kind of lawlessness on the part of this administration, and it should also bring some confidence that at least from time to time—maybe not as often as our constituents think—the checks and balances of government do work.

The Supreme Court was called upon to decide whether President Obama could make recess appointments even when the Senate was in pro forma session. Fortunately for the sake of the Constitution and the protection of individual liberty, the Supreme Court said he could not. This is a very significant decision. It is the Supreme Court's biggest rebuke of any President—because this was a unanimous decision—since 1974 when it ordered President Nixon to produce the Watergate tapes. The unanimous decision included both Justices whom even this President appointed to the Supreme Court.

That shows the disregard in which the President held this body and the Constitution when he made these appointments. Remember, as I just said, I am a little surprised because at one time he was Senator Barack Obama.

Thanks to the Supreme Court, the use of recess appointments will now be made only in accordance with the views of the writers of the Constitution, our Founding Fathers.

It is worth keeping in mind what the President, the Justice Department, and the Senate said at the time of these appointments. The President said his nominees were pending and he would not wait for the Senate to take action if that meant important business would be done. So the President stated in another way that ''I have a pen and a phone, and if Congress won't, I will.'' But the Supreme Court has made clear that failure to confirm does not create Presidential appointment power.

The appointments were so blatantly unconstitutional that originally there was speculation that the Justice Department had not approved their legality. But, in fact, the Department's Office of Legal Counsel had provided a legal opinion that claimed to justify the appointments—in other words, justify the unconstitutional action of the President. The Department's Office of Legal Counsel's reasoning was preposterous, and this unanimous decision backs that up. That office defined the same word—''recess''—that appears in the Constitution in two different places differently and without justification. It claimed that the Senate was not available to do business, so that it was in recess when the President signed legislation that the Congress passed during those pro forma sessions. The Department allowed the President, rather than the Congress, to decide whether the Senate was in session.

As today's Supreme Court unanimous decision makes clear, the Office of Legal Counsel opinion was an embarrassment, reflecting very poorly on its author. She had told us in her confirmation hearing that she would not let her loyalty to the President overcome her loyalty to the law. This Office of Legal Counsel opinion proved otherwise. It said the President had a power he did not have. He did not have that power, as expressed today by that unanimous decision of the Supreme Court.

Those partisans in that office who defended that opinion and its author should be humbled and should take back their misplaced praise—not that I expect them to do so.

The Office of Legal Counsel opinion furthered a trend for that office from one which gave the President objective advice about his authority to one which provided legal justification for whatever action he had already decided he wanted to take. Perhaps now that the office has been so thoroughly humiliated, it will hopefully conclude that the Department and the President will be better served by returning to the former role of that office as a servant of the law and not a servant of the President.

The other statements to keep in mind were from Senators. No Senator of the President's party criticized President Obama for making these clearly unconstitutional appointments, even though they felt we ought to protect against President Bush doing that. Rather than protect the constitutional powers of the Senate and the separation of powers, they protected their party's President.

Those were not the Senate's best moments. This underscores again the need to change the operation of the Senate. Appointment powers and the separation of powers are not simply constitutional concepts, they are the rule for how the American people are protected from abuse by government officials. They exist not so much to protect the branches of government but to safeguard individual liberty.

I often quote from Federalist Papers, this time from 51. Madison wrote that the ''separate and distinct exercise of different powers of government'' is ''essential to the preservation of liberty.''

President Obama's unconstitutional recess appointments are part of a pattern in which he thinks that if he cannot otherwise advance his agenda, he can unilaterally thwart the law. That is a pretty authoritarian approach to governing. Whether it is with respect to drugs, immigration, recess appointments, health care, and a number of other areas, President Obama has concluded he can take unilateral action regardless of the law. And, of course, as

we see in the case of these appointments, the Justice Department has aided and abetted him.

Praise today to the Supreme Court for forcing the President to confront the errors of his ways, for enforcing the constitutional structure that protects our freedom, and maybe cause him to modify that statement he made earlier this year that:

''When Congress won't, I will, because I've got a pen . . . and I've got a telephone . . . ''

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

VETERANS AFFAIRS

Mr. VITTER. Mr. President, as we all know, the Department of Veterans Affairs, the VA, is in shambles. Two national reports this week have highlighted the fact that bureaucratic ineptitude and incompetence seem to be the norm there. Unfortunately, reports that surfaced out of Phoenix which led to the resignation of Secretary Shinseki do not seem limited to Arizona.

I wish to talk about where we are nationally with this scandal, and also specific instances that have come out of Louisiana I have learned about working directly with whistleblowers and working directly with families of veterans whom I am very concerned about who are examples of this same sort of abuse.

On Monday, the head of the agency that investigates whistleblower complaints in the Federal Government, Carolyn Lerner, sent a blistering letter to President Obama stating that the VA Office of the Medical Inspector has repeatedly undermined legitimate whistleblowers by confirming their allegations of wrongdoing but dismissing them as having no impact on patient care.

Lerner's letter lists numerous cases where whistleblowers reported numerous failings at the VA, including examples where drinking water at the VA facility at Grand Junction, CO, was tainted with elevated levels of Legionella bacteria, which can cause a form of pneumonia, and standard maintenance and cleaning procedures not being performed at the facility.

Also, in Montgomery, AL, a VA pulmonologist portrayed past test readings as current results in more than 1,200 patient files, ''likely resulting in inaccurate patient health information being recorded.''

In these cases, among many others, VA whistleblowers brought the information to the special counsel, an independent Federal entity charged with enforcing whistleblower protection laws. The special counsel passed it along to the Office of the Medical Inspector, but that VA medical inspector concluded the hospital's failings, while accurately reported by the whistleblowers, didn't threaten veterans health or safety, even when the VA inspector general had concluded that similar faults compromised care in other cases.

This is deeply troubling and severely cripples any belief that the VA is in any way capable of fixing its deep-seated problems on its own.

My colleague, Senator COBURN of Oklahoma, whom I have worked with closely in dealing with many of these VA problems, also released his oversight report on the Department entitled ''Friendly Fire: Death, Delay, and Dismay at the VA.'' To say his report is troubling is quite an understatement. Some of the key findings I found most troubling in the report were these: the fact that there seems to be a perverse culture, his report said, within the Department where veterans are not always the priority and data and employees are manipulated to maintain an appearance that all is well.

In many cases it also seems bad employees are rewarded with bonuses and paid leave, while whistleblowers, health care providers, even veterans and their families are subjected to bullying, sexual harassment, abuse, and neglect.

Senator COBURN's report also highlights criminal activity by VA employees, vast amounts of waste at the VA, the fact that the VA actually made waiting lists worse, and the VA Committee, led by BERNIE SANDERS, largely ignored these warnings and delay. That committee, under Senator SANDERS, has only held two oversight hearings in the last 4 years.

As I said, this is a national scandal. These are national problems. The two reports I alluded to are national reports. But I know from my work in Louisiana that they have consequences, and that similar cases exist in Louisiana. I have been deeply involved in a couple that I wish to highlight.

First, the Overton Brooks scandal in Shreveport, LA. A whistleblower came forward to my office with very troubling information regarding the VA hospital in Shreveport called Overton Brooks. The whistleblower is a licensed clinical social worker there, and he accused that VA facility of the following: maintaining a secret wait list and manipulating the official electronic wait list; using gaming strategies to manipulate reported wait times—for example, holding appointments without scheduling them until capacity opens or entering into the system that the patient requested an out-of-date appointment when that just wasn't true; providing group therapy appointments to mental health patients, and counting these group sessions as an appointment with a primary care provider, which they were clearly not.

These aren't just allegations. I have also personally seen emails the whistleblower provided, and that has shown that this secret list could contain up to 2,700 veterans. It also seems to confirm that, while waiting for appointments, 37 of those veterans died.

Since hearing these allegations, I have sent a letter demanding a full investigation into Overton Brooks to the inspector general of the VA, and I have confirmed that that is happening. That absolutely is moving forward.

No veteran who served this country should be put on any secret waiting list. At a time when we are learning more and more about rampant mismanagement at the VA across the country, any internal allegations such as that should be taken very seriously and clearly investigated.

That brings me to the second case I have personally dealt with and learned about in Louisiana, this case out of the New Orleans area.

Gwen Moity Nolan was the daughter of a distinguished veteran. She came to one of my recent townhall meetings in New Orleans, and she explained to me personally that her dad passed away in 2011 while a patient at the VA hospital in New Orleans, allegedly in part due to delayed and poor care at the facility.

She described the medical treatment there as poor, and that her father's doctor had a terrible attitude and regularly refused to show up at the hospital in key situations.

She requested that information from the VA, including information regarding a supposed investigation into the case of her father, be given to her.

Her dad had passed. What she most wanted was to be sure the VA got it—to be sure the VA in New Orleans took some remedial action to correct the situation. Her case was done. Her case was done in two ways: First of all, tragically, her father was dead. Her father was passed. Secondly, she brought a legal action against the VA, and that was settled for a substantial sum of money which she received, and she is not disputing that or reopening that. That is done. But she wanted to know that these problems have been addressed.

On June 3 I sent a letter to the Acting Secretary of the VA, Sloan Gibson, demanding this information and the steps the VA has taken to correct what went wrong.

After the New Orleans VA responded by saying ''patient privacy laws prohibit us from discussing specific patient information,'' I sent another letter with the pertinent constituent's privacy release form. The patient is dead. The daughter will sign any release form they want. This was clearly stonewalling to avoid giving us appropriate information.

Unfortunately, the VA responded that they cannot share this information with my office unless very specific criteria are met. Guess what. They didn't think it was relevant to list the specific criteria we need to meet. Again, more pure stonewalling.

This information is extremely important, and I am continuing to fight to get my constituents and myself this information about if and how the New Orleans VA fixed these problems. I will

be demanding a meeting as soon as possible with the head of the New Orleans VA hospital so I can answer those questions directly, and that person had better not stonewall me to my face. That will have very negative consequences. We are setting up that meeting. That meeting will happen, and I will be following up on this New Orleans case.

Similarly, I am following up on the Shreveport case that came to light because of the whistleblower. I will be in Shreveport tomorrow, meeting with two significant people directly involved in these issues—one an official at the VA; the second, someone who has come with additional information to confirm the fears, claims, and concerns of the original whistleblower. So I will be having those meetings in Shreveport tomorrow.

Again, these Louisiana cases that I have been personally involved in underscore the serious scandal at the VA. Every community has these cases. Every State has these cases. Every Senator—Republican, Democrat, Independent—has these cases. We need to fix these to properly honor our veterans. We need to ensure that this sort of abuse—in some cases, fraud and dishonesty—to the great detriment of our veterans never happens again.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOKER). Without objection, it is so ordered.

IMMIGRATION REFORM

Mrs. MURRAY. Mr. President, almost exactly 1 year ago to this day, all of the Members of this Senate came to this Chamber for what each of us understood was a historic vote because after years and even decades of debate and discussion, a small group of bipartisan Senators—Members from different backgrounds, different States, and certainly different philosophies—came together to reach an agreement on landmark legislation, a bill that would truly change the lives of millions of Americans. They had reached a deal that would significantly boost our economy, make every one of our communities fundamentally safer, and help millions of men and women pursue the American dream. But most of all, it was a deal that showed the United States was still capable of adapting, improving, and striving for perfection.

Still, the deal was not perfect. After all, it was a compromise, and once it was reached, it had to survive incredible scrutiny throughout the committee process and then during the floor consideration. But somehow it made it through.

So 1 year ago this week when each Member of the Senate came to the Chamber, we did something we don't normally do: We honored an old Senate tradition and actually cast our votes from our desks. That night, we finally passed comprehensive immigration reform through the Senate. I well remember the optimism we all shared that night. After years of trying, we had finally passed—with votes from both Republicans and Democrats—legislation that would finally start to fix our broken immigration system. It would strengthen our borders, support our businesses and, most importantly, provide a real path to citizenship for the millions of undocumented immigrants who are forced to live in the shadows as Americans in all but name. The Congressional Budget Office even estimated that the Senate bill would grow our economy and reduce the deficit by nearly $1 trillion over the next 2 decades.

We sent the bill to the House of Representatives knowing the path forward there might not be easy, but we heard from Speaker of the House JOHN BOEHNER, majority leader ERIC CANTOR, and dozens of other Members from both sides of the aisle that they also knew immigration reform had to happen this Congress.

Well, since then we have watched and we have waited as the Speaker and House Republicans simply refuse week after week, month after month to take up the Senate bill and move this process forward. For a full year we have witnessed exactly what it looks like when Congress simply fails to do its job for the American people.

Our broken immigration system is not a hypothetical problem. This isn't an obscure, philosophical disagreement over the role of government. This is an issue that has real, tangible consequences for millions of Americans. While America has watched House Republicans fail to act for a full year, we have seen some of those consequences up close.

Since the Senate passed immigration reform, tens of thousands of people—many of them women and children—have been senselessly deported from this country and separated from their families for no reason other than their undocumented status.

Businesses large and small have begged Members of the House to pass reform, including tech companies that need to hire the best and brightest from around the world and agricultural businesses that desperately need a stable workforce.

Now we are seeing hundreds of unaccompanied young children along our country's southern border. Many of these children are fleeing horrific gang violence in their home countries. They are desperately seeking safety and a new life in the United States. But because of our broken immigration laws, we are nearly helpless to respond and live up to our Nation's global reputation as a place of safety and fairness and freedom. Although these children broke our immigration laws, they are not criminals. They are simply coming to our country to escape violence at home and strive for a better life in America.

It is not only along our southern border where our immigration system is hurting families and hurting communities. In my home State of Washington I have heard from hundreds of families and businesses that have been directly impacted by this broken system, businesses such as West Sound Lumber Company on Orcas Island. It is a small sawmill that has been owned by the Helsell family for more than four decades. West Sound Lumber is only able to keep its doors open because of one young man—Benjamin Nunez-Marquez. He goes by ''Ben.'' Ben is an undocumented immigrant from Mexico, and he arrived on Orcas Island more than a decade ago. He has become a cherished member of that community and an expert sawyer. The Helsells will tell you that they would have to close down if they lost Ben, and that possibility nearly became a reality when Ben was randomly stopped by an immigration official while he was taking an elderly neighbor to a doctor's appointment out of town. Although he posed no danger to his community, the Department of Homeland Security scheduled him for deportation, which was only narrowly avoided this year after I took his case directly to the Secretary of Homeland Security and the Seattle Times told Ben's story on its front page.

We should not be kicking people like Ben Nunez-Marquez out of this country. We should welcome him, treat him as a human being, and give him an opportunity to become a citizen in the country he loves—our country.

Senseless deportations are not the only symptom of our broken immigration laws. Just this year local headlines and television reports in Washington State have revealed very concerning treatment of undocumented detainees at the Northwest Detention Center. That treatment led to a widely publicized hunger strike and protest in communities across my State.

This is simply unacceptable. We must demand better than an immigration system that leaves men and women whose only crime is pursuit of the American dream to be locked up, abused, and discarded over the border. These problems are not new, and they are not going away.

Throughout this year we have heard that House Republicans will have a window of opportunity to act on immigration reform. Well, we are in that window now. Republican primaries are behind us and the general election is months away, but that window is quickly closing. The pressure is on House Republicans, and millions of Americans across the country are hoping they do the right thing. The time to act is now.

I think it is time to hope for the best but also plan for the worst. President Obama has made it clear that he is

willing to take administrative action if the House refuses to pass comprehensive immigration reform. I am on the floor of the Senate today to lay out my principles of what that action should look like and what I will urge the President to do if the worst happens and Republicans in the House do nothing.

First of all, the administration should make changes to ensure that while we are being tough on those who are a threat to our public safety or our national security, we are also enforcing our immigration laws in a smart, humane way for the millions of undocumented immigrants who are American in all but name. Frankly, that means changing our priorities. It means focusing our immigration enforcement efforts, including deportations, on actual criminals who are a danger to our communities, not innocent people such as Ben who randomly cross paths with an immigration official and not undocumented immigrants who live in our communities, attend church alongside us, and whose crime is seeking a better life in the United States of America.

It also means we should stop relying on detention centers to lock away undocumented immigrants who pose no public safety risk, are already in our country, and are contributing members of their community. Rather than simply locking them up under terrible conditions and then sending them away, we should take advantage of more humane, more cost-effective methods of enforcement, such as weekly check-ins with our immigration officials.

Secondly, we need to reestablish in our immigration system the most basic of American principles: due process of law. For example, if you are in our country, absolutely no one should be deported or turned away from the United States without a hearing before an immigration judge. Part of making that a reality is providing the funding for immigration judges and access to legal information for undocumented immigrants.

The policies at every single Federal agency that deals with undocumented immigrants, including ICE, Border Patrol, and any other agency, should be reformed so they are consistent, transparent, and fair. For far too long the rules have been different from one Federal agency to another and the policies have been so convoluted and illogical that innocent families are being torn apart.

We should also discontinue the use of unconstitutional ICE detainers when there is no probable cause, as many counties have bravely done in the Pacific Northwest, because not only is holding someone without probable cause a violation of our constitutional rights, it is expensive to local sheriffs and diverts precious law enforcement resources away from policing and protecting communities.

We should reduce the 100-mile enforcement radius for Border Patrol agents and make sure there is not 1 inch of land in this country that can be called a Constitution-free zone.

Finally, we must expand prosecutorial discretion and decide that before we deport someone such as Ben Nunez-Marquez out of this country, we should take a second to use our common sense first. We should build on the great success the administration has had with DACA—the deferred action for childhood arrivals policy—and ensure that Federal agencies are focusing their efforts on actual criminals, not families trying to make a life in the United States.

None of these actions can solve the underlying problem of a broken immigration system. Only legislation from Congress can do that. If the inaction of the House Republicans continues—and I hope it doesn't—we could be left without a choice.

Since that historic vote 1 year ago, we have all watched as more and more of our friends and neighbors fall victim to immigration laws that were designed for criminals, not families or our economy. We have seen Members of the House of Representatives choose politics over good policy and completely ignore a full-blown crisis that we have the power to change.

I look forward to working with President Obama, along with Republicans and Democrats alike in Congress, to make sure our immigration system works. I know so many people here and around the country join me in hoping the House Republicans step up and do the job the American people expect them to do.

I thank the Presiding Officer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

SUPREME COURT DECISION

Mr. MCCONNELL. Mr. President, I welcome the Supreme Court's decision in the Noel Canning case. It represents a clear rebuke to the President's brazen power grab—a power grab I was proud to lead the effort against. Today's decision was clear, and it was a unanimous—unanimous—rebuke of the President of the United States.

As my Republican colleagues and I have said all along, President Obama's so-called recess appointments to the NLRB in 2012 were a wholly unprecedented act of lawlessness. The President defied the Senate's determination that it was meeting regularly, and the Supreme Court unanimously—unanimously—agreed with us.

Today's ruling is a victory for the Senate, for the American people, and for our Constitution.

The Court reaffirmed the Senate's clear and constitutional authority to prescribe its own rules, including the right to determine for itself when it is in session. And the Supreme Court unanimously rejected the President's completely unprecedented assertion of a unilateral appointment power—a power the Framers deliberately withheld from his office.

Our counsel, Miguel Estrada, did an outstanding job defending the Senate and its uniquely important place in our constitutional system. By contrast, our Democratic colleagues shirked their institutional duty to defend the Senate. They failed, yet again, to stand up to the President. Although they failed to defend the Senate when it mattered most, they, their successors, and their constituents will benefit from today's ruling.

The principle at stake in this case should extend well beyond narrow partisanship. It should be about more than just one President or one political party.

In closing, the administration's tendency to abide only by the laws it likes represents a disturbing and dangerous threat to the rule of law. That is true whether we are talking about recess appointments or ObamaCare.

So I hope the Obama administration will take away the appropriate lessons because the Court's decision today is a clear rebuke of this behavior.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF CHERYL ANN KRAUSE TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk reported the nomination of Cheryl Ann Krause, of New Jersey, to be United States Circuit Judge for the Third Circuit.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Cheryl Ann Krause, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, Patty Murray, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Jeff Merkley, Sherrod Brown, Tom Harkin, Richard Blumenthal, Benjamin L. Cardin, Angus S. King, Jr., Thomas R. Carper, Debbie Stabenow, Elizabeth Warren, Amy Klobuchar.

Mr. LEAHY. Mr. President, today, we will vote to defeat the filibuster against the nomination of Cheryl Krause to serve on the U.S. Court of Appeals for the Third Circuit. Her nomination has the strong bipartisan support of Pennsylvania Senators, Senator BOB CASEY and Senator PATRICK TOOMEY. The American Bar Association has unanimously given her their highest rating of ''well qualified.'' The Senate Judiciary Committee reported her unanimously by voice vote to the full Senate this past April, nearly 3 months ago.

Ms. Krause should already have been confirmed and be at work for the American people. Instead, Senate Republicans continue to filibuster qualified, uncontroversial nominees who in previous years would have been confirmed without any delay. This is deeply unfair to all Americans seeking access to justice and to the judicial nominees who, like Cheryl Krause, have had distinguished careers in the law. Of the 54 judicial nominees filibustered this year, 30 have been confirmed unanimously, without a single vote against them. These filibusters are undeserved, and should stop.

Ms. Krause has worked in private practice for over a decade, including as a partner at Dechert LLP and a shareholder at Hangley, Aronchick Segal, & Pudlin. Her work has focused on complex criminal defense matters in securities fraud, antitrust, and the Foreign Corrupt Practices Act. She has also taught courses on appellate advocacy, cyber crime, and judicial decisionmaking at University of Pennsylvania Law School and Stanford Law School. Professors from both universities have written in strong support for her nomination, and I ask consent that these letters be included in the RECORD.

From 1997 to 2002, Ms. Krause served as an assistant U.S. attorney in the Southern District of New York, where she distinguished herself as the lead prosecutor in the Organized Crime Drug Enforcement Task Force. Before becoming a prosecutor, she worked as an associate at the prestigious firm of Davis, Polk, & Wardwell and as a law clerk at Heller, Ehrman, White & McAuliffe LLP. After graduating with honors from Stanford Law School, she served as a law clerk to Judge Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit from 1993 to 1994 and to Justice Anthony Kennedy of the U.S. Supreme Court from 1994 to 1995.

Her commitment both to the practice of law and to her community in Philadelphia has been admirable. In 2011, as part of partnership between Dechert LLP and the Public Interest Law Center of Philadelphia, Ms. Krause brought a class action lawsuit in the Eastern District of Pennsylvania on behalf of over 1,000 autistic students within the school district of Pennsylvania challenging the school district's transfer of these students from school to school without adequate notice to parents. After 2 years of litigation, Ms. Krause was successful, and the district court required the school district to redevelop its policy. Ms. Krause has also helped to launch the Philadelphia Project, a program that provides legal services to families of children with disabilities in the school district of Philadelphia.

She is well qualified to serve on the U.S. Court of Appeals for the Third Circuit. Her record of accomplishments is unquestionable, as is her dedication to the rule of law and the Constitution. I urge my colleagues to vote to defeat the filibuster against this excellent nominee.

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

STANFORD LAW SCHOOL,
Stanford, CA, March 10, 2014.

Subject: Nomination of Cheryl A. Krause to the U.S. Court of Appeals for the Third Circuit

Hon. PATRICK LEAHY,
Chair, Committee on the Judiciary, U.S. Senate, Washington, DC.
Hon. CHARLES GRASSLEY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We write as the three former deans and the current dean of Stanford Law School to express our enthusiastic support for Cheryl A. Krause, who has been nominated for the U.S. Court of Appeals for the Ninth Circuit.

Cheryl Krause graduated at the top of her class at Stanford Law School in 1993. She was first in her class after her first year of law school, and she and her partner were the champions of the school-wide Kirkwood Moot Court Competition. Ms. Krause herself was selected as the best oral advocate in that final round. Following her graduation from law school, she clerked for Judge Kozinski, now the Chief Judge of the U.S. Court of Appeals for the Ninth Circuit, and for U.S. Supreme Court Justice Anthony Kennedy. Following her clerkships, she has pursued a wonderfully varied career—as a law teacher, law firm lawyer and partner, and an Assistant United States attorney. She has been repeatedly recognized as one of the finest lawyers in the United States. Along the way, she has somehow found time to perform an enormous amount of pro bono legal representation and has been repeatedly recognized for those contributions as well.

We write to tell you about Ms. Krause's reputation at Stanford. That reputation can only be captured through a series of adjectives that faculty use to describe their impression of her: exceptional, stellar, admirable, brilliant, incomparable. She is remembered as an academic stand-out in and out of the classroom, a student leader, a superb young lawyer, and a student who, faculty predicted, would always combine a challenging legal practice with pro bono and public service throughout her career.

Faculty members describe her as ''brilliant,'' ''among the small handful of top students I have ever taught'' ''the best student oral advocate I have ever seen,'' ''truly possessing a judicial temperament,'' and ''ideally qualified temperamentally and intellectually suited'' to be a judge. Ms. Krause's career after law school has fulfilled these impressions and predictions and more. She has forged a remarkable path as a lawyer, and it is one that has prepared her well for a career on the bench.

We hope that you will give her your most serious consideration. We are optimistic that you will find her record as impressive as that of her former teachers and mentors at Stanford Law School.

Sincerely,

PAUL BREST,
Professor Emeritus and former Dean, Stanford Law School.
KATHLEEN M. SULLIVAN,
Partner, Quinn Emanuel Urquhart & Sullivan, (former Dean, Stanford Law School).
LARRY KRAMER,
President, William and Flora Hewlett Foundation, (former Dean, Stanford Law School).
M. ELIZABETH MAGILL,
Dean and Richard E. Lang Professor of Law, Stanford Law School.

UNIVERSITY OF PENNSYLVANIA
LAW SCHOOL,
Philadelphia, PA, March 7, 2014.

Re Cheryl Ann Krause.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.
Hon. CHARLES GRASSLEY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: As faculty members at the University of Pennsylvania Law School who have had the privilege of working with Cheryl Ann Krause, we write to express our enthusiastic support of her nomination to the U. S. Court of Appeals for the Third Circuit.

Since she was first appointed a Lecturer in Law in 2003, Cheryl has taught Penn Law courses in cybercrime, evidence, and appellate advocacy, and has guest-lectured in three courses taught by other faculty. As a partner at the Dechert firm, Cheryl has been the lead person teaching our Federal Appellate Litigation Externship, in which Penn Law students are assigned to litigation teams at Dechert working on pro bono cases pending before the Third Circuit. In the early 2000s, Cheryl was a Barrister member of the University of Pennsylvania Law School American Inn of Court (an organization that seeks to promote ethics and professionalism by bringing together law students, practitioners, and judges for periodic discussions on legal issues), and she participated in presenting three Inn of Court programs on different topics.

In her teaching and mentoring at the Law School, Cheryl has demonstrated the talents that will make her a first-rate judge. Not

only does Cheryl bring to her tasks a powerful analytical capacity, but also she has consistently displayed fair-mindedness and intellectual curiosity. Her knack for providing students and young lawyers with rigorous yet constructive feedback signals that she would show respect to the lawyers who appear before the Court while subjecting their contentions to penetrating scrutiny. Cheryl possesses excellent judgment and high integrity, and her interpersonal skills would make her a valued and collegial member of the Court.

In sum, we believe that Cheryl's legal acumen, temperament, and experience make her a superb candidate for a seat on the U.S. Court of Appeals for the Third Circuit and we heartily support her nomination.

Sincerely,

Stephanos Bibas, Professor of Law and Criminology, Director, Supreme Court Clinic; Jill E. Fisch, Perry Golkin Professor of Law, Co-Director, Institute for Law and Economics; Paul M. George, Associate Dean for Curriculum, Development and Biddle Law Library; Kermit Roosevelt, Professor of Law; Theodore Ruger, Professor of Law, Deputy Dean; Catherine T. Struve, Professor of Law; Christopher S. Yoo, John H. Chestnut Professor of Law, Communication, and Computer & Information Science, Director, Center for Technology, Innovation & Competition; Stephen B. Burbank, David Berger Professor for the Administration of Justice; Michael A. Fitts, Dean and Bernard G. Segal Professor of Law; Seth F. Kreimer, Kenneth W. Gemmill Professor of Law; David Rudovsky, Senior Fellow; Louis S. Rulli, Practice Professor of Law and Clinical Director; Amy L. Wax, Robert Mundheim Professor of Law.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Cheryl Ann Krause, of New Jersey, to be United States Circuit Judge for the Third Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Mississippi (Mr. COCHRAN).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 39, as follows:

[Rollcall Vote No. 215 Ex.]

YEAS—57

Ayotte	Collins	Hirono
Baldwin	Coons	Johnson (SD)
Bennet	Donnelly	Kaine
Blumenthal	Durbin	King
Booker	Feinstein	Klobuchar
Boxer	Franken	Landrieu
Brown	Gillibrand	Leahy
Cantwell	Hagan	Levin
Cardin	Harkin	Manchin
Carper	Heinrich	Markey
Casey	Heitkamp	McCaskill
Menendez	Reed	Tester
Merkley	Reid	Toomey
Mikulski	Rockefeller	Udall (NM)
Murkowski	Sanders	Walsh
Murphy	Schatz	Warner
Murray	Schumer	Warren
Nelson	Shaheen	Whitehouse
Pryor	Stabenow	Wyden

NAYS—39

Alexander	Flake	McConnell
Barrasso	Graham	Moran
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Corker	Isakson	Scott
Cornyn	Johanns	Sessions
Crapo	Johnson (WI)	Shelby
Cruz	Kirk	Thune
Enzi	Lee	Vitter
Fischer	McCain	Wicker

NOT VOTING—4

Begich	Cochran
Coburn	Udall (CO)

The PRESIDING OFFICER. On this vote the yeas are 57, the nays are 39. The motion is agreed to.

The Republican whip.

IMMIGRATION

Mr. CORNYN. Madam President, I wish to spend a few moments this morning talking about realistic solutions to the ongoing crisis along American's southern border.

Obviously, I come from a border State where we have 1,200 miles of common border with the nation of Mexico—which, of course, has been the gateway now to this humanitarian wave of unaccompanied children coming from Central America into the United States. I will talk more about that in detail, but I first want to comment on something the majority leader said this morning in his opening remarks.

With what has now become his trademark hyperbole and frequent disregard for the facts, the majority leader suggested that the Republican platform was: Deport first, find solutions later—or never.

I find that offensive, and it is certainly not true. I can just assume that the majority leader has had other things that have taken his attention and he has ignored completely the concrete solutions I and others have been promoting, some of which I will talk about here in a moment.

The last thing I would say specifically to this offensive and untrue comment of the majority leader this morning is: If you are truly concerned about this issue, Senator REID, you might want to focus on Members of your own party. After all, no less than Vice President JOE BIDEN has said of the unaccompanied minors flooding across from the U.S.-Mexican border:

It is necessary to put them back in the hands of a parent in the country from which they came.

He went on to say:

Once an individual's case is fully heard, and if he or she does not qualify for asylum, he or she will be removed from the United States and returned home.

That is Vice President BIDEN. Perhaps the majority leader should talk to him or he could talk to our former Senate colleague Hillary Clinton, former Secretary of State, who said this about these unaccompanied children:

[They] should be sent back as soon as it can be determined who the responsible adults in their families are.

That is former Secretary of State Hillary Clinton, and, in all likelihood, the Democratic Party's nominee for the President of the United States in 2016. Perhaps the majority leader should talk to her or he could talk to the Secretary of Homeland Security under whose purview this issue falls most directly, who said that:

Under current U.S. laws and policies, anyone who is apprehended crossing our border illegally is a priority for deportation, regardless of age.

Perhaps the majority leader should pick up the phone and talk to him.

So rather than make offensive, politically motivated allegations, perhaps the majority leader should get his facts straight, talk to leaders of his own political party, and then work with us on this side of the aisle to try to find some realistic solutions.

As the insurgency rages in Iraq and the border between Syria and Iraq has collapsed and attention here in Washington has turned to other parts of the globe, I can say, without a doubt, the attention of my constituents in Texas is still very much focused on what is happening on our southwestern border and this surge of unaccompanied minor children who are making a dangerous and treacherous journey from Central America through Mexico and ending up on our doorstep.

First of all, though, when the facts began to unfold the administration said that human smuggling operations are responsible for creating a misinformation campaign, and that is why we are seeing this surge of unaccompanied minors.

There may actually be an element of truth to that if we think about it, because if the human smuggling operations—the drug cartels, organizations such as the Zetas and the associated gangs that work with them—make money on each and every migrant who passes through these corridors of human trafficking and human smuggling, then they probably are making money—more money the more people who come. They probably make more money with children and women and other migrants whom they kidnap and hold for ransom. So there is some element of that.

But then we have been told by the administration that the surge is entirely the result of gang violence and poverty in Central America, and that it has nothing to do with President Obama's policies or his perceived commitment to our immigration laws, including the enforcement that only the executive branch can do.

A few days ago, however, Secretary of Homeland Security Johnson published what he called ''an open letter to the parents of children crossing our

Southwest border,'' in which he implicitly acknowledged that the President's immigration policies or the perception that he was less than committed to enforcing those policies has indeed become a magnet for illegal border crossings.

Referring to the so-called deferred action program President Obama announced in June of 2012—remember the President said, ''I have a pen and I have a phone''? Basically saying: I am going to go it alone, I am not going to work with Congress anymore? That was a product of the mentality and approach by the President.

But referring to the so-called deferred action program that President Obama announced in June of 2012, Secretary Johnson felt compelled in this open letter to inform his readers that:

The U.S. Government's Deferred Action for Childhood Arrivals, also called ''DACA,'' does not apply to a child who crosses the U.S. border illegally today, tomorrow or yesterday.

It doesn't apply. Secretary Johnson reiterated this point in the very next paragraph when he said:

There is no path to deferred action or citizenship, or one being contemplated by Congress, for a child who crosses our border illegally today.

If the sole driver of the border crisis was in fact Central American violence and poverty, or smuggling organizations, then there is no reason to believe that Secretary Johnson needed to clarify the details of U.S. immigration policy. After all, if the migrant surge has nothing to do with U.S. policy, as the White House initially insisted, then clarifying what that policy is won't affect it at all. But it has become simply undeniable that President Obama's policies—including his unilateral deferred action program, as well as the perception that he less than seriously committed to enforcing current law and in fact has ordered Secretary Johnson to investigate and recommend a further relaxation of his enforcement policies—all of this has played a huge role in creating the perception to tens of thousands of unaccompanied children that you should risk your life and travel unaccompanied in the hands of the cartels to the United States, because there won't be any consequences associated with it.

It is that perception that the President continues to create by his silence that is the magnet for this illegal immigration.

Don't take my word for it. According to an internal Department of Homeland Security memo:

The main reason the subjects chose this particular time to migrate to the United States was to take advantage of the ''new'' U.S. ''Law'' that grants a ''free pass'' or permit . . .

In other words, they came because of a widespread perception that unaccompanied minors and women traveling with children would be allowed to stay, even after crossing the border illegally.

I think there is more to this story. In fact, what we have learned is that women traveling with children are frequently given a notice to appear once they are processed by the Border Patrol—a notice to appear for a hearing in a court that would then determine any claims of asylum or then determine whether they can stay in the United States or they would have to return to their country of origin. This is called a notice to appear.

Strangely enough, the vast majority of immigrants who get a notice to appear never show up. It makes one wonder about the ones who do show up, because there is absolutely no follow-through.

This is what is perceived, has been this ''permission'' or ''free pass'' or ''permiso'' in Spanish.

Meanwhile, a study by the Department of Homeland Security's Office of Science and Technology Directorate concluded that the unaccompanied minors:

. . . are aware of the relative lack of consequences they will receive when apprehended at the U.S. border.

Relative lack of consequences. In other words, nothing happens to them. If you make it here, you will be able to stay. That is the perception.

Again, it is puzzling to me that even though the administration's own documents show a clear reason for the surge, they initially continue to offer the public a shifting narrative.

There is no doubt that drug- and gang-related violence in Central America is bad. It is a matter of tremendous concern for U.S. policymakers. It is terrible, it is heartbreaking, and it is something I propose we try to address. I had a great conversation, for example, on the floor a couple days ago with the senior Senator from California, Mrs. FEINSTEIN, who said: Maybe there is something we can do, as we have done in the past, in countries such as Colombia, countries such as Mexico, and elsewhere, where we have worked with our partners there to try to help them restore security and the rule of law. That certainly is a conversation I look forward to continuing.

But the fact is the violence in Central America didn't just begin a couple years ago. As a matter of fact, the murder rates in Guatemala and El Salvador were higher in 2009 than they were in 2012 and 2013. But the massive spike in illegal immigration by unaccompanied minors didn't start until 2012—the very same year, not coincidentally, when the President announced his unilateral deferred action program, again creating the perception that if you came here, you would be able to stay. Thus, there is no wonder that people felt as though the floodgates had opened, creating the humanitarian crisis and overwhelming the capacity of local, State, and Federal authorities to deal with all of these children.

By fiscal year 2013, the number of unaccompanied minors detained on our southern border had grown to nearly 25,000—up from 6,500 2 years earlier. From 6,500 to 25,000 in 2 years' time.

According to the New York Times:

From October to June 15th, 52,000 unaccompanied minors were caught at the American border with Mexico, twice the number for the same period in the previous year.

There are estimates that could turn out to be 60,000 or more this year and could double next year. One begins to wonder: Where does this end? How does this end?

So between the President's refusal to enforce our immigration laws and his ever-shifting explanation as to the source of the ongoing crisis, it is no wonder that the President has lost so much credibility on this issue.

Indeed, if the President wants to know why he hasn't been able to pass immigration reform in the House and the Senate, all he has to do is look at the fact that people have lost confidence in his willingness to enforce the law.

I know the senior Senator from New York has suggested: Well, we should pass an immigration law and postpone its effective date until after President Obama leaves office. I would say that is a shocking statement, it seems to me, which has been reiterated by the majority leader Senator REID.

There is an enormous amount of distrust about the Federal Government's commitment to enforce the law. So I don't care what the law might ultimately be; if the American people don't believe the President and the Attorney General and the executive branch will enforce the law, we have lost their confidence entirely, and we will never be able to improve and fix our broken immigration system, something I am committed to do.

Given all the different narratives coming out of the White House concerning the surge of unaccompanied minors, I think it would be good for the President to directly address the issue.

He has sent Vice President BIDEN to Central America. That is a positive step. I know Secretary Johnson has visited the Rio Grande Valley and some of these detention centers for unaccompanied minors. That is a positive step. And he has written this open letter to the parents of children in Central America discouraging them from sending their children on this long, perilous journey from Central America to the United States through these drug-smuggling and human-smuggling corridors controlled by the Zetas and other cartels.

Yesterday I submitted a resolution with my friend the junior Senator from Florida, Mr. RUBIO, that calls on the President to do five things:

No. 1, it calls on the President to publicly declare that the deferred action program he unilaterally announced in June 2012 will not apply to the recent waves of children who have been illegally crossing our southwestern border.

That is the same thing that Secretary Johnson and others have been saying, but it is different coming from the President of the United States. It

will be covered by the press. It will be communicated to parents in Central America: Don't send your children to the United States, making them an additional part of this humanitarian crisis, and subject them to all the perils I have talked about repeatedly of that treacherous trip from Central America to the United States.

Secondly, this resolution calls on the President to publicly discourage parents in Central America and Mexico and elsewhere from sending their kids on one of the most dangerous migration journeys in the world.

Third, it calls on the President to fully and faithfully enforce U.S. immigration laws.

I don't know what the facts are, but I do know some of the Members of the House of Representatives—LUIS GUTIÉRREZ has very recently said that if we can't pass immigration reform that suits him, he wants the President to take further unilateral action declining to enforce our immigration laws. That just contributes to the impression that is causing this wave of humanity to come to the United States and creating the humanitarian crisis. It doesn't fix it. It makes it worse.

I hope the President is watching and listening and decides that he needs to be the one to make the statement, because only the President has the bully pulpit necessary to deal with this.

Fourth, our resolution calls on the President to ensure that States such as Texas—and I see my colleague from Arizona; I would include Arizona, California, and other border States—have the resources we need to handle the crisis and to guarantee humane treatment of unaccompanied migrant children.

Some of my colleagues from Texas visited the facility in Lackland Air Force Base on Monday, including Senator CRUZ and others, and they reported back conditions which, frankly, are very disturbing.

Fifth, this resolution calls on the President to work closely with Mexico and Central American officials to improve security at Mexico's southern border. Mexico has a 500-mile southern border with Guatemala which is insecure and porous, through which all of the unaccompanied minors from Central America come.

I realize how controversial and polarizing the whole discussion about immigration can be, but I suggest we need to try to work together on a bipartisan basis to deal with it. Hopefully, by making this above partisan politics and doing our job, we can help resolve this immediate crisis, but then we can help regain the public's confidence so they will allow us to take the reasonable steps we know we need to take moving forward to fix our broken immigration laws.

I believe passing this resolution would send a powerful message about our commitment and the President's commitment to the rule of law, our commitment to resolving the current border crisis, and our commitment to saving these young children from unimaginably treacherous journeys through Mexico which I previously described.

I urge all of our colleagues to work together with us to send that message, and encourage the President to use the bully pulpit to send the message I have outlined.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. CORNYN. I will.

Mr. MCCAIN. First, I thank him for the resolution.

On behalf of myself and others, I appreciate the representation of the people of Texas who are literally experiencing a crisis on the southern border of our States—of the Senator's State as well as mine.

I note the presence of the Senator from Illinois. There is no greater advocate for the DREAMers, the children who were brought here, not willfully, and I believe that in our immigration reform bill we address that issue in a humane and compassionate fashion.

But I ask my colleague now: Isn't it terribly inhumane to see these children taken from these countries by some of the most unspeakable people on Earth—these coyotes? And their trip along the way these hundreds of miles is so cruel and inhumane to many of these children that it is chilling. These coyotes are terrible people. They commit crimes to these people and on these young children. They do terrible things. They sometimes ride on the top of a train where the safety is—obviously, their lives are literally in jeopardy.

Again, I appreciate the work that has been done on behalf of the DREAMers. But shouldn't we care a great deal about these children, even if they are not in the United States, for what they are undergoing now? And isn't it a humanitarian issue of the highest order, and wouldn't we be better served if we told these children and the people who are motivating them and making a lot of money bringing them here—wouldn't it be better for us to say: Look, anybody who shows up at our border is not going to be allowed to stay in this country. But if you go to our consulate, if you go to our embassy in the country in which you reside and make a case that your life is being threatened, you are being persecuted—whatever the conditions are for asylum in our country—then those cases can be judged, and then if it is a humanitarian case that warrants it, we can bring them into the United States of America.

But say: If you come to our border, you cross those—how many miles is it from the Guatemalan border?

Mr. CORNYN. It is 1200 miles.

Mr. MCCAIN. Don't subject yourself to a 1,200-mile trip, which is hazardous to your life and terrible things can happen to you.

Why don't we send a message: If you think you deserve asylum, then go to the consulate, go to the embassy, and we will have sufficient personnel there to take up your case. And if your case is compelling and meets our standards for asylum, then we are going to give it to you. But whatever you do, don't risk your life and your well-being to travel 1,200 miles in the hands of a coyote.

I would say to the Senator from Texas, sometimes when we say we have to have a secure border and the things we need to do, we are viewed sometimes as inhumane.

My question is: What is more inhumane than what is happening to these children now? Some of them are only 4, 5, 6 years old. What is more inhumane than what is happening to them as we speak?

Shouldn't the President of the United States do as the Secretary of Homeland Security did yesterday and say: You cannot stay in our country even if you show up on the border, but you can apply for humanitarian asylum in the United States of America?

Mr. CORNYN. I appreciate the question. I would say there is nobody in this Chamber who has been more involved in trying to fix our broken immigration laws than the senior Senator from Arizona. And certainly the senior Senator from Illinois has been very much involved. Both of them are members of the so-called Gang of 8 who were the primary authors of the Senate-passed immigration bill.

But I would point out that not even under that bill would these children be covered, because they wouldn't qualify for the so-called DREAM Act provisions authored by the senior Senator from Illinois.

That is the point the Secretary of Homeland Security has been trying to make—this is not a green light to anybody and everybody who wants to come to the United States.

For their protection, for the protection and safety of the American people, and in the interest of an orderly immigration flow and the rule of law, we need people to play by the rules, and it is the perception that there are no rules and that if you make it here, you will be able to stay regardless of whether you qualify under the law that created this flood of humanity. The second thing I would say, the Senator is exactly right. I think people underestimate the horror inflicted on migrants who are transported from Central America through Mexico up into the United States at the hands of transnational criminal organizations. The ''coyotes'' as we always called them are the human smugglers. They now have to pay the cartels for protection or they cannot travel through the corridors up through Mexico and the United States. These migrants in the process of being transported here, riding on the train the Senator alluded to called The Beast, are prone to accidents. They could lose their life, leg or limb, be kidnapped, held for ransom. Women will be raped and assaulted. It is horrific.

Who in their right mind would subject their family to those sorts of horrors only to end up in the United States when our laws do not permit their entry into this country? Somehow the President or the Secretary of Homeland Security are the only ones who have the bully pulpit who can send that message in a way none of us can to convince them we are going to enforce our law.

Mr. MCCAIN. The only way we are going to stop this right now is to convince these people not to listen to the coyotes who are advertising on regular television in these countries and to convince these people that trip will not lead to the result of being able to stay in the United States of America. Until that happens, they are going to believe that if they can get here, they can stay here.

All of our hearts and sympathies go out to people who live in these countries in terrible conditions. We understand why they want to come to the United States of America, but they are on a fool's errand. Meanwhile, they are putting their very lives at risk by taking that arduous journey to Texas from Honduras, Guatemala, or some other Central American country.

I see my friend—and there is no greater advocate for the DREAMers than Senator DURBIN—on the floor. He was one of the earliest and most outspoken on this issue. I hope he will join us in recognizing that the only way we can stop this is to make sure people know there is no pot of gold at the end of this terrible trip they are on.

Mr. CORNYN. I say to the senior Senator from Arizona and the senior Senator from Illinois—and I will turn the floor over to Senator DURBIN in a moment—that there are two big problems: This wave of children is coming and not allowed to legally stay in the United States and thus subject to being returned to their country of origin. Both Vice President BIDEN and former Secretary of State Hillary Clinton said that is the law of the land.

If the President doesn't step up and use his bully pulpit to send this message in a way that none of us can because people pay attention to him and not as much to us—I think that is a fair statement—then this wave is going to continue, and it is going to get worse and worse.

I ask through the Chair to the senior Senator from Arizona and the senior Senator from Illinois—both of whom I know care passionately and are committed to fixing our broken immigration laws, although we have had our differences—how will the American people let us do this if they have lost confidence in the executive branch's willingness to enforce the current law? I think it makes it much, much harder.

In fact, as I alluded to a moment ago, the majority leader and the senior Senator from New York said: Let's pass immigration reform but delay its implementation until after President Obama leaves office.

That sounds like an embarrassing proposal.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CORNYN. I will yield in a moment.

That has to be embarrassing. It shows a lack of confidence in the President's commitment to enforce the rule of law. I think it is a problem. I think the President can help mitigate that problem and help restore the impression that you are not going to get a free pass if you make it to our southern border.

I will gladly turn the floor over to my colleague.

Mr. DURBIN. Through the Chair, I would like to ask the Senator from Texas a question. He said repeatedly that the President is not enforcing the existing law. We all acknowledge that there is a humanitarian crisis on our border, and I think we agree more than we disagree, but I do want to question the Senator's premise. Will the Senator from Texas tell me which existing law the President is not enforcing that has created this crisis?

Mr. CORNYN. I say to my friend from Illinois that I tried to make clear that the current law bars the entry of these children and people across the border because they would not even meet the terms of the President's Executive order, that is, if you believe the President's Executive order has the effect of law, which I don't.

There are a couple of issues. It is both the impression that the President is not committed to enforcing the law and the fact that now when these adults are detained and children are placed with relatives in the country, virtually none of them show up for their hearing. So the perception—because we don't have a comprehensive system to enforce our immigration laws even after people come to our country—and reality of how that works tells them that if they make it here, they will never have to leave.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CORNYN. Sure.

Mr. DURBIN. Does the Senator know the origin of the law which requires that an unaccompanied child be turned over within 72 hours by the Department of Homeland Security to the Department of Health and Human Services, specifically the Office of Refugee Resettlement? Does the Senator from Texas know who introduced that bill and who signed it into law?

Mr. CORNYN. I say to the distinguished Senator through the Chair that I don't know who introduced the bill, but I do know who signed it into law, and that was President George W. Bush.

Mr. DURBIN. I say through the Presiding Officer that the bill was introduced by the Senator's former colleague from Texas, Richard Armey, and signed into law by President George W. Bush, which required what is currently taking place—that within 72 hours, unaccompanied children need to be taken out of the Department of Homeland Security—a law enforcement agency—and placed, through the Department of Health and Human Services, into some protective situation. The President is enforcing a law signed by President Bush and authored by the Congressman from Texas, Congressman Army.

I ask the Senator from Texas through the Chair, on what basis is he saying the President is not enforcing the law?

Mr. CORNYN. I say to the Senator from Illinois, here is how it works—I don't think we disagree about the law or the origin of the law but how it works in application. These children are now being placed with family members who may not be documented. They may have entered the country in violation of the immigration law, but because it is perceived as a relatively safe place for them to temporarily reside pending further court proceedings, they place the children with a family member in the United States. Absent a family member, I presume they will be placed with a legal guardian or foster family or the like while the legal proceedings go forward.

Here is the practical problem: Once they make it here to the United States, if they never return to the court in response to their notice to appear, then they are lost forever to the immigration enforcement system and they become a part of the great American melting pot, never to be heard from or seen again unless they commit some other crime. That is how the press reports it in Central America and elsewhere. At least that is the report we hear from migrants themselves. They refer to it as a permiso, which is a notice to appear. At that point they think they are home free and never have to show up for their court hearing, and that it is as good as permission to enter the country. I believe that is what actually is happening.

Mr. DURBIN. If the Senator would yield for a question.

Mr. CORNYN. I will.

Mr. DURBIN. If I understand what he said, the law governing this situation is a law that was authored by a Republican Congressman from Texas, signed into law by a Republican President, George W. Bush, and is currently enforced by this President. And what the Senator from Texas is suggesting is that the law in and of itself has at least a loophole or an opening that if the person doesn't appear in court—the young child or the parent with the child—then they could be lost in our system. The Senator from Texas seems to be suggesting we need to change the law or at least address the law.

I have two questions. Will the Senator concede the fact that President Obama is enforcing the law as it is written? Secondly, what would the Senator do with these children once they show up in the United States?

Let's assume you had a 12-year-old child—which is a case I heard last

night—on top of a freight train for 4 days; finally made it into the United States, possibly at the hands of a coyote or smuggler—I make no excuse for them—pushed across the river, or Rio Grande, in a raft and told to report to the first person in uniform? What would the Senator have us do with the child at that point?

Mr. CORNYN. Madam President, I would respond to my friend from Illinois and say I would have them enforce the law, which is as the Senator has just described. Once the Border Patrol processes the child or migrant, then they turn them over to Health and Human Services, where they can be placed in humanitarian and hopefully clean conditions so their interests can be looked after while their legal case proceeds.

The problem is not just the fact that there are no consequences once these children or others are released on a notice to appear, which is never enforced, it is also the perception that people—for example, this morning Congressman LUIS GUTIÉRREZ said that he was so frustrated by our inability to pass immigration reform, that the President needs to withhold any deportations or radically, essentially, refuse to enforce the law even further.

America is the most generous country in the world when it comes to our legal immigration system. We naturalize about 800,000 people a year. It has been up to as many as 1 million people. We are very generous. But it is not too much to insist that people do it through legal means for their protection and ours.

The statements the President has been making and the unilateral actions he continues to take give the perception he doesn't care what Congress says; he is going to go it alone. As a matter of fact, this morning the Supreme Court rebuked the President on an illegal recess appointment—unconstitutional recess appointment.

I think it is not just the law as it is written on the books, it is also how the law is actually implemented. It is also the further perception that the President is going to continue to basically refuse to repatriate people who enter the country illegally.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, I went to the White House last night. The President invited Democratic Members of the Senate, and we met with Cabinet and staff members. One of the President's close advisers I met with described what she had seen in McCallum, TX, and there were tears in her eyes when she told heartbreaking stories of babies, children, and infants who are coming to this country. Many of them are in the hands of smugglers and coyotes who have gotten money from their parents or family to transport them to the border of the United States.

She told me the story of a 12-year-old boy, whom I mentioned earlier, from Guatemala. He was put on the top of a freight train and told to hang on for 4 days. For 4 days this 12-year-old boy, scared to death, was on top of this freight train as it barreled through Central America on its way to the United States. He had with him the name of a relative in the United States, and that is it. He was told that as soon as he got across the border, look for somebody in a uniform, don't show any resistance, and present yourself, which he did. He now sits in a facility in Texas.

This is a horrible humanitarian situation. The numbers that are involved here—I will give for the record the numbers that have been reported, which are worth noting. Some people may think we are talking about hundreds of children. This year, and this year alone, as of June 15, unaccompanied children apprehended by the Border Patrol: Honduras, 15,000; Guatemala, 12,000; El Salvador, 11,000; and Mexico, 12,000. Almost 80 percent of these kids come from the countries Honduras, El Salvador, and Guatemala.

Why are they coming here? They are coming here for a number of reasons: No. 1, there is this criminal network that gets money to transport children. They promise the families they will get them to the border. God only knows what will happen to those kids on their way. Some of them will die, some of the girls will be raped, and their lives may never be the same. It is a desperate, awful, tragic situation, and there is no getting around the fact that it is occurring.

Why are the families doing this? Why would you turn a fourth or fifth grader in your household loose to make that awful, deadly journey? Well, part of the reason is those three countries—Honduras, El Salvador, and Guatemala—are virtually lawless. They are three of the top five countries in the world when it comes to murder rates. There is a fear that the gangs in these countries will kill their kids anyway.

A young girl from one of these countries said: I ran. I didn't know what else to do because I was told one of the members of the gang wanted to take me on as a girlfriend. I know what happens to girls who become girlfriends. They are raped, killed, and left in a plastic bag on the side of the road.

Sadly, that is the reality of life for those children in some of these countries.

The United States is at the end of this journey and trying to decide the humane thing to do when an infant, a toddler, a 10-year-old, or a 12-year-old, shows up.

There is no easy answer.

The one point I wish to make and clarify—and I hope I did it in the course of my colloquy with my friend and colleague from Texas—this is not a question about whether President Obama has dreamed up a new law or is not enforcing an existing law. The President is enforcing the existing law in America, and here is what it says: When an unaccompanied child shows up on our border and our Border Patrol takes this child into custody, within 72 hours—we give them some time because it is not easy—we need to put this child in a different place outside of a law enforcement agency. Technically, we need to take them out of the police station part of the world and put them in some part of the world that is best for a child. That is what they are required to do under a law introduced by a Republican Texas Congressman, Dick Armey, and signed into law by a Republican President, George W. Bush. What President Obama is doing is enforcing a law which President Bush signed and was supported by Republicans.

So, please, for a second, can we stop the partisanship on this? Let's view this not as a political crisis but a humanitarian crisis, and let's acknowledge the obvious. The President has tried in his capacity to deal with the immigration issue. He has done more than he wanted to do as President. Last night at a gathering the President said: Does anyone think I believe Executive orders are the best way to govern America? No. It is better to do it by law. But let me tell my colleagues why he is forced into Executive orders.

It was 365 days ago, on the floor of this Senate, that we passed a comprehensive immigration reform bill. It was one of my prouder moments as a Senator. There were eight of us who wrote the bill and it took us months: four Republicans, including JOHN MCCAIN, who was just on the floor, my friend MARCO RUBIO of Florida, JEFF FLAKE of Arizona, and—I am thinking for a second; I blanked on it, but I will think of the other one in just a second—LINDSEY GRAHAM of South Carolina. So the four Republicans, and on our side of the table we had CHUCK SCHUMER of New York, myself, BOB MENENDEZ of New Jersey, and MICHAEL BENNET of Colorado.

We went at it for months and we wrote the bill. We brought the bill to the floor, and we covered virtually every aspect of our broken immigration system, start to finish. It wasn't easy, but we covered it all. The bill passed on the floor of the Senate. It got 68 votes. We had 14 Republicans joining the Democrats in passing the bill. It was supported by the U.S. Chamber of Commerce. It was supported by the labor unions, the faith community. Grover Norquist, one of the most conservative Republicans in our country, supported it publicly and said it was a good idea, and we passed it.

We sent it to the House of Representatives 1 year ago. What has happened to comprehensive immigration reform since we sent it 1 year ago to the House of Representatives? Nothing. Nothing. They refuse to call up the bill for consideration.

So when Members come to the floor and talk about how broken our immigration system is, I agree. Many of us tried to fix it, and we did it the way we

should have—in a bipartisan fashion, give and take, compromise.

We are sending, under this new bill, more enforcement to the border between Texas and Mexico than we have ever seen before. I said somewhat jokingly that the people at the border can reach out and touch hands, there will be so many of them—figuratively—at our border. That was the price the Republicans insisted on: border enforcement. All right. What we insisted on was to take the 11 million undocumented in America today, and if they have been here for at least 2 years, give them a chance. Let them come forward, register with the United States who they are, where they live, where they work, who is in their household. Let them pay their taxes, let them pay a fine, and let them learn English. If they do those things, we will do a criminal background check to make sure they are no threat to anyone in this country, and we will watch them. We will watch them for 13 years—13 years. Then they have a chance at legalization.

That is what our bill says. They go to the back of the line and they wait 13 years while they pay their fines. It is tough. Some of them will not make it to the end of the road, but it is there. It gives them a chance.

So when Members come to the floornd criticize our current immigration system, I say to them, there was a repair to that system, there was a fix to that system. It passed the Senate 1 year ago and Speaker BOEHNER refuses to call it to the floor of the House. I don't know why.

Well, I do know why: Because it would pass. There would be enough Republicans joining Democrats to pass it and we would finally have done something on the issue of immigration.

Now we have before us a resolution by the senior Senator from Texas and he suggests we should take it up. The first part of the resolution says the President has to make it clear the DACA Executive order does not apply to the new people coming across the border. Well, that is a fact. Those who are coming across the border today can't qualify to become legal in the United States—not under any existing Executive order or under the proposed comprehensive immigration reform we passed in the Senate. They can't become citizens. The President saying it personally? I am sure the President would say it personally because he sent the Vice President out to Central America to visit the countries and tell the leaders there: There is a mistake if your people believe they can stay in this country legally. They cannot.

Secondly, he said we have to discourage this migration. I am for that. Who isn't for that? We need to discourage the exploitation of these children and their families and do it in every manner possible. So there is nothing in that suggestion that I think isn't already being done.

The third thing is to fully enforce existing law. The point I tried to make to the Senator from Texas is the President is fully enforcing existing laws. If people want to change the laws, let's have that debate, but to argue the President is not enforcing existing laws is not correct. He is. Those laws may need to be changed or addressed, but he is dealing with them.

I wish to say a word, if I can, about an issue which has come up on the floor and one that is near and dear to my heart. It was 13 years ago when I got a call to my Chicago office. There was a Korean-American mother who had an 18-year-old daughter who was a musical prodigy. She played classical piano in high school and she had been offered a scholarship to the Manhattan School of Music. Her family was a poor immigrant family and this was the chance of a lifetime. When the mother and daughter sat down to fill out the application to go to the Manhattan School of Music, there was a question which asked, What is your citizenship? She turned to her mother and asked, What do I put there? And her mother said, I don't know. We brought you here under a visitor's visa when you were 2 years old and we never filed any papers. The daughter said, What are we going to do? The mother said, We will call DURBIN. So they called our office.

We looked into the law and the law was clear. The law was clear. This 18-year-old girl under our law had to leave the United States for 10 years and then apply to come back in. Where was she going to go? Her family was here. So the mother said to me, What can we do? I told her, Under the law, almost nothing. So that is when I introduced the DREAM Act.

The DREAM Act says if a person is brought here as a child, an infant, under the age of 16, and they completed high school and had no criminal record of any substance at all, if they served in our military or went 2 years to college, they had a chance to become an American citizen. That was the DREAM Act. I introduced it 13 years ago—13 years ago. It has passed the House, but it didn't pass the Senate that year. It has passed the Senate as part of comprehensive immigration reform, but it hasn't passed the House.

So several years ago I wrote to the President. I said to the President, with 22 other Senators, Would you consider issuing an Executive order saying you will not deport these DREAM children, these DREAMers—because they are eligible under bills that have passed both the House and Senate—give them a suspension of deportation and allow them to stay in the United States without fear of being deported? He signed the Executive order. So almost 600,000 have stepped forward and they have agreed they will submit the information to our government and, in turn, they will be spared deportation.

They are getting on with their lives. They are going to school and getting jobs. Amazing things are happening for them. There are great stories, and I come to the floor and tell them all the time, but we still don't have the final law. We have the President's Executive order which gives them a break now, but we still don't have the final law to resolve it.

I wish to tell a story about one of those DREAMers today. This is Marie Gonzalez Deel and her parents Marvin and Marina Gonzalez. Marvin and Marina brought Marie from Costa Rica to the United States in 1991 when Maria was 5 years old. They came to the United States legally on temporary visas and settled in Jefferson City, MO. A lawyer said to them, Put down roots, get a job, and you have a chance to become a citizen.

The Gonzalez family bought a house, paid their taxes, and were active members of their church. Marvin was a mail courier for the Missouri Governor. Marina taught Spanish at a local school, and Maria was at the top of her high school class. They thought they had done everything right, but then Maria's family was placed in deportation proceedings. The community of Jefferson City was angry that a good family such as this who was part of their community was facing deportation. They rallied around them.

I first met Marie in 2005. She was one of the first DREAMers to tell her story publicly. Back then it was a pretty courageous thing to do. It still is. At my request, the Department of Homeland Security granted her a stay of deportation, but 9 years ago Maria's parents were deported back to Costa Rica.

In 2008, Marie graduated from Westminster College in Missouri with a degree in political science and business, but her parents couldn't be there to see her. They had been deported back to Costa Rica. In 2009, Marie married her college sweetheart and planned a second ceremony in Costa Rica so her parents could be a part of it. On Thanksgiving, 2010, she and her husband flew to Costa Rica. As my colleagues can see from this picture, they were elated to see one another for the first time in 5 years.

Just a few hours later, Marvin, her father, who had prostate cancer, collapsed. He was rushed to the hospital. He passed away later that same day—the day this photograph was taken. Luckily, they got to see him before he passed away. The family held a funeral the next day and carried on with the Costa Rica wedding the following day with an empty chair at the head of the table where Marie's father would have been seated.

Today Marie is the proud mother of an 11-month-old baby girl, Araceli. In March 2014, Marie became a citizen of the United States. Here is what she wrote to me in a letter:

I was very blessed and thankful to get the opportunity to stay in the United States on a temporary visa to be able to finish my education, get a job, find my soul mate, and eventually become a citizen, though at the cost of not spending that time with my family and feeling alone for so long. My family was torn apart when I was 18 and will never be able to be reunited. My immigration

struggle continues until the day I can once again have my mom at my side. I hope other families don't have to endure this pain.

There are 11 million stories in America, many of them just like this. Hardworking men and women, law-abiding families, viable parts of our churches and our communities, who had the courage to leave everything behind and come to this great Nation. Those of us who are immigrants to this country, which includes the Presiding Officer and myself—at least my mother—thank our lucky stars we were given this chance. My mother was an immigrant to this country and her son is a U.S. Senator from Illinois. She was brought here at the age of 2. Her naturalization certificate is in my office upstairs. I am very proud of it. It is a reminder to me and a reminder to anyone who visits me that this is a nation of immigrants. We are a nation that thrives with the diversity of our immigration and the energy they bring, the courage they bring, leaving everything behind to come to this country. That is the family of the Presiding Officer, and that was my family. That is our story, but that is America's story. That is who we are.

Have we reached the point where we cannot even discuss future immigration in the House of Representatives? Have we reached a point where we cannot even bring the matter to the floor for a vote? Are we going to ignore what that means to this family and millions just like them, what it means to the thousands of kids presenting themselves at the border?

We are better than that. America is better than that. When we embrace our diversity, when we embrace immigration as part of who we are in America, we will be stronger for it and not just in the creation of new businesses and jobs. These immigrants are some of the hardest working people in America. They take the toughest jobs that a lot of Americans would not touch, but they know that is what an immigrant does.

What is their dream? That their babies, their sons and daughters, are going to have a better life. Thank goodness that story has been repeated over and over and over. That defines who we are in America.

Now—1 year later—the House of Representatives is about to throw up its hands and walk away from even addressing immigration issues. What a heartbreaking situation. What an abdication of responsibility.

I know there is a partisan difference between the House and the Senate, but I honestly believe that if the Speaker had the political courage to call the comprehensive immigration bill—the bipartisan bill that passed the Senate—we would find enough Republican House Members who would stand and vote with the Democrats and pass it. Sure, there will be critics of the Speaker—he shouldn't have done it—but that is what leadership calls for, for the Speaker to have that courage and get it done. I hope he will.

One year is long time to wait—and for these families, years and years, some of them with broken dreams that will never be fulfilled, families who have been split up and try to survive. But that is our responsibility, not just for DREAMers but for our country, to make sure we renew this commitment to our diversity and to immigration.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REMEMBERING HOWARD BAKER

Mr. MCCONNELL. Madam President, it is with great sadness that I announce the passing of one of the Senate's most towering figures, Senator Howard Baker.

The Senate sends its sincere condolences to the family of Senator Baker. In particular, we want to pass along our deep sympathies to his wife Nancy Landon Kassebaum Baker. Many of us served alongside Nancy in the Senate, and we know this must be a difficult moment for her.

Senator Baker was a true pathbreaker. He served as Tennessee's first popularly elected Republican Senator since Reconstruction. He served as America's first Republican majority leader since the time of Eisenhower. He served his Nation with distinction as a member of the U.S. Navy, as Chief of Staff to President Reagan, and as our country's Ambassador to Japan.

Senator Baker truly earned his nickname, the ''Great Conciliator.'' I know he will be remembered with fondness by Members of both political parties.

Again, let me express the Senate's sympathies to the Baker family. He will be missed by the Senate and by his country.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, as the distinguished Republican leader has said, this body—the U.S. Senate—has lost a member of its family, Tennessean Howard Baker.

We know of his long and distinguished career. He served three terms in the Senate. He served as minority leader and ended his career as majority leader. He was an earnest man and worked with any and all Members of this body in passing legislation for the good of America.

As the Republican leader has mentioned, he worked under the direction of President George W. Bush as Ambassador to Japan. He was President Reagan's Chief of Staff. He was someone who could do everything.

He was well liked by Democrats and Republicans. He was a fine man. I did not know him as well as my colleague the Republican leader or of course the two sitting Tennessee Senators.

He enjoyed an illustrious career in public service and it was accomplished, everyone said, by his hard work. He loved foreign affairs and did a great job. He was motivated by his heartfelt desire to do good in the world. Our thoughts go to his family and his wife, whom I had the good fortune to serve with.

I do say this: The two fine men who now serve in the Senate from Tennessee, I am confident, learned a lot from Howard Baker because the senior Senator from Tennessee is also a person who wants to try to work things out. The junior Senator from Tennessee and I have had many conversations. I believe he also wants to be someone who works things out.

So my sympathy goes to Senator Baker's family and friends, especially the two Senators from Tennessee, who I am sure are heartbroken as a result of the loss of their mentor, friend, one of the great people to come out of Tennessee, and there have been plenty.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MURKOWSKI. Madam President, I wish to speak very briefly this afternoon to acknowledge a hero. I come to the floor just after the announcement has been made about a leader in the Senate, Senator Baker. While I did not have the privilege of serving at the same time as he, my father did. They were close friends, not only Senator Baker but Senator Kassebaum. My heart, my thoughts go out to the family. The contributions clearly from Senator Baker on so many different levels are so greatly appreciated.

TRIBUTE TO MASTER SERGEANT ROGER D. SPARKS

Madam President, I would like to spend just about 5 minutes this afternoon speaking of another hero, and this is a man who has demonstrated above and beyond his commitment, his service to the United States. I would like to speak about MSgt Roger D. Sparks.

It is my duty as a Pararescueman to save lives and to aid the injured. I will be prepared at all times to perform my assigned duties quickly and efficiently, placing these duties before personal desires and comforts. The things I do, that others may live.

''The things I do, that others may live''—this is the solemn oath by which all pararescue airmen pledge their allegiance and dedicate their service to our country. It is the sacred creed of a most honorable profession.

Alaskans are extremely proud of the exceptionally heroic achievements of the Combat Search and Rescue Airmen assigned to the 176th Wing in the Alaska Air National Guard. These airmen embody the core values of the Air

Force—integrity first, service before self, and excellence in all they do—and are undoubtedly the best our country has to offer.

The National Guard Bureau recently confirmed that the rescue squadrons of the 176th Wing comprise the busiest Combat Search and Rescue unit in the entire U.S. Air Force. This of course brings great pride to us as Alaskans. These brave men and women risk their lives every day so others may live, and I am honored to thank them for their service and recognize the extraordinary bravery of one of their own.

I am pleased to honor one of these heroic pararescue airmen, specifically a parajumper—or a PJ—one MSgt Roger D. Sparks from the 212th Rescue Squadron out of Joint Base Elmendorf-Richardson. In the near future, the Air Force will award Sergeant Sparks with the Silver Star Medal for gallantry in combat during a daring, lifesaving rescue in the face of extreme danger in Afghanistan on November 14, 2010.

On that day, Sergeant Sparks—pictured here; the gentleman in the background; there he is with his pararescue team—responded to cries of help from an Army platoon pinned down on all sides by a fierce and coordinated Taliban assault.

What started as a relatively routine rescue mission—and routine by their standards is still extremely heroic by any normal standard—this rescue mission quickly broke down into a dire situation that claimed the lives of five U.S. soldiers but could have been an absolutely catastrophic loss of life had it not been for the bravery and selfless actions of Sergeant Sparks and his team.

At the time of this rescue, the PJ team had been providing dedicated medical evacuation support for the 101st Airborne unit during Operation Bulldog Bite. This was a coalition offensive which was aimed at driving the enemy out of the Watapur Valley in the Kunar Province of Afghanistan near its eastern border with Pakistan.

Throughout the 5-day operation, the team rescued 49 casualties and executed 30 hoist operations, most of which were done while they were exposed to enemy fire. The most significant of all these missions though took place on November 14.

To paraphrase the account from Sergeant Sparks' team commander, Capt. Koa Bailey, what began as a relatively routine rescue operation for two wounded and one deceased soldier quickly turned into anything but routine. As the rescue team approached the battle zone and took on fire, they quickly realized the situation was rapidly deteriorating for the U.S. soldiers on the ground.

According to Captain Bailey, a different operator came on the radio, indicating that the first operator was hit. You could hear the fear in the guy's voice. While we were listening it went from two to six wounded. So with complete disregard for their own safety, Captain Bailey and Sergeant Sparks were lowered into the battle amidst a hail of enemy fire.

It was later determined that the hoist line used to lower them into combat was actually even struck by several rounds. As soon as their boots hit the ground, a rocket-propelled grenade exploded less than 20 feet away, knocking both airmen to the ground. Quickly gathering themselves, Sergeant Sparks and Captain Bailey took charge of the beleaguered platoon who were trapped in a furious, chaotic fight.

Sergeant Sparks and Captain Bailey were on their own to handle the situation the best they could, with extremely limited first aid equipment and no ground artillery support. Over the next 5 hours, as bombs hammered enemy positions and bullets spattered against the rocks, Sergeant Sparks abandoned cover to locate, consolidate, and treat the wounded.

According to his team commander, Sergeant Sparks selflessly exposed himself to destructive enemy fire, in order to save American lives, competently handling the treatment of nine patients during the worst possible mass casualty situation.

Taken from the narrative:

When Sergeant Sparks exhausted his medical supplies, he improvised using belts, T-shirts or boot strings in a desperate attempt to keep his patients alive. After assembling all the casualties in a central location, Sergeant Sparks gathered body armor and positioned it around the helpless soldiers to protect and shield them from enemy fire. Repeatedly returning to the most critically wounded, Sergeant Sparks performed vital medical procedures in a deliberate process to ensure that each of the solders received continued care and attention until airlift arrived.

He feverishly triaged chest wounds, punctured lungs, shattered hips, fist-sized blast holes, eviscerated stomachs, and arterial bleeders with extremely limited medical supplies and only the light of the moon piercing the darkness of the remote mountaintop. Upon return of evacuation aircraft, Sergeant Sparks directed the hoisting of the most critically injured and briefed the crews on each casualty's injuries and medical requirements, choosing to remain behind until the last man departed.

Sergeant Spark's quick and composed actions ensured nine solders received medical care as quickly as possible amidst constant enemy fire and despite extremely limited resources. Sergeant Sparks' leadership and courageous actions saved lives and allowed the remainder of the infantry platoon to continue with their assigned mission. His extraordinary efforts under direct fire and in immediate danger to his own life resulted in saving four American lives and one host nation civilian as well as returning four soldiers killed in action to their families.

Tragically, the fierce battle ultimately claimed the lives of five solders that day. All told, only eight soldiers of the platoon involved in the 6-hour battle were left with no visible wounds. However, if it were not for the courage and selfless action of Sergeant Sparks, Captain Bailey, and the entire rescue team, the loss of life would have been much higher.

I would like to take this opportunity to honor Sergeant Sparks' brave teammates, who also disregarded their own personal safety throughout their support of Operation Bulldog Bite so that others might live. These men are: SSgt Aaron Parcha, SSgt Jimmy Settle, SSgt Ted Sierocinski, TSgt Brandon Hill, MSgt Brandon Stuemke, SMSgt Christopher ''Doug'' Widener, Capt. Marcus Maris, and Capt. Koaalii Bailey.

There were many heroes on that day, including these pararescuemen and the soldiers that were engaged in battle. But I am particularly honored to congratulate MSgt Roger Sparks on the award of the Silver Star and thank him and his family for their dedicated and selfless service to our Nation.

As with all the members of the 176th Wing, I am absolutely in awe of his achievement, eternally grateful for his service, and sincerely proud to have him serving in the great State of Alaska.

I ask unanimous consent that the complete text of Master Sergeant Sparks' Silver Star Medal citation be printed in the RECORD.

CITATION TO ACCOMPANY THE AWARD OF THE SILVER STAR TO ROGER D. SPARKS

Master Sergeant Roger D. Sparks distinguished himself by gallantry in connection with military operations against an armed enemy of the United States as a Pararescue Jumper assigned to the 212th Rescue Squadron in the Watapur Valley, Afghanistan on 14 November 2010. On that date, Sergeant Sparks responded to a call in support of Operation BULLDOG BITE and the Army's 101st Airborne Division. While in the air, circling the objective, the ground situation grew extremely hostile and the number of casualties increased from two to six. As a result of the increased fighting in the area, Sergeant Sparks' team took the lead position for the evacuation mission. With limited information regarding the ground situation, Sergeant Sparks and Captain Bailey began their 40 foot descent from the helicopter via a hoist to the ground and immediately began taking enemy fire. Bullets flew by the two pararescuers and the lowering cable was hit three times while they dangled in the air. They yelled for rapid descent and the flight engineer lowered them to the ground with enemy rounds flying all around. Upon reaching the ground, the pair was assaulted with a rocket propelled grenade. Exploding just 20 feet away, the blast knocked them both off their feet. As the gunner engaged the enemy with danger close rounds, Sergeant Sparks ran approximately 70 yards uphill, to take cover. As he approached the tree, it was blown to pieces by another enemy fired rocket propelled grenade. Still under intense enemy fire, with bombs hammering danger close enemy positions, Sergeant Sparks abandoned cover to provide aid to the wounded. Despite continued enemy fire and with no concern for his personal safety, Sergeant Sparks immediately performed lifesaving measures for nine wounded Soldiers. He feverishly triaged chest wounds, punctured lungs, shattered hips, fist sized blast holes, eviscerated stomachs, and arterial bleeders with limited medical supplies and only the light of the moon. Upon return of evacuation aircraft, Sergeant Sparks directed evacuation of the injured while briefing crews on each casualty's injuries and

medical needs; choosing to remain behind until the last man departed. His extraordinary efforts under direct, immediate danger to his own life resulted in saving four American lives, one Host Nation civilian and returning four Soldiers killed in action to their families. By his gallantry and devotion to duty, Sergeant Sparks has reflected great credit upon himself and the United States Air Force.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING HOWARD BAKER

Ms. MIKULSKI. Madam President, I rise to speak about the missing girls from Nigeria who on the 73rd day are still held in captivity. But before I do, as a Senator I would like to express my sorrow to hear about the passing of one of the great Senators, Howard Baker of Tennessee.

Many Senators will come to the floor to extol what a great Senator he was, what a great leader he was. I also want to take a moment to express my sympathy to his widow, another Senator, Senator Nancy Kassebaum. When I came to the Senate, there was only one other woman, and that was Senator Nancy Kassebaum, then representing the great State of Kansas. She was a great friend to me. We served on the HELP Committee. We worked together over many years. Then Senator Kassebaum retired.

She thought she was going back to Kansas, but she found herself in the arms of Howard Baker. We watched a love story unfold that was so endearing to many of us. Senator Ted Kennedy and I were invited to the wedding of Howard Baker and Nancy Kassebaum. After the vows there was a beautiful reception and they played the music. Howard and Nancy twirled and whirled around the floor. Then they turned to the crowd. Ted Kennedy and I rushed out. I grabbed Howard, he grabbed Nancy, and we did the bipartisan boogie through the night.

Those were the days that one remembers. That is the kind of spirit the Senate had. That is the kind of spirit that Senator Howard Baker had—that you could argue, you could debate, and so on, but deep down the Senate should be the saucer that cools irrational passions of the time. He was a great leader. He created this atmosphere of being able to come together and solve problems. So whether it was on the Senate floor or whether it was on the dance floor, he really spoke about the need for bipartisanship. Senator Nancy Kassebaum Baker is exactly the same way.

So remembering with such fondness, we want to express our condolences about him and certainly to her as just one woman to another.

NIGERIAN SCHOOL CHILDREN

I also come to the floor today to talk about another sadness, the sadness about the fact that the Nigerian school girls who were abducted by Boko Haram continue to be held in captivity. I come to the floor to say that just because it is not in the headline does not mean that these girls are not still in danger for what has happened to them.

We need to continue to speak up and speak out. That is not to minimize Iraq. That is not to minimize Iran. This is not to minimize all of the other problems facing the world. But we all had Web sites and hashtags and so on saying: Bring our girls back home. I am here today saying to Boko Haram: We have not forgotten. We are proud that our President sent 80 troops to Chad to assist in the effort to locate these kidnapped girls.

We understand that there continues to be the search effort. We do not want it to be a recovery effort. We need it to be a rescue effort. These girls were kidnapped. It is despicable. It is unacceptable. They are threatening to sell these girls into trafficking. Now after holding them for 73 days, I have no idea what they have had to endure.

It goes on. They are continuing to kidnap children. They are kidnapping girls, some as young as 3 and 4. That was the other day. They are also kidnapping little boys. What kind of organization is this? Now, in response to the violence there, I know we, the women of the Senate, signed a letter to President Obama asking for international sanctions against Boko Haram, and that they be added to the U.N. Al Qaeda sanctions list. The United Nations actually acted. They actually acted promptly. So now they are on the terrorist list. We need to take all of the appropriate actions that support the sanctions that go with it.

I am hopeful we can find these girls. But we cannot stop our advocacy for them, for close to 100 girls, and now for the new children that have been kidnapped—boys as well as girls.

We need to be able to take all necessary international steps that are legal to be able to rescue them and bring them home. Now this terrible, terrible situation has also generated the conversation about the education of children around the world, particularly girls. For some reason, there are those around the world who do not want to see girls get a basic education. Malala, who wrote her book about it, took a bullet wound in her brain because she wanted to go to school, because she wanted to learn to read. As she said: One child, one book at a time, we can change the world.

We have put money in the Federal checkbook in foreign ops to really help with the education of the children around the world. Right now there are 62 million girls throughout the world who are not in school. They are not in school for two reasons. They are not in school because of the lack of capacity, like books and teachers, and they are not in school because of the bigotry against them.

We need to do something. I know that we are moving towards a vote. I say to Boko Haram: Let these girls go. Let's bring them back home. I say for those who are searching for them: Do not lose heart. We have got to deal with that. But we also have to come to grips with the fact that we cannot let millions of girls around the world not have access to education. Education is as important as water. We need water to live. You need education to make a life for yourself.

We look forward to working with our colleagues across the aisle. We hope to move the foreign ops bill that has money in the Federal checkbook to do this. When we return from the break I will have more to say. I hope it will be: Thank God we found them and we brought them back to their mothers and fathers.

Millions of these girls who fight for their right to attend school are risking their lives. Facing harassment, threats, and even violence to get an education and have the opportunity to thrive and succeed.

Additionally girls who are in school often do not have access to adequate supplies needed to do their work, lack basic bathroom facilities, and that provide them security and safety.

They lack trained teachers and adequate learning environments.

This is unacceptable. We must make a real effort to address this far-reaching global crisis.

This kidnapping of the Nigerian school girls also illustrates the horrifying reality of human trafficking.

Over 20 million people throughout the world are victims of human trafficking.

This is something that we cannot accept.

The U.S. Government is committed to addressing this problem.

I am happy that the State Department has announced that USAID will be launching a new program called ''Let Girls Learn''.

''Let Girls Learn'' provides $231.6 million for new programs to support primary and secondary education and safe learning:

In Nigeria, Afghanistan, South Sudan, Jordan, and Guatemala.

Making sure that girls receive an education needs to be a priority for all of us.

When girls are educated their families and communities are better off.

Girls who receive basic education are three times less likely to contract HIV.

Education helps women increase their income, allowing them to better support their families and contribute to their nation's economy and overall success.

The United States must continue to be a leader in the fight to make sure girls across the world are able to receive an education in a safe environment.

I also call on all nations to make this a priority and to put their words of support into action, and for governments around the world to make every effort to ensure that children can receive an education in a safe environment.

Education is a basic human right that should not be deprived regardless of where you live or where you come from.

Making sure that all boys and girls have access to basic education is something I have always fought for and something I will continue to fight for.

NOMINATION OF STUART E. JONES, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ

NOMINATION OF ROBERT STEPHEN BEECROFT, 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 ARAB REPUBLIC OF EGYPT

NOMINATION OF KAREN DYNAN TO BE AN ASSISTANT SECRETARY OF THE TREASURY

NOMINATION OF ESTHER PUAKELA KIA'AINA TO BE AN ASSISTANT SECRETARY OF THE INTERIOR

NOMINATION OF VINCENT G. LOGAN TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR

NOMINATION OF JO EMILY HANDELSMAN TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations, which the clerk will report.

The assistant bill clerk read the nominations of Stuart E. Jones, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq; Robert Stephen Beecroft, of California, 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 Arab Republic of Egypt; Karen Dynan, of Maryland, to be an Assistant Secretary of the Treasury; Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior; Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior; and Jo Emily Handelsman, of Connecticut, to be an Associate Director of the Office of Science and Technology Policy.

VOTE ON JONES NOMINATION

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the Jones nomination.

Mr. CORKER. I yield back all time.

Ms. KLOBUCHAR. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Stuart E. Jones, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq?

Mr. CORKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 216 Ex.]

YEAS—93

Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Barrasso	Harkin	Nelson
Bennet	Hatch	Paul
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Pryor
Booker	Heller	Reed
Boozman	Hirono	Reid
Boxer	Hoeven	Risch
Brown	Inhofe	Roberts
Cantwell	Isakson	Rockefeller
Cardin	Johanns	Rubio
Carper	Johnson (SD)	Sanders
Casey	Johnson (WI)	Schatz
Chambliss	Kaine	Schumer
Coats	King	Scott
Collins	Kirk	Sessions
Coons	Klobuchar	Shaheen
Corker	Landrieu	Shelby
Cornyn	Leahy	Stabenow
Crapo	Lee	Tester
Cruz	Levin	Thune
Donnelly	Manchin	Toomey
Durbin	Markey	Udall (NM)
Enzi	McCain	Vitter
Feinstein	McCaskill	Walsh
Fischer	McConnell	Warner
Flake	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wicker
Graham	Murkowski	Wyden

NOT VOTING—7

Alexander	Coburn	Udall (CO)
Begich	Cochran	
Burr	Moran	

The nomination was confirmed.

VOTE ON BEECROFT NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate on the Beecroft nomination.

Mr. REID. I yield back the time.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Robert Stephen Beecroft, of California, 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 Arab Republic of Egypt?

The nomination was confirmed.

VOTE ON DYNAN NOMINATION

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to a vote on the Dynan nomination.

Mr. REID. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Karen Dynan, of Maryland, to be an Assistant Secretary of the Treasury?

The nomination was confirmed.

VOTE ON KIA'AINA NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Kia'aina nomination.

Mr. REID. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior?

The nomination was confirmed.

VOTE ON LOGAN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Logan nomination.

Mr. REID. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior?

The nomination was confirmed.

VOTE ON HANDELSMAN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote on the Handelsman nomination.

Mr. REID. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Jo Emily Handelsman, of Connecticut, to be an Associate Director of the Office of Science and Technology Policy?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

VOTE EXPLANATION

● Mr. UDALL of Colorado. Mr. President, due to unavoidable family commitments, I was unable to cast votes relative to rollcall vote No. 215 on the motion to invoke cloture on the nomination of Cheryl Ann Krause to be U.S. Circuit Judge for the Third Circuit and rollcall vote No. 216 on the confirmation of Stuart E. Jones to be Ambassador to the Republic of Iraq. Had I been present, I would have voted yea in each instance.●

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. RES. 487

Mr. CRUZ. Madam President, I rise today to discuss the facts regarding the ongoing IRS scandal that the Obama administration refuses to investigate, refuses to prosecute, refuses to address with honesty and integrity. I want to talk about the facts we know and the facts we don't know, and how we as the Senate can demonstrate fidelity to law and the integrity of the U.S. Government.

Let's talk about what we know.

We know that more than 1 year ago on May 14, 2013, the inspector general of the Treasury Department said that beginning in 2010 the IRS had improperly targeted conservative citizen groups, tea party groups, pro-Israel groups, and pro-life groups. The day the inspector general's report was made public, President Obama had described what occurred as ''intolerable and inexcusable.'' As President Obama put it: ''Americans have a right to be angry about it, and I am angry about it.''

Well, if President Obama was speaking the truth when he said over a year ago that Americans have a right to be angry about this, then today after over a year of obstruction of justice, of refusing to investigate or prosecute what happened under President Obama's own standard, the Americans have a right to be far more than angry about it.

Likewise, the very same day the inspector general report came out, Attorney General Eric Holder said the IRS targeting the conservative groups was ''outrageous and unacceptable.'' That was more than a year ago.

What has happened in the year and 2 months that have passed since then? Although both the President and the Attorney General profess outrage and anger, not a single person has been indicted—not a single person. Although both the President and the Attorney General said they would investigate this matter, it has been publicly reported that no indictments are planned. In fact, President Obama went on national television during the Super Bowl and categorically stated, ''There was not even a smidgeon of corruption to be found at the IRS.''

How far we had come from the day the scandal broke when he said he was angry and the American people had a right to be angry. Fast forward a few months later and he goes on television and says there is not a smidgeon of corruption.

That is a remarkable statement for the President to have made, because Attorney General Eric Holder 4 days earlier had told the Senate Judiciary Committee that there was an ongoing investigation being conducted at the IRS.

President Obama's comments and Eric Holder's comments are facially inconsistent. Either Eric Holder was telling the truth, that there is, in fact, a meaningful ongoing investigation, or President Obama was telling the truth when he said conclusively there is not a smidgeon of corruption. One or the other was not telling the truth or perhaps President Obama was simply prejudging the investigation. Perhaps President Obama was simply attempting to influence its outcome, making clear that the outcome desired from the White House is that there is not a smidgeon of corruption. What happened to the American people having a right to be angry? Now the President is instead telling investigators the conclusion they should reach.

Regardless, it is beyond dispute that the Obama administration, the Justice Department, has not held anyone accountable for this gross abuse of power.

In a hearing in January of this year, Attorney General Eric Holder refused to answer whether even a single victim of the wrongful targeting has been interviewed.

Let me repeat that. The victims who were targeted wrongly by the IRS—the citizens—for exercising their political free speech rights, the Attorney General refused to answer if they had even bothered to interview any of those citizens.

We also note some of the emails that have been made public give the appearance that the Department of Justice may have been directly involved in the illegal targeting of citizen groups based on their political views.

Most stunningly, we know that the lead attorney investigating this matter is a major Democratic donor and a major donor to President Obama. Indeed, she has given over $6,000 to President Obama and Democrats in recent years.

No reasonable person would trust John Mitchell to investigate Richard Nixon. Yet the Obama administration is telling the American people the investigation into the wrongful targeting of conservatives will be led by a major Obama Democratic donor. That is contemptuous. It is contemptuous of the law; it is contemptuous of the American people. One would think that if you appoint a major Obama donor to lead the investigation, it is likely that the victims would not be interviewed, that no one would be indicted. And, wonder of wonders, what has happened? The victims have not been interviewed and no one has been indicted.

But that is not all. We have seen Lois Lerner, the head of the IRS office that illegally targeted conservative citizens, go before Congress and repeatedly plead the Fifth. When a senior government official takes the Fifth, that is an action that should be taken very seriously. Yet it seems in this town partisan politics trumps fidelity to law. What Lois Lerner said in the House of Representatives by pleading the Fifth is effectively standing there saying, ''If I answer your question, I may well implicate myself in criminal conduct.'' That is chilling.

Let me note with sadness that the Democratic Members of this Chamber seem to have no concern about a senior IRS official pleading the Fifth repeatedly because truthfully answering the questions could implicate her in criminal conduct.

Throughout it all Americans have been told that the Obama administration would find out what happened and would take the necessary actions.

Indeed, the new head of the IRS, Commissioner John Koskinen, promised as much. Now we find out that this new Commissioner is also a major donor to President Obama and Democratic causes. This new Commissioner of the IRS has given nearly $100,000 to the Democratic Party, including $7,300 to President Obama. What fairminded person would entrust not one but two major Obama donors to investigate how the IRS used political power to go after the enemies of President Obama? Not one but two—the lead lawyers in the Department of Justice heading up the noninvestigation that is not interviewing the victims, that is not indicting anyone, and the head of the IRS giving nearly $100,000 to Democratic causes.

We received even more striking news, that Commissioner Koskinen tells us the IRS lost Lois Lerner's emails. Oops, sorry. The dog ate my homework.

Madam President, if you or I tried that in our IRS returns, they wouldn't accept that excuse from a citizen. We are told the hard drive crashed and the documents are irretrievable under any circumstances. We also know the IRS didn't follow the law when it failed to

report the hard drive crash that we are told occurred. But make no mistake, these emails haven't just been lost. These emails have been deleted, taped over, and the hard drive physically destroyed ccording to public news reports. This is Rosemary Woods, when you have Federal Government officials destroying evidence. In the ordinary parlance that is called obstruction of justice. The hard drive magically collapses, magically crashes, and is physically destroyed right after the investigation begins and, I would remind you, the investigation that has resulted in Lois Lerner pleading the Fifth twice.

We are supposed to believe that the emails from the IRS officials in charge of the division that illegally targeted political organizations and has repeatedly pleaded the Fifth to avoid incriminating herself, that her emails have simply vanished innocuously. It happens. It happens to people in the middle of illegal acts. Their records magically disappear right when the investigators are seeking to discover them.

This is an outrage. This is a scandal. This is an insult to anyone concerned about the rule of law, and no one in the Senate, regardless of political party, should stand by and accept this.

But it doesn't end there.

On Wednesday it was reported that Lois Lerner flagged a speaking invitation for Republican Senator CHARLES GRASSLEY for examination. Senator GRASSLEY is the highest ranking Republican on the Senate Judiciary Committee who has been a strong and powerful voice for accountability at the Department of Justice. It is curious that she would be so eager to subject Senator GRASSLEY for extra scrutiny based on a speaking invitation.

Right now, today, the White House is in control of Democrats. There will come a time when Democrats no longer control the White House and the administration. I would ask every Democratic Member of this body, how comfortable are you with the precedent that the IRS can single out Democratic Senators who might disagree with the President's political position? The targeting of CHUCK GRASSLEY, the singling out of CHUCK GRASSLEY, ought to trouble every single Member of this body.

On Tuesday it was reported that the IRS agreed to pay $50,000 in damages to the National Organization for Marriage because the IRS admittedly unlawfully released confidential information of members of that group to its political opposition.

Let me repeat that. IRS officials have publicly admitted—this is not inference, this is not suggestion, this is what they have admitted—that they leaked personal tax information for the purpose of intimidating a conservative group to the political opposition of that group. That is textbook abuse of power. And I would note the $50,000 fine—which, by the way, has been paid by U.S. taxpayers—the $50,000 fine does nothing to address the partisan political corruption at the IRS, the abuse of power, or the coverup. A fine does not signal the problem has been fixed.

I would note, by the way, where are the Democratic Members of this body standing and saying it is wrong for the IRS to illegally hand over personal information from individual taxpayers for partisan purposes to their political opponents?

I want to underscore that the IRS has admitted they did this and paid a $50,000 fine and the Democratic Members of this body are apparently not troubled at all. If they are troubled, they keep their troubles very quiet and to themselves.

Americans need a guarantee that the IRS will never be used again to target an administration's political enemy.

When a Republican President, Richard Nixon, attempted to use the IRS to target his political enemies, it was wrong. It was an abuse of power, and he was rightfully condemned on both sides of the aisle. Both Democrats and Republicans stood up to President Nixon when he attempted to use the IRS to target his political enemies and said: This is wrong.

The Obama administration didn't just attempt to do so, it succeeded. It carried out a concerted effort and targeted those who were perceived to be political enemies of the President and targeted those individual citizens. The administration then put two major Democratic donors in charge of the investigation and covered up the truth, including conveniently losing emails from the central player in this figure who has twice pleaded the Fifth.

It was wrong when Richard Nixon tried to use the IRS to target his political enemies, and it was wrong when the Obama administration tried and succeeded to do the same. The difference is when Richard Nixon did so, Republicans had the courage to stand up to Members of their own party. It saddens me that there is not a single Democratic Member of this body who has had the courage to stand up to their own party and say: This abuse of power—using the IRS to target citizens for political beliefs—is wrong.

We need a special prosecutor with meaningful independence to make sure justice is served and that our constitutional rights to free speech, to assembly, and to privacy are protected.

It saddens me to say that the U.S. Department of Justice, under Attorney General Eric Holder, has become the most partisan Department of Justice in the history of our country. I say this as a former associate deputy attorney general at the U.S. Department of Justice. I can tell you there are Democratic alumni across this country who are saddened and heartbroken to see the Department of Justice becoming effectively an arm of the Democratic National Committee.

IRS officials have stonewalled at every turn, and we should not wait a single minute to put an end to the intimidation and bullying of the American people. These are not the actions of a government that respects its citizens. We need to restore that respect, that government officials work for the people and not the other way around.

The Department of Justice has a storied history. There is a history of attorneys general standing up to political pressure, even against the Presidents who have appointed them. Listen, political pressure in this town is nothing new and attorneys general throughout history have had a special mettle of being willing to look into the eyes of the President who appointed them and willing to say: I care more about the rule of law than any partisan allegiance I might have.

When President Richard Nixon faced charges of abusing government power for partisan ends, his attorney general Elliot Richardson, a Republican, appointed Archibald Cox as special prosecutor. Likewise, when President Bill Clinton faced charges of ethical impropriety, his attorney general Janet Reno, a Democrat, appointed Robert Fiske as independent counsel. Sadly, the current attorney general has refused to live up to that bipartisan tradition of independence, of integrity, and of fidelity to law.

I have repeatedly called on Attorney General Eric Holder to remove the investigation from the hands of a major Obama donor and put it instead in the hands of a special prosecutor with meaningful independence who, at a minimum, is not a major Democratic donor. Even the very slightest respect for the rule of law would suggest that the attorney general should not be part and parcel of the political and partisan coverup.

Therefore, in a few moments I intend to ask for unanimous consent to call up a Senate resolution expressing the opinion of the Senate that the Attorney General should appoint a special prosecutor to investigate and prosecute—if the facts support—the IRS targeting of Americans and its potential coverup of those actions.

When I asked the Attorney General whether the Department of Justice investigated the direct involvement of political appointees at the White House—up to and including the President—Attorney General Holder refused to answer that question. That is always the hardest thing for an attorney general to do: Ask the question that raises partisan peril. That is why attorneys general are supposed to be nonpartisan and owe their fidelity to the Constitution and the laws of this United States and to the American people.

The House of Representatives has passed a similar resolution to the one I am submitting. It was sponsored by Congressman JIM JORDAN of Ohio on May 7, 2014. The resolution passed in the House 250 to 168. Twenty-six Democrats voted in favor of the resolution.

Why is it that Democrats in the House of Representatives can muster up the courage to stand up to the partisan pressure from the White House.

Yet in the Senate we hear crickets chirping. This used to be the body praised for its independence and for its ability to stand up to abuse of power.

Just today the U.S. Supreme Court unanimously reversed the Obama administration for the 12th time in the last 2 years in its assertion of overbroad executive authority. This time it asserted that the President unconstitutionally attempted to circumvent the checks and balances of the Constitution by unilaterally appointing recess appointments while the Senate was not in recess.

The U.S. Supreme Court unanimously, by a vote of 9 to 0, said the President's actions were unconstitutional in that case, and once again, as with the IRS, my friends on the Democratic side of the aisle were silent. How is it there is no longer a Robert Byrd, that there is no longer a Ted Kennedy, that there are no longer any Democrats who will defend the institutional integrity of the Senate? How is it when the Supreme Court concludes unanimously that the President's intrusion on the Senate's constitutional authority is unconstitutional not a single Senate Democrat has the courage to stand up to this President? How is it in the face of a senior IRS official repeatedly pleading the Fifth, how is it in the face of the IRS admitting it wrongfully handed over private personal IRS tax data to the political opponents of a citizens group and paid a $50,000 fine for it, how is it that not a single Democratic Senator does not have the courage to speak up? At what point does it become too much? At what point does it become embarrassing?

Constitutional law professor Jonathan Turley, whom I might note is a liberal and voted for President Obama in 2008, said that President Obama has become the embodiment of the imperial President. He described how Barack Obama has become the President Richard Nixon always wished he could be. I am sorry to say that he has done so with the active aiding and abetting of 55 Democratic Members of this Senate because when Democratic Members of this Senate or any Member of this Senate stands by and allows the President to trample on the rule of law, then any one of us who remains silent is explicit in undermining the Constitution.

This resolution should be unanimous. If the tables were turned and this were a Republican President and a Republican Attorney General had appointed a major Republican donor to lead the investigation into the wrongful targeting of Democrats and destroyed emails and hard drives and publicly admitted to leaking private citizen information to the political opponents of Democrats, the Democratic side of this Chamber would rightly be lighting their hair on fire.

If this were a Republican administration, every media outlet would have banner headlines every single day. I can assure you that at least some Republican Senators would be standing up and saying this abuse of power is wrong.

This resolution should be unanimous because everyone should agree that an investigation should be beyond reproach and should not be handed over to major Democratic donors.

If the allegation—which the report of the inspector general of Treasury has already confirmed in significant respect—is of abuse of government power of the IRS to target citizens for their political beliefs, then you cannot entrust the investigation to someone who is partisan and has a political interest in protecting the party in power. If Attorney General Eric Holder continues to refuse to appoint a special prosecutor, he should be impeached.

When an attorney general refuses to enforce the rule of law, mocks the rule of law, and corrupts the Department of Justice by conducting a nakedly partisan investigation to cover up political wrongdoing, that conduct, by any reasonable measure, constitutes high crimes and misdemeanors.

Attorney General Eric Holder has the opportunity to do the right thing. He can appoint a special prosecutor with meaningful independence who is not a major Obama donor. Yet every time the Attorney General has been called on to do this, he has defiantly said no. In fact, he said in writing in his discretion, no. If Attorney General Eric Holder continues to refuse to appoint a special prosecutor to investigate the abuse of power by the IRS against the American people, he should be impeached.

I agree with President Obama when he said on the day this scandal broke, the American people have a right to be angry. If the American people had a right to be angry over a year ago when the scandal broke, the fact that it has now been covered up and the fact that a partisan investigation has refused to begin to scratch the surface of what happened should make the American people more than angry. It should move them to action. It should move them to accountability. It should move them to hold the officials of our government responsible.

Accordingly, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 487. I further ask consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, as the chairman of the Finance Committee, which oversees the IRS, I have a question as to whether bringing in a special prosecutor would be a good use of taxpayer money in this case. I am going to spend a few minutes laying out what is actually going on with respect to this matter.

There are already five IRS investigations that have either concluded or are ongoing. There was the original Treasury inspector general audit, in addition to ongoing investigations by four congressional committees, the Senate Finance Committee, the House Ways and Means Committee, the House Oversight and Government Reform Committee, and the Senate Permanent Subcommittee on Investigations.

The Senate Finance Committee, the committee I chair, has been conducting a bipartisan investigation for more than a year. I repeat: This is a bipartisan investigation. In fact, the committee's report was essentially ready to be released last week when the IRS informed us that some emails were missing because of a hard drive crash. So that colleagues understand just how bipartisan our effort has been, Senator HATCH and I have worked closely on this every step of the way since I had the honor of becoming the chair of the Finance Committee. When we heard of the hard drive problem, the two of us, a Democrat and a Republican, immediately asked the IRS Commissioner to come to my office where we asked pointed questions of Commissioner Koskinen. We didn't wait 10 days. We didn't wait a week. The two of us, a Democrat and a Republican, felt it was an important part of our committee's bipartisan inquiry, so we had Mr. Koskinen come to our office. And this has just been one example—it happens to be very recent—of the bipartisan efforts that have been made looking into this matter.

The Finance Committee staff, Democrats and Republicans, have reviewed over 700,000 pages of documents and interviewed 30 IRS employees. Those interviews were done jointly. We had Democrats and Republicans doing them together. Now, as we continue to look at how this is going to unfold, the Treasury Department Inspector General—that is Mr. Russell George—has agreed to investigate the most recent matter, and he briefed our staff just yesterday on the work plan for getting their investigation done promptly. Once the committee determines what happened with the hard drive crashes, then the committee will, again on a bipartisan basis, move forward with releasing our report—the report that was almost ready to be released when the IRS informed us that the emails were missing because of a hard drive crash and when Senator HATCH and I together brought Mr. Koskinen immediately to my office.

I heard my colleague say that things would be different if this were a Republican administration. Well, I want it understood—I want every Senator to understand this. Senator HATCH and I would be doing exactly what we are doing now, with the same diligence, if it was a Republican administration. That, in my view, is the bottom line, because that is what bipartisanship is

all about. That is the way an important inquiry ought to be handled.

There is nothing of value that a special prosecutor would bring to the table, and it certainly would involve significant cost to American taxpayers. In fact, many of us can remember special prosecutors abusing their power, spending millions of dollars of taxpayer money, and going on for years and years without concluding their investigations. Too often, special prosecutors have turned into lawyers' full employment programs. They ought to be reserved for when there is evidence of criminal wrongdoing inside the government. It would be premature to appoint a special prosecutor with the bipartisan Finance Committee report almost finished.

I will just close by saying I am a pretty bipartisan fellow. In fact, sometimes I get a fair amount of criticism for being too bipartisan. I want it understood this is a bipartisan inquiry that is being done by the book. Senator HATCH and I are looking at these matters together. We talk about it frequently. Those witnesses were interviewed together. We brought Mr. Koskinen in immediately. My view is that it would be premature to appoint a special prosecutor with the bipartisan Finance Committee report almost finished.

If we look at this in terms of what is at issue now, we can bring the facts to light with our own investigators and our own bipartisan inquiry and avoid the special prosecutor disasters of the past.

I object to the Senator's request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Madam President, I thank my friend from Oregon for his impassioned comments. I would note for the RECORD a few things he did not say. My friend from Oregon chose not to say a word about the fact that Lois Lerner, a senior IRS official, has twice pleaded the Fifth in front of the House of Representatives. To that he had not a single response.

My friend from Oregon chose to say not a word to the fact that the IRS singled out Senator CHUCK GRASSLEY for special scrutiny. To that, he said not a word.

My friend from Oregon chose to say not a word to the fact that the IRS has now admitted to illegally handing over private personal information from a citizen group to its political opponents for partisan political purposes, and has paid a $50,000 fine. That is not an allegation. That is not a theory. That is what the IRS has admitted to and paid a $50,000 fine for with taxpayer funds. Yet I am sorry to say my friend from Oregon had not a word to say about that abuse of power.

I mentioned before that from the Democratic Members of this Chamber, when it comes to the abuse of power by the Obama administration, there are crickets chirping.

Now, I am pleased that my friend from Oregon and the Finance Committee has engaged in an investigation of what occurred. We don't know what that investigation will conclude. But I find it interesting that he said it is premature for a special prosecutor. Fourteen months ago was when President Obama said: I am angry and the American people have a right to be angry—14 months ago. Fourteen months and not a single person has been indicted. Fourteen months and most of the victims haven't been interviewed. Fourteen months they have publicly announced they don't intend to indict anyone. Yet, it is premature. If the American people had a right to be angry 14 months ago, which is what President Obama told us, what should we feel 14 months later after partisan stonewalling and obstruction of justice? The American people had a right to be angry.

I would note a Senate committee is conducting an investigation and will issue a report, but the Senate committee can't indict anyone. The Senate committee can't prosecute anyone. My friend from Oregon says it is premature to have a special prosecutor because, apparently, holding people who break the laws, who commit criminal conduct to abuse IRS power to target individual citizens based on their political views—apparently, holding them accountable—is not a priority for a single Democratic member of this Chamber. That saddens me.

It saddens me that we don't have 100 Senators in this room saying, regardless of what party we are in, it is an embarrassment to have this ''investigation''—and I put that word in quotes, because a real investigation involves interviewing the victims; a real investigation involves following the evidence where it leads. I would note my friend from Oregon, in describing the Senate committee's investigation, mentioned that they interviewed some IRS employees, but notably absent from whom he said they interviewed was anyone at the White House, anyone political. Apparently, they were not interviewed. We don't know. But he didn't mention them if they were.

It is an embarrassment that this so-called investigation is led by a partisan Democratic donor who has given over $6,000 to President Obama and Democrats. It is an embarrassment that the IRS obstruction of justice is led by a major Democratic donor who has given nearly $100,000. Every one of us takes an oath to the Constitution. Every one of us owes fidelity to rule of law. When we have the Department of Justice behaving like an arm of the DNC, protecting the political interests of the White House instead of upholding the law, it undermines the liberty of every American. I am saddened that Democratic Members of this Chamber will not stand up and say: I have a higher obligation to the Constitution and the rule of law and the American people than I have to my Democratic Party. That is a sad state of affairs, but it is also a state of affairs that is outraging the American people, that is waking up the American people.

President Obama had it right when he said 14 months ago the American people are right to be angry about this. He was correct. And when elected officials, when appointed officials of the Obama administration mock the rule of law, demonstrate contempt for Congress, and abuse their power against the individual citizenry, against we the people, the people have a natural and immediate remedy that is available in November every 2 years. This November, I am confident the American people will follow the President's advice and demonstrate that they are angry about the abuse of power and even angrier about the partisan coverup in which all 55 Democratic Senators have actively aided and abetted.

If Attorney General Eric Holder is unwilling to appoint a special prosecutor, if he insists on keeping this prosecution in the control of a major Obama donor, then Attorney General Eric Holder should be impeached, because the rule of law matters more than any partisan political problem.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask unanimous consent to speak as in morning business.

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

Mr. RUBIO. Madam President, first of all, let me thank the Senator from Texas for raising this issue of the IRS. I have commented over the last few days that if this was, in fact, a Republican administration that had been engaged in this issue, this would have led every newscast in America. It would have been leading every newscast in America for the last week. It would have been compared to Watergate. Instead, what we have seen is the American news media, by and large, has largely ignored it.

One of the commentators last night on television added up all the minutes they dedicated to a soccer player who bit some other competitor compared to the amount of time they have dedicated to the fact that one of the most powerful agencies of the U.S. Government not just destroyed records, potentially—but even now we have been given news they tried to target a U.S. Senator for an internal audit—and the soccer player won. He got a lot more attention. There was a lot more news coverage paid to the guy who bit somebody than to the issue of the IRS.

So I thank the Senator from Texas for raising it here today before we head to our respective States for the Fourth of July because it is an issue that deserves our attention.

WORLD CUP SOCCER

Mr. RUBIO. There is another issue that deserves our attention. By the way, on the subject of soccer, since I am on it, I will confess I am not an expert on soccer, nor have I, frankly, historically been an enormous fan. To me football means you wear a helmet and some shoulder pads and you run into

each other pretty hard. But I have grown in admiration of the game given the following it has internationally and given the performance of our team, and I wish to congratulate Team USA. Despite losing today's game, they have achieved the honor of advancing into the round of 16 in the World Cup as we all watched and are excited about those prospects and are encouraged about the future of U.S. soccer and our prospects in the world cup.

So congratulations to them, to their families and to all fans of U.S. soccer all over the world and here in Washington cheering them on. If there is one thing that brought us together here this week, it is that, and we are grateful for it.

VENEZUELA

Mr. RUBIO. Madam President, there is a topic I would like to discuss before we leave for the Fourth of July recess and return to our States. One is an enormous story in my home State and, in particular, in my hometown of Miami, and that is the ongoing crisis in Venezuela. I have been talking about it for the better part of 3 months with regard to what is occurring there. It is pretty straightforward. There is an authoritarian government in Venezuela that has cracked down on the people in Venezuela, has crushed any sort of political dissent or tried to crush any form of political dissent. If a person is an outspoken critic of the Venezuelan government, they either wind up in jail or in exile.

In fact, the President of Venezuela, someone who won a fraudulent election just a year and a half ago, has now begun to turn on people in his own party when they dare to criticize him.

But the evidence is clear. First of all, the Venezuelan economy today is a disaster. The state of the Venezuela economy today is increasingly reminiscent of what is happening in Cuba: shortages of basic items, the inability to buy a bar of soap or toilet paper or toothpaste. The shortages are extraordinary.

We are talking about one of the richest countries in the hemisphere—a nation blessed with a talented and educated population and with natural resources, and particularly oil—and this guy in charge of that country has ruined Venezuela and its economy. That in and of itself is worthy of condemnation.

But what is even more apparent is how he has cracked down on political dissent in Venezuela. We have documented how over 40 people have now lost their lives in protests on Venezuela—by the way, protests that began when a student was sexually assaulted at a university. They protested the lack of security, and the security forces of Venezuela responded—not by going after the assailants but by going after the student protesters. Since then, opposition leaders have been jailed, Members of the opposition in the Parliament have been removed from their seats, and Venezuela continues to spiral out of control.

There have been gross human rights violations in Venezuela at the direction of the Venezuelan Government by organisms of the Venezuelan Government and extragovernmental organizations as well.

So in light of what is happening in Venezuela, and in light of the fact that so many people who live in Florida are impacted deeply by what is happening in Venezuela—because they are originally from there, because they have family there or because they conduct business there or because they care about what happens in our hemisphere—because of all of these things, not only have I been talking about this issue on the Senate floor but we began to take action.

The first thing we did was we passed a resolution from this Senate—and I thank my colleagues; it passed unanimously—condemning these human rights violations. I know sometimes we sit around here and wonder: What is the point of these resolutions?

They matter. I cannot tell you how many people are aware of what we have done here in the Senate, just speaking out and condemning these violations and making it very clear whose side we are on. We are on the side of the democratic aspirations and the rights of the people of Venezuela.

The second thing we did is we worked through the process here because unlike the way Maduro runs his government in Venezuela, here we have a republic and this Senate is an important part of that republic. We filed a bill to sanction individuals—not the government, not the country—individuals in the Venezuelan Government responsible for these human rights violations. In fact, in the committee I named 25 of them. That piece of legislation—that law—sanctioning the leaders in Venezuela passed the committee almost unanimously with bipartisan support.

Let me take a moment to thank Senator MENENDEZ, the chairman of that committee, for his leadership on this issue and my colleague from Florida BILL NELSON for his leadership on this issue, even though he is not on the committee. When we held a hearing on the issue of Venezuela, he went to the hearing and he attended an event we did in Miami with the Venezuelan community to talk about this reality.

That bill passed out of our committee. In addition to passing out of this committee, a very similar bill passed out of the House under the leadership of Congresswoman ROS-LEHTINEN. Both the Senate and the House—and they passed it off the floor of the House.

So the Venezuelan sanctions bill is ready for action here on the floor of the Senate. Knowing that it was a noncontroversial issue, that there is almost unanimous support for it, I have attempted to pass this bill by something we call unanimous consent, which basically means that the cloakrooms call the respective offices and they ask all of the Members: We are going to try to pass this bill. Do you have an objection? The reason why we do it that way is so we can save time so we have the time available to debate these other issues that are before us—especially on an issue that is not controversial. We pass a lot of law around here that way.

Unfortunately, there have been some objections—one from each side. I am happy to report that one of those two objections has been removed. It came from the Democratic side. The majority removed their objection. So it appears this bill is ready to move forward, but for the objection of one colleague of ours, who has the right to object, and who, quite frankly, has objections to it that he believes strongly about and we are respectful of.

What I am asking for at this point is—given that objection—when we come back from the recess, I am hoping that one way or another we will get a chance to vote. This is an issue that virtually every Member of the Senate but for one or two—at this point it appears one—is supportive of. I hope we can pass it because it is important. It will matter. This is not sanctions, for example, like the ones we have seen in the past on other countries. These are extremely targeted. These are targeted against individuals in the Venezuelan Government who have directed or carried out gross human rights violations.

They will be impactful because many of these people in the Venezuelan Government who are conducting these human rights violations actually spend their weekends in the United States. They fly on the private jets they bought with stolen money to the United States to stay in their fancy condominiums or their mansions. They shop at our stores. They parade up our streets. And then Monday morning they go back to work full time violating human rights.

So these sanctions will matter. These human rights violators in Venezuela have investments in the United States. In fact, when they steal money from Venezuela, often times they use straw companies and straw purchasers to invest that money in our economy—predominantly in Florida, but also in other places.

There is no reason in the world why they should not be sanctioned for what they have done. There is no reason in the world why we should not be going after these individuals for what they have done.

One of the cornerstones of our foreign policy must always be the protection of human rights anywhere in the world where they are challenged or oppressed. This gives us an opportunity to speak in a clear voice in a part of the world that, quite frankly, both parties have been guilty of neglecting. I have spent plenty of time around here talking about what is going on in Syria and what is going on in Iraq, and that

is a very dangerous issue that is occurring there. The counterterrorism risks that are posed by ISIL in Iraq and Syria are dramatic and deserve a lot of attention. We have spent time on the floor talking about what has happened in Ukraine and Russia's illegal actions with regard to Crimea, and they deserve attention. We have spent some time even talking about the Chinese ambitions in the Asian-Pacific region and their illegitimate territorial claims.

The only thing I am saying is that what happens in the Western Hemisphere matters too—that human rights violations in Venezuela are just as important as human rights violations in Africa or Europe or Asia or any other part of the world. Sometimes I feel as if they do not get the attention they deserve around here.

This is our opportunity to show that this hemisphere is important and that what happens in our hemisphere matters. I want you to know that the people of Venezuela—particularly those students and those who desire a democratic and respectful future—they are watching. Every single time we do something on Venezuela here, we hear it in phone calls, on Twitter, on Facebook, in visits to our office and in emails and in letters. They are watching, they are listening, and they are aware.

What I want people in the world to know and people in the hemisphere to know is that America does not simply care about stability; we also care about democracy and freedom and about human rights. This is our opportunity to put action where our words are.

So I sincerely hope that when we return here in about 8 or 9 days we can find a way forward to get a vote on this. If we are unable to do this through the unanimous consent process, which they call a hotline, my intentions are to come to this floor and offer it as what they call a live unanimous consent, where I will stand here and do what the Senator from Texas just did—or tried to do—with regard to the IRS issue.

I intend to come to this floor and propose this bill and ask for unanimous consent. If someone objects, then we will have a debate about that objection. Should that fail, then I hope we can have a vote scheduled. I promise it will not take any more than 15 minutes—or 10 if you want to limit the vote to 10 minutes. But let's get this done.

This is important. We have worked this the appropriate way. Often times, people come to the floor in the Senate and they pull a bill out of their pocket and say: Let's file it for messaging purposes. This is real. This is impactful. The House has already passed a version of this. Doesn't this issue at least deserve 10 minutes of the Senate's time?

So we are going to try to get this done one more time through unanimous approval. And we are going to work over the next 10 days to hopefully get everyone's support. But if we cannot do it that way, I hope we can schedule a vote on the Senate floor on this bill so we can go after and sanction those criminals in Venezuela who are stealing the money of the Venezuelan people and using the strength and the power of that government to attack their own people. I hope that will be a priority for us when we return. It deserves that attention.

I appreciate the opportunity to address this issue today, and I wish for all my colleagues the next 10 days will be fruitful in your return to your home States, and I look forward to working with you on these issues when we return.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Massachusetts.

MASSACHUSETTS BUFFER ZONE

Mr. MARKEY. Madam President, since 1973, when the Supreme Court decided that a woman's right to choose was constitutionally protected, women's health clinics across the country have been targeted by violence and other criminal activities by extremists.

The crimes are alarming: harassment, arson, acid attacks, obstruction, violent threats, and even murder. Women's safety has been repeatedly put at risk simply for exercising a constitutional right.

In the past 10 years, there have been approximately 75,000 incidents of violence against abortion providers in the United States. That is unacceptable. We should always remember that each of these victims of violence has a name, a family, and a story.

In 1994, a gunman killed two people and wounded five others at two clinics in Massachusetts. One of these victims was 25-year-old Shannon Lowney, a daughter of public schoolteachers, a beloved sister, and a volunteer who worked domestically and internationally with poor families and children.

Shannon worked as a receptionist and Spanish translator at Planned Parenthood in Brookline, MA. She worked there not for the pay but because she fundamentally believed women had a right to affordable health care. She wanted to do her part to ensure that patients at a vulnerable and stressful time in life were greeted with a smile. Five days after Christmas in 1994 she was fatally shot in the neck at a Planned Parenthood clinic by an extremist protester.

Shannon's story is just one of the many tragedies caused by violence against women exercising their rights.

In 2007, after the laws on the books proved inadequate, Massachusetts ensured that there would be fair and balanced laws that created a buffer zone of 35 feet around the entry of reproductive health care facilities.

This law was intended to protect people such as Shannon and the thousands of women and staff who visit and work at clinics.

The buffer zone law worked. Massachusetts women could exercise their fundamental right to health care without running a gauntlet of abuse. According to a survey of reproductive health care centers across the country, a majority of facilities with buffer zones experienced a decrease in criminal activity after the buffer zone was instituted.

Today the Supreme Court of the United States took away those buffer zones of safety when it struck down the Massachusetts buffer zone law, effectively undoing the historic progress we have made in ensuring that women are protected when accessing reproductive health care and exercising their constitutional rights.

Today's Supreme Court ruling puts women at risk simply for exercising their constitutional rights. Shannon's brother Liam visited me on the day that this case was argued before the Supreme Court. Their family is representative of what has happened across this country in terms of the endangerment of women when they seek to exercise their constitutional rights.

So today is a sad day. It is not just a sad day for America but in particular for Shannon's family because they put a lot on the line to ensure that this case was brought before the Supreme Court of the United States.

The Court's decision makes it more difficult for States to guarantee women's reproductive rights and more likely that acts of violence and intimidation against women seeking reproductive health care will occur.

With reproductive rights under attack across the country like never before, it is imperative that we ensure the basic safety of all women and staff at Planned Parenthood and other health facilities.

We should be expanding access to safe reproductive health care for women, not restricting it. That is unfortunately what today is going to represent in the history of health care for women in our country.

The Presiding Officer is a national leader on these issues, fighting for the rights of women. I stand with her and with the other Members of the Senate but, more importantly, also with ordinary families across this country and Planned Parenthood and all the women in Massachusetts and this country who believe every woman seeking reproductive health care should be safe and protected.

I am proud that all Massachusetts law enforcement officials will continue to use every legal tool available to ensure the safety and privacy of women and clinic staff. Today is a historic day. Unfortunately, it is one of which our country should not be proud.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TERRORIST THREATS

Mr. GRAHAM. Madam President, Senator MCCAIN and I have decided to come down before the Fourth of July break to talk about two issues that are very important to our national security.

The first issue I would like to discuss is the threat we face as a nation from terrorist safe havens in Syria and now Iraq.

The President has indicated in recent days that it is unacceptable to allow terrorist organizations such as ISIS to have safe havens from which to launch attacks against our country.

Mr. President, we agree. What are you doing about it? I understand Iraq is complicated. I understand you would need a new government in Iraq that Sunnis could buy into to probably turn Iraq around. That is a problem, but that is a separate problem from safe havens that can be used to launch attacks against the United States. Please do not turn over to the Iraqi politicians the timeline as to whether we will act to protect ourselves.

This is the FBI Director: ''My concern is that people can go to Syria, develop new relationships, learn new techniques and become far more dangerous, and then flow back.''

Americans are now in Syria. Some 7,500 foreign fighters from 50 countries have gone to Syria. They are now in Iraq. The Islamic State in Iraq and Syria was kicked out by Al Qaeda. These are the most extreme people on the planet. They have now gone into Iraq and taken large territories and up to $500 million in resources. They had a $30 million-a-year budget. They have more money than they ever dreamed of. Their desire to hit the homeland is growing. Last week the leader of this group said: We will be coming to America next.

Mr. President, do not use the political problems in Baghdad as an excuse not to act when it comes to denying safe havens to terrorists who have espoused attacking our country. Where is your plan to dislodge these people in Syria and Iraq? Where is your plan to deal with the safe haven issue? Where is your plan to hit a terrorist organization that is desirous of hitting us?

Mr. President, you cannot have it both ways. You cannot alert us as a nation that we are threatened by a safe haven in Iraq and Syria and do nothing about it. I understand the political complexities that exist in Iraq, but I also understand the need to deal with the safe haven issue. What do you envision as a solution to the safe haven problem in Syria and Iraq? When are we going to act? Is there no military component available to the United States to hit a terrorist organization that is operating out in the open in Syria and Iraq, that represents a direct threat to our homeland?

Mr. President, now is the time for you to come up with a plan to deal with the safe havens. That issue is separate and apart from dealing with the political complications and the meltdown in Iraq. You have said and the Director of National Security Mr. Clapper has said that Syria is an apocalyptic state; it is in a very bad way; that the jihadists in Syria represent a direct threat to our homeland.

The same jihadists in Syria have moved now into Iraq. Three years ago when Senator MCCAIN was urging airstrikes and that a safe zone be established, there were fewer than 1,000 foreign fighters in Syria. Today we think there are up to 26,000 ISIS types in Syria. Now they are moving to Iraq at lightning speed, taking town after town, amassing resources in terms of military hardware and money that will make them not just a terrorist organization but a terrorist army.

Mr. President, there is a terrorist army on the march in Iraq and Syria. They have indicated they want to hit our Nation. They want to strike us in the region, throughout the world, and here at home. You seem to have no plan. We want to help you. We understand this is complicated, but you, as Commander in Chief above all others, have a duty to come up with a solution to this problem. You have defined the problem well, but you have done nothing to solve the problem. We stand ready to help you solve that problem.

Now, as we try to figure out where to go in Iraq and what is the right strategy, the one thing that is important to me is not to rewrite history. I do not want to dwell on the past, but I am not going to sit on the sidelines and let this administration—which, as Senator Obama, Senator Clinton, and Senator Kerry, was all over the Bush administration for the mistakes they made. That is the way the political process works.

When the Iraq war was going poorly on President Bush's watch, Senator MCCAIN called for the Republican-appointed Secretary of Defense to resign. I would argue that Senator MCCAIN above all others has been consistent when it comes to Iraq. It does not matter who is making the mistake; if he believes one is being made, he will speak up.

The line that there were just a few dead-enders in Iraq was not true. The reason we knew it was not true is that Senator MCCAIN and I went to Iraq numerous times. The first time we went, we were in an SUV with a three-car convoy. We went down to Baghdad, had dinner, and went shopping. Every time thereafter, the security was tighter, our ability to leave the base was restricted, and the people on the ground who were fighting the war were telling us: This thing is not going well. Every time we would hear from the Bush administration that the media was misrepresenting the truth and that this was just a few dead-enders, we knew better. We spoke up.

Abu Ghraib was a direct result of being overwhelmed by circumstances on the ground. We thought that once the Iraqi Army disbanded and Saddam Hussein was displaced, we would be able to handle Iraq with a few thousand troops. The Bush administration was wrong in that calculation. Senator MCCAIN spoke up, and the surge did work.

To President Bush's undying credit: You corrected the mistakes that happened on your watch. You kept an open mind. You changed strategy because the strategy you originally pursued had failed.

President Obama, your strategy has failed. The idea of abandoning Iraq, disengaging politically and militarily, has come home to haunt us as a nation.

Senator MCCAIN and I said back in 2011: If we do not leave a residual force behind as an insurance policy for our own national security interests, we will regret it.

Madam President, 10,000 to 15,000 soldiers, well placed, would have given the capacity to the Iraqi Army to allow them to be more effective, and what we see on the ground today would have never happened. I am convinced that ISIS would never be in Iraq the way they are today if there had been an American military component—10,000 to 15,000—providing capacity and expertise to an Iraqi army that is literally falling apart.

I am convinced today that if we had continued to push the Iraqi political system to reconcile, we would not be where we are today. Dave Petraeus and Ryan Crocker—one general and one diplomat—spent hours every day of the week practically pushing the Sunnis, the Shias, and the Kurds to solve their problems with the political process. It was working.

In 2010 we made a fateful mistake. We allowed Syria to go bad. Syria became the supply center for Al Qaeda in Iraq, which was on its back. In 2010 the surge had worked. Al Qaeda in Iraq, which was the predecessor to ISIS, was completely devastated. They are back in the game for three reasons: Syria became a failed state. We had a chance to stop that and did not. They were being resupplied from Syria with equipment and fighters. We decided to disengage from Iraq politically. We had a hands-off approach to the political problems in Baghdad. We withdrew our troops all from 2010 to 2011. Those three things became a perfect storm to lead us to where we are today.

We do want to look forward because looking backward does not solve the problem. But here is what we will not accept. We will not accept a rewriting of history. When this administration says the reason we have no troops in Iraq today is because of the Iraqis, that is an absolutely false statement.

In May of 2011 Senator MCCAIN and I, at the request of Secretary Clinton,

went to Iraq to talk about a follow-on agreement, a strategic partnership agreement that had in its making a military component that would give legal protections to our troops who were left behind.

I remember this as if it were yesterday. We were in a meeting with Prime Minister Malaki. We were talking about leaving troops behind and whether the Iraqis would give us the legal protections we needed because I told Prime Minister Malaki: No American politician is going to allow soldiers to be left behind in a foreign country without legal protection.

If a person was charged with a crime in Iraq, given the inventory in their legal system, I did not feel comfortable allowing that soldier to go into the Iraqi legal system. We would deal with disciplinary problems.

He turned to me and said: How many soldiers are you talking about?

I turned to Ambassador Jeffrey, the U.S. Ambassador, General Austin, the commander, and said: What is the answer?

They replied to me: We are still working on that.

The Prime Minister of Iraq laughed. This was in May of 2011. We could not tell the Prime Minister of Iraq how many troops we were talking about.

We went to the Kurdish portion of Iraq and talked to President Barzani. He would have accepted any amount of troops we wanted to leave behind. He was openly embracing the follow-on force.

We met with Mr. Allawi, one of the leaders of the Iraqiya Sunni bloc, who was very open minded to a follow-on force.

The day after we left Iraq, Prime Minister Malaki issued a statement saying that if the other parties would agree, he would agree to a follow-on force.

On November 15, 2011, we had a hearing with General Dempsey and Secretary Panetta in the Armed Services Committee. We asked the following question: Was it the Iraqis who rejected a follow-on force, originally envisioned to be 18,000 or 19,000?

The bottom-line number from the Pentagon was 10,000.

I asked the question. Was it the Iraqis who said: No, we do not want 18,000. That is too many.

The numbers kept going down to finally 3,000.

Senator MCCAIN asked the question.

The answer was: The reduction in numbers that we will be willing to offer to the Iraqis did not come from a rejection by Iraq but by a reduction of the numbers by the White House.

In other words, the cascading effect of the numbers from 18,000 to 3,000 was not because Iraq said no; it was because the White House kept changing the numbers to the point that the force envisioned would be ineffective and fail.

Those are the facts.

Senator MCCAIN will address the statements by the President before, during, and after, but I am here to tell you, without any doubt in my mind, the reason we don't have troops in Iraq after 2011 is because the Obama administration wanted to get to zero. They wanted to honor our campaign promise to get us out of Iraq.

They did so, and now they are trying to blame the Iraqis. They are trying to rewrite history. I can understand why they don't want to own what happened in Iraq. I can't understand why we would let them get away with it, and I am not going to let them get away with it.

Going forward, we have a mess on our hands, and I want to help the President where I can.

But, Mr. President, you were very good at questioning the policies of the Bush administration, and you held nothing back. I am here to tell you I know what you are saying about Iraq is not true.

On October 21, during a conference call with staff, Denis McDonough and Tony Blinken—former National Security Adviser to BIDEN and now National Security Council—briefing staff members about the problems with legal immunity was asked a question by Senator MCCAIN's staff person: If you could get a legal agreement that we felt was solid, would you leave any troops behind, and they said no.

So we are going to write them a letter. There are several of our staff who were on that phone call and we are going to ask Mr. McDonough and Mr. Blinken: Did you say that, and they can say whatever they want to, but I have people I know and I trust who were on that phone call and they know what was said.

With that, I will turn it over to Senator MCCAIN.

Mr. MCCAIN. I would ask my colleague one question before we go on; that is, in addition to this overwhelming information in which the Senator and I were deeply involved that proves conclusively that the President of the United States did not want to leave a single troop member behind in Iraq and succeeded in doing so, did the Senator from South Carolina ever hear the President of the United States, either before the decision was made, during or after—did the Senator ever hear any record of him saying he wanted to leave a residual force behind?

Mr. GRAHAM. Quite the opposite. If we go back and look at the tape around this debate, the President basically said: We left Iraq and we are not going to be bogged down by Iraq.

There was no regret that I am so sorry we couldn't convince the Iraqis to leave a residual force behind because that would have been the best outcome for Iraq and the United States, and I regret that we could not get there and they will regret their decision.

None of that happened. It was all about the last combat soldier is out. We are done with Iraq. We have given them all the help we can give them. We are going to move on, and we are not going to be bogged down.

Now the place is going to hell. It is a direct threat to the United States, and they are trying to rewrite history—and I think it was October.

Mr. MCCAIN. The President of the United States, in the last couple of days—please correct me—it was the first time he said it was Iraqis who did not want to leave a force behind.

Mr. GRAHAM. The Iraqis did not want to leave a force behind.

Mr. MCCAIN. Yes; he was saying they did not.

Madam President, I ask unanimous consent to have printed in the RECORD the following quotes, including October 2012.

I quote the President of the United States:

> What I would not have done is left 10,000 troops in Iraq [as Candidate Romney proposed], that would tie us down. That certainly would not help us in the Middle East.

Jay Carney said on October 1, 2012:

> When President Obama took office, the Iraq War had been going on for years and he had campaigned with a promise to end that war, and he has done that.

One of my favorites is December 2011:

> In the coming days the last American soldiers will cross the border out of Iraq. . . . with honor and with their heads held high. After nearly nine years, our war in Iraq ends this month.

Anyway, the list goes on. In fact, the President campaigned for reelection in 2012 on the premise that he had gotten us out of Iraq.

The Senator from South Carolina and I predicted this would happen if we didn't leave a residual force behind. I say to my colleagues again, if we repeat this same total pullout of Afghanistan, we are going to see this same movie in Afghanistan.

So I plead with the President of the United States, please revisit your decision that every American troop be pulled out.

The Afghans do not have the capability, whether air assets, intel or other capabilities, to defend themselves against an enemy that has a sanctuary in Pakistan.

I plead with the President of the United States, do not make the same mistake in Afghanistan.

I point out again, at the end of the surge we had won the conflict in Iraq. The conflict was won, and instead obviously we blew it.

I would like to talk for a few minutes with my colleague from South Carolina because we need to understand what is happening in Iraq. In the last 3 to 4 weeks, this whole part of Iraq has been taken over by the forces of ISIS.

The second largest city in all of Iraq, Mosul, has been taken over, which triggered 500,000 refugees—500,000 refugees left Mosul.

Tal Afar—a major city, Kirkuk, where the Kurdish forces came in and took over Kirkuk and made it now part of the Kurdish part of Iraq.

What is most concerning, I say to my colleagues—and I know the Senator

from South Carolina and I have been focusing on this—is the Jordanian-Iraq border. The border crossings from Iraq into Jordan have been taken over by ISIS.

As we know, Jordan is a small country. It is overburdened now with hundreds of thousands of refugees. It has significant problems on the Syrian side of its border. This can be a terribly destabilizing factor to our—probably outside of Israel—strongest and best ally in the entire Middle East.

Ramadi, Fallujah, every Iraq veteran will remember Ramadi and Fallujah. Every Iraq veteran will remember the second battle of Fallujah where we lost 96 brave soldiers and marines and over 600 wounded. Now the black flags of Al Qaeda fly over Ramadi and Fallujah. The border to Syria no longer exists, my friends.

If we look at Syria, all the way to Aleppo, all the way around, a part of the Middle East that is larger than the State of Indiana is now overtaken by the richest and most powerful terrorist organization in history; that is, ISIS.

We cannot address Iraq, if we do, without addressing Syria, as well as the movement of men and equipment back and forth. By the way, the Sunni don't like these people. They are the most radical form of Islam. They don't like them, but they prefer them to the government—the Shiite-run government by Maliki—which has been systematically discriminating against them.

So what do we need to do? As the Senator from South Carolina said, what we want is Maliki to be in a transition government that transitions him out of power, but we cannot wait until that happens.

By the way, they have also taken a place just north of Baghdad where the largest oil refinery is, Baiji, that provides energy to the 7 million people in Baghdad, and they have also come to a place called Haditha, where a dam is that holds a water supply. If they get hold of both of those places, they basically have a stranglehold on Baghdad itself.

This is serious.

So what has the President of the United States and the administration decided to do? Send 90, 200 or 250 people over to Iraq and with the stated purpose of ''assessing the situation.''

Those of my friends and colleagues who have been to Iraq know it is a flat desert area, including very hot now. These people, these ISIS forces, are moving in convoys of 100, 200, 300 vehicles.

They can be taken out by air power. Right now the President of the United States has refused to do that, but they can be taken out by air power.

Air power does not determine conflicts, but air power has a profound psychological effect on your adversary. We have drones, and we have the air capability to take out a lot of these forces.

Remember, they are probably at a maximum of about 10,000, and as the Senator from South Carolina said, they started out with about 1,000, but don't forget they are moving back and forth between Syria and Iraq in this now huge area. They are moving on Baghdad.

I don't know exactly what is going on. I don't believe they can take Baghdad with a frontal assault. I do believe it is possible that they could cause assassinations, bombings, breakdowns in electricity, and breakdown in law and order. In other words, this place where we sacrificed roughly 4,450 American lives is now in the hands of the largest terrorist organization in history.

I say to the President of the United States: We can't wait. If the next 2 weeks that the administration says they are going to use to assess this situation is wasted in assessment, I don't know what is going to happen in Iraq. I don't know what is going to happen to Jordan. I don't know what is going to happen as far as the continued increasing influence of the Iranians.

Published reports today indicate there are Iranian forces, Iranian assistance all through Iran.

An article from the New York Times, ''Iran Secretly Sending Drones and Supplies into Iraq, U.S. Officials Say,'' states:

> Gen. Qassim Suleimani, the head of Iran's paramilitary Quds Force, has visited Iraq at least twice to help Iraqi military advisers plot strategy. And Iran has deployed about a dozen other Quds Force officers to advise Iraqi commanders, and help mobilize more than 2,000 Shiite militiamen from southern Iraq, American officials said.
>
> Iranian transport planes have also been making two daily flights of military equipment and supplies to Baghdad—70 tons per flight—for Iraqi security forces.

While the United States is assessing, Iranians are exercising more and more influence.

I have also been told—and I cannot verify it—that the Russians are now offering to provide assistance to Maliki.

There has to be a transition government. There has to be a transition of Maliki out of government, but to wait until that happens, it may be too late.

I would ask my colleague from South Carolina, are you concerned about the Iranian influence and what do you believe is the situation that could evolve on the Jordanian border?

Mr. GRAHAM. If you listen to the people who are launching these attacks, they say they are going to Jordan. What are they trying to accomplish? Bizarre as it may sound to the average American, they have a very specific plan and it sort of goes like this: They want to purify their religion. They are Sunnis. They have a version of Islam, Sunni Islam that is beyond horrific, that is a woman's worst nightmare.

If you want to find a world of women, go to Syria, Iraq, and eventually Afghanistan, I am afraid. You would not believe what these people are capable of doing, what they will do to a person who smokes. They will chop your finger off. I mean, they will kill children in front of their parents.

These people represent the worst in humanity. My fear is, the President's fear, that the stronger they get over there the more exposed we are over here.

So, Mr. President, if you believe it is not in our national security interests to allow these folks to have a safe haven in Syria and now in Iraq, what are you doing about it? You have political problems in Iraq, I have got that, but why does that prevent us from attacking these people in Syria where their leadership resides and where their supply depots are? There has to come a time when this country is going to commit to defending itself.

My goal is to keep the war over there so it doesn't come back here.

Senator MCCAIN, 3 years ago now almost, urged us to act in a way that would have allowed the moderate forces of the opposition to be empowered and to avoid where we are today. We chose not to act, at our own peril.

So I make this crystal clear, this area Senator MCCAIN has described in Iraq represents a terrorist safe haven in the hands of people who want to attack us here at home.

I am not making that up. The Director of National Intelligence, the FBI Director, and Jeh Johnson, the head of Homeland Security, have all said Syria represents a threat to the homeland.

Well, if a Syrian enclave and safe haven represents a threat to the homeland, an Iraqi enclave bigger and richer surely represents a threat to the homeland, and the President admitted as much. So I don't want to hear any more discussions about we have to wait until Iraq gets its house in order until we protect American national security interests.

As to Jordan, now is the time in a bipartisan fashion for the Congress to speak with one voice and tell the world and everyone in the region that we will defend Jordan. The King of Jordan is the last moderate voice in the Middle East surrounding Israel. The King of Jordan has been the most faithful ally to America. The King of Jordan has been effectively engaged with Israel. The King of Jordan represents the best hope in the Middle East.

If we allow a terrorist army—not an organization, now, an army of committed jihadists—to invade that country and put the King at risk, that will be one of the great tragedies in modern history. I think it is now time to let the terrorist army know: You are not going into Jordan, and say it in such a fashion as to not give Iraq away. But if we don't reinforce Jordan quickly, it would be a mistake.

I have high confidence in the Jordanian military, but let me say this: It is in our interests for the King to survive; it is in our interests for Jordan to flourish; it is in our interests for ISIS to be stopped in their tracks in Iraq; it is in our interests for them to be wiped off the face of the Earth to the extent possible; it is in our interests to go on the offensive before it is too late.

One thing I can say I have learned from 9/11 is thinking and believing if we ignore them they will ignore us is a very bad mistake. On September 10, 2001, the day before 9/11, we didn't have one soldier in Afghanistan, we didn't even have an ambassador, and we sent no money in terms of assistance to the Taliban. We were completely disengaged from Afghanistan. How well did that work?

Anytime you disengage from people that bloodthirsty and you believe it will not come back to haunt you, you are making a mistake. Anytime a group will kill women in a soccer stadium for sport and we think we are safe if we ignore them, we are making the mistake for the ages.

These people, the ISIS, represent a depraved form of humanity in the category of the Nazis. And what are we doing about it?

I am tired of ceding city after city, country after country to radical Islam. Now is the time to fight back—fight back as if it meant fighting for your home and your family, because it does—fight back over there so we don't have to fight them here. And they are coming here. If you don't believe me, ask them.

The best way to keep them from coming here is to align ourselves with people over there who do not want their agenda for their family and are willing to fight along our side. Right now, who feels comfortable fighting with America? Right now, our enemies are emboldened, our friends are afraid.

Now is the time to turn this around, Mr. President. You are waiting and waiting and thinking and thinking, and they are on the march. I know this is complicated, but the one thing that is not complicated is that the terrorist organization you said could not have safe haven has the largest safe haven in the history of the world. They are richer than they have ever been, they are more powerful than they have ever been, and you are doing nothing about it. You need to do something about it before it is too late, and we stand ready to help you.

Mr. MCCAIN. I wish to emphasize with my colleague from South Carolina, continuously we hear from the President of the United States that those of us who are in strong disagreement with his strategy—well, there is none. The fact is there is no strategy.

We keep being accused of wanting to send ''thousands of troops'' on the ground in Syria or in Iraq. That is patently false. I know of no one who shares our concern who wants to send ground combat troops into Iraq. So I wish the President of the United States would stop saying that.

Second of all, what we do want is we want some people who can be forward air controllers, some of our special forces people, to direct these air strikes against what is movement of these hundreds of vehicles in convoy across open desert. It can be done.

The next thing I wish to emphasize is how dangerous it is becoming, particularly at the most holy Shiite shrines of Samarra and Karbala. Those two are the holiest shrines of the Shia. If ISIS comes into those holy sites and destroys them, we are going to see this thing explode even more.

There are many other things I would like to say, but I don't want to continue too much longer on this, but to point out again, this is not just an Iraq problem. This is the border which runs along between Syria and Iraq. We cannot address just the Iraqi side.

Lately, interestingly, Bashar Assad has been using his air power to attack ISIS. If the United States does not become involved, then people such as Bashar al-Assad, people such as the Iranians will fill that vacuum. It is time for us to act.

What do I mean by that?

First of all, why don't we send Ryan Crocker and David Petraeus back to Baghdad. They are the smartest people I have ever known, and everybody agrees with that: Send them back to Baghdad and sit down with Maliki. Also, send some military planning teams that can assess the situation and address the needs of the Iraqi military, those that can still function effectively. Go ahead and orchestrate the air strikes, and understand that the problem in Syria is going to have to be addressed as well. So there are concrete steps that every military leader I know advocates as a way of turning this around.

There is no good option. Because of the situation we are in, there is no good option. But the worst option is what the administration is doing today, which is nothing, except sending a few advisers over to give some assessment of the situation.

No one wants to get back into any conflict. No American wants to do that. I am the last one who wants to do that. But we have to understand what our Director of National Intelligence has told us, what our Secretary of Homeland Security has told us, what our common sense and eyes will tell us: If you have a terrorist organization that has hundreds of millions of dollars, that has control of an area the size of the State of Indiana where they are consolidating power and they have promised they will attack us—the United States can't afford another 9/11. We can't afford to see these jihadists pouring out of Syria and Iraq into Europe and into the United States of America, because these extremists have flowed in from all of these countries.

The President of the United States can make the American people aware of this threat, and that we have to take action, without sending ground combat troops into the conflict. And I am confident—because the memory of 9/11 has not faded in the memory of the people of this country. We remember that tragedy graphically. All of us remember where we were that day. But this is a clear and present danger, and it is long time overdue for the United States to react as the strongest and most powerful Nation in the world.

Madam President, I ask unanimous consent to have printed in the RECORD the article from the Atlantic by Peter Beinart entitled ''Obama's Disastrous Iraq Policy: An Autopsy.''

I further ask unanimous consent to have printed in the RECORD an op-ed by DENNIS ROSS, one of the most respected individuals on the entire Middle East, entitled ''Op-ed: To contain ISIS, think Iraq—but also think Syria.''

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

[From the Atlantic, June 25, 2014]

OBAMA'S DISASTROUS IRAQ POLICY: AN AUTOPSY

(By Peter Beinart)

Yes, the Iraq War was a disaster of historic proportions. Yes, seeing its architects return to prime time to smugly slam President Obama while taking no responsibility for their own, far greater, failures is infuriating.

But sooner or later, honest liberals will have to admit that Obama's Iraq policy has been a disaster. Since the president took office, Iraqi Prime Minister Nouri al-Maliki has grown ever more tyrannical and ever more sectarian, driving his country's Sunnis toward revolt. Since Obama took office, Iraq watchers—including those within his own administration—have warned that unless the United States pushed hard for inclusive government, the country would slide back into civil war. Yet the White House has been so eager to put Iraq in America's rearview mirror that, publicly at least, it has given Maliki an almost-free pass. Until now, when it may be too late.

Obama inherited an Iraq where better security had created an opportunity for better government. The Bush administration's troop ''surge'' did not solve the country's underlying divisions. But by retaking Sunni areas from insurgents, it gave Iraq's politicians the chance to forge a government inclusive enough to keep the country together.

The problem was that Maliki wasn't interested in such a government. Rather than integrate the Sunni Awakening fighters who had helped subdue al-Qaeda into Iraq's army, Maliki arrested them. In the run-up to his 2010 reelection bid, Maliki's Electoral Commission disqualified more than 500, mostly Sunni, candidates on charges that they had ties to Saddam Hussein's Baath Party.

For the Obama administration, however, tangling with Maliki meant investing time and energy in Iraq, a country it desperately wanted to pivot away from. A few months before the 2010 elections, according to Dexter Filkins in The New Yorker, ''American diplomats in Iraq sent a rare dissenting cable to Washington, complaining that the U.S., with its combination of support and indifference, was encouraging Maliki's authoritarian tendencies.''

When Iraqis went to the polls in March 2010, they gave a narrow plurality to the Iraqiya List, an alliance of parties that enjoyed significant Sunni support but was led by Ayad Allawi, a secular Shiite. Under pressure from Maliki, however, an Iraqi judge allowed the prime minister's Dawa Party—which had finished a close second—to form a government instead. According to Emma Sky, chief political adviser to General Raymond Odierno, who commanded U.S. forces in Iraq, American officials knew this violated Iraq's constitution. But they never publicly challenged Maliki's power grab, which was backed by Iran, perhaps because they believed his claim that Iraq's Shiites

would never accept a Sunni-aligned government. ''The message'' that America's acquiescence ''sent to Iraq's people and politicians alike,'' wrote the Brookings Institution's Kenneth Pollack, ''was that the United States under the new Obama administration was no longer going to enforce the rules of the democratic road . . . [This] undermined the reform of Iraqi politics and resurrected the specter of the failed state and the civil war.'' According to Filkins, one American diplomat in Iraq resigned in disgust.

By that fall, to its credit, the U.S. had helped craft an agreement in which Maliki remained prime minister but Iraqiya controlled key ministries. Yet as Ned Parker, the Reuters bureau chief in Baghdad, later detailed, ''Washington quickly disengaged from actually ensuring that the provisions of the deal were implemented.'' In his book, The Dispensable Nation, Vali Nasr, who worked at the State Department at the time, notes that the ''fragile power-sharing arrangement . . . required close American management. But the Obama administration had no time or energy for that. Instead it anxiously eyed the exits, with its one thought to get out. It stopped protecting the political process just when talk of American withdrawal turned the heat back up under the long-simmering power struggle that pitted the Shias, Sunnis, and Kurds against one another.''

Under an agreement signed by George W. Bush, the U.S. was to withdraw forces from Iraq by the end of 2011. American military officials, fearful that Iraq might unravel without U.S. supervision, wanted to keep 20,000 to 25,000 troops in the country after that. Obama now claims that maintaining any residual force was impossible because Iraq's parliament would not give U.S. soldiers immunity from prosecution. Given how unpopular America's military presence was among ordinary Iraqis, that may well be true. But we can't fully know because Obama—eager to tout a full withdrawal from Iraq in his reelection campaign—didn't push hard to keep troops in the country. As a former senior White House official told Peter Baker of The New York Times, ''We really didn't want to be there and [Maliki] really didn't want us there . . . [Y]ou had a president who was going to be running for re-election, and getting out of Iraq was going to be a big statement.''

In recent days, Republicans have slammed Obama for withdrawing U.S. troops from Iraq. But the real problem with America's military withdrawal was that it exacerbated a diplomatic withdrawal that had been underway since Obama took office.

The decline of U.S. leverage in Iraq simply reinforced the attitude Obama had held since 2009: Let Maliki do whatever he wants so long as he keeps Iraq off the front page.

On December 12, 2011, just days before the final U.S. troops departed Iraq, Maliki visited the White House. According to Nasr, he told Obama that Vice President Tariq al-Hashimi, an Iraqiya leader and the highest-ranking Sunni in his government, supported terrorism. Maliki, argues Nasr, was testing Obama, probing to see how the U.S. would react if he began cleansing his government of Sunnis. Obama replied that it was a domestic Iraqi affair. After the meeting, Nasr claims, Maliki told aides, ''See! The Americans don't care.''

In public remarks after the meeting, Obama praised Maliki for leading ''Iraq's most inclusive government yet.'' Iraq's Deputy Prime Minister, Saleh al-Mutlaq, another Sunni, told CNN he was ''shocked'' by the president's comments. ''There will be a day,'' he predicted, ''whereby the Americans will realize that they were deceived by al-Maliki . . . and they will regret that.''

A week later, the Iraqi government issued a warrant for Hashimi's arrest. Thirteen of his bodyguards were arrested and tortured. Hashimi fled the country and, while in exile, was sentenced to death.

''Over the next 18 months,'' writes Pollack, ''many Sunni leaders were arrested or driven from politics, including some of the most non-sectarian, non-violent, practical and technocratic.'' Enraged by Maliki's behavior, and emboldened by the prospect of a Sunni takeover in neighboring Syria, Iraqi Sunnis began reconnecting with their old jihadist allies. Yet, in public at least, the Obama administration still acted as if all was well.

In March 2013, Maliki sent troops to arrest Rafi Issawi, Iraq's former finance minister and a well-regarded Sunni moderate who had criticized the prime minister's growing authoritarianism. In a Los Angeles Times op-ed later that month, Iraq expert Henri Barkey called the move ''another nail in the coffin for a unified Iraq.'' Iraq, he warned, ''is on its way to dissolution, and the United States is doing nothing to stop it'' because ''Washington seems petrified about crossing Maliki.''

That fall, Maliki prepared to visit the White House again. Three days before he arrived, Emma Sky, the former adviser to General Odierno, co-authored a New York Times op-ed entitled ''Maliki's Democratic Farce,'' in which she argued that, ''Too often, Mr. Maliki has misinterpreted American backing for his government as a carte blanche for uncompromising behavior.'' The day before Maliki arrived, six senators—including Democrats Carl Levin and Robert Menendez—sent the White House a letter warning that, ''by too often pursuing a sectarian and authoritarian agenda, Prime Minister Maliki and his allies are disenfranchising Sunni Iraqis . . . This failure of governance is driving many Sunni Iraqis into the arms of Al-Qaeda.''

Still, in his public remarks, Obama didn't even hint that Maliki was doing anything wrong. After meeting his Iraqi counterpart on November 1, Obama told the press that, ''we appreciate Prime Minister Maliki's commitment to . . . ensuring a strong, prosperous, inclusive, and democratic Iraq,'' and declared ''that we were encouraged by the work that Prime Minister Maliki has done in the past to ensure that all people inside of Iraq—Sunni, Shia, and Kurd—feel that they have a voice in their government.'' A former senior administration official told me that, privately, the administration pushed Maliki hard to be more inclusive. If so, it did not work. In late December, less than two months after Maliki's White House visit, Iraqi troops arrested yet another prominent Sunni critic, Ahmed al-Alwani, chairman of the Iraqi parliament's economics committee, killing five of Alwani's guards in the process.

By this January, jihadist rebels from the Islamic State of Iraq and Syria (ISIS, or ISIL) had taken control of much of largely Sunni Anbar province. Vice President Biden—the administration's point man on Iraq—was now talking to Maliki frequently. But according to White House summaries of Biden's calls, he still spent more time praising the Iraqi leader than pressuring him. On January 8, the vice president ''encouraged the Prime Minister to continue the Iraqi government's outreach to local, tribal, and national leaders.'' On January 18, ''The two leaders agreed on the importance of the Iraqi government's continued outreach to local and tribal leaders in Anbar province.'' On January 26, ''The Vice President commended the Government of Iraq's commitment to integrate tribal forces fighting AQI/ISIL into Iraqi security forces.'' (The emphases are mine.) For his part, Obama has not spoken to Maliki since their meeting last November.

Finally, last Thursday, in what was widely interpreted as an invitation for Iraqis to push Maliki aside, Obama declared, ''that whether he is prime minister or any other leader aspires to lead the country, that it has to be an agenda in which Sunni, Shia and Kurd all feel that they have the opportunity to advance their interest through the political process.'' Obama also noted that, ''The government in Baghdad has not sufficiently reached out to some of the [Sunni] tribes and been able to bring them into a process that, you know, gives them a sense of being part of—of a unity government or a single nation-state.''

That's certainly true. The problem is that it took Obama five years to publicly say so—or do anything about it—despite pleas from numerous Iraq experts, some close to his own administration. This inaction was abetted by American journalists. Many of us proved strikingly indifferent to a country about which we once claimed to care deeply.

In recent days, many liberals have rushed to Obama's defense simply because they are so galled to hear people like Dick Cheney and Bill Kristol lecturing anyone on Iraq. That's a mistake. While far less egregious than George W. Bush's errors, Obama's have been egregious enough. By ignoring Iraq, and refusing to defend democratic principles there, he has helped spawn the disaster we see today. It's time people who aren't Republican operatives began saying so.

[From the Los Angeles Times, June 23, 2014]

TO CONTAIN ISIS, THINK IRAQ—BUT ALSO THINK SYRIA

(By Dennis Ross)

The conflict in Iraq will not be settled any time soon. Although the Islamic State of Iraq and Syria, or ISIS, and its Sunni allies may not be about to march on Baghdad, they are continuing to expand their control over much of northern and western Iraq. The military and diplomatic steps that President Obama has ordered reflect the U.S. need to prevent ISIS from embedding itself in more of Iraq. Whether they will work, however, is another matter.

Iraq is a mess today. The president is right to expect the Iraqi government to take the lead in its own defense He is right to insist that Iraq's government must become more inclusive and less sectarian. And he is right to be wary of getting sucked into a sectarian conflict in which we take sides.

The same calculus has guided the United States in Syria. There, our fears of the costs of action—even limited military support for the opposition—led us to ignore the costs of inaction. We hoped that sanctions, a political process and humanitarian assistance would make it possible to affect the reality in Syria. It did not. Those who argued that the price would go up in human and strategic terms—and that we needed to affect the balance of power within the opposition and between it and the regime of President Bashar Assad—were right.

Today, the costs in terms of spillover in the region and the consequences of radical Islamists, particularly ISIS, coming to dominate the opposition are clear. Syria is a disaster, there is no border between Syria and Iraq, and the re-emergence of a terrible sectarian conflict in Iraq is inextricably linked to Syria. There will be no effective or enduring answer to the ISIS threat in Iraq without also taking steps in Syria to deny it a sanctuary and a recruiting base.

If nothing else, this should tell us that our response to the current crisis in Iraq must be guided by a broader strategy toward the region, one that has clear objectives in Iraq and Syria and takes into account that resisting ISIS cannot make it appear that we are

suddenly partners with the Iranian Revolutionary Guard. The fact that the Iranians also have reason to fear ISIS means we have converging but not identical interests.

The Iranians have used radical Shiite militias—Hezbollah, Kataib Hezbollah and Asaib Ahl al Haq—in Syria and Iraq. The latter two—armed, trained and funded by the Iranians—were responsible for killing hundreds of American soldiers in Iraq. We should be talking to Iraq's neighbors, including Iran, about what we and they can do to help stabilize Iraq and defeat ISIS.

But Turkey, Saudi Arabia, Kuwait and Jordan will not be responsive if they think fighting ISIS means the U.S. is prepared to leave the Sunnis vulnerable to Iran and its Shiite-backed militias. If Iran wants stability in Iraq and not an ongoing sectarian war on its border, it will need to accept that although the Shiites will hold many of the levers of power, they must also be prepared to share them.

In Iraq, if the U.S. is to help blunt ISIS, the central government must give Sunnis and Kurds a sense of inclusion and a stake in working with Baghdad and the military. Prime Minister Nouri Maliki's conspiratorial, authoritarian approach has made that impossible. We should make any coordinated military action with the Iraqi government contingent on Maliki actually taking such steps, including appointing a government of national unity, empowering a Sunni defense minister and permitting the Kurds to export their oil. Absent that, we may still choose to target ISIS forces if there is a need, but without regard to what the Iraqi government may seek.

As for Syria, though we must deny ISIS sanctuary there, the U.S. cannot partner with the Assad regime. The simple fact is that so long as Assad remains in power, he will be a magnet for every jihadi worldwide to join the holy war against him. No country in the region is immune from the fallout of the conflict in Syria, and we all face the danger of those who go to fight in Syria returning to their home countries to foment violence.

Though President Obama has spoken about ramping up our support for the opposition in Syria, we are late to that effort. It is time for the United States to assume the responsibility of quarterbacking the entire assistance effort to ensure that more meaningful aid—lethal, training, intelligence, money and humanitarian—not only gets to those who are fighting both ISIS and the Assad regime but is fully coordinated and complementary.

The broader point is that Washington's actions toward ISIS now must be taken with both Iraq and Syria in mind and be guided by a strategy geared toward weakening those forces that threaten the U.S. and its regional friends. The more we take this approach and highlight the costs to Iran of its current posture, the more the Iranians may see that their interests could be served by a political outcome of greater balance in Syria and Iraq. There will be risks to acting, but by now we have seen the costs of inaction, and they are only likely to grow over time.

Mr. MCCAIN. Mr. President, I appreciate my dear friend Senator COONS' patience.

At this time I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Mr. COONS. Madam President, something important, something unusual, something worth noting happened this week, happened yesterday in this Chamber that I don't want to let pass without a few moments of comment.

Yesterday a broad bipartisan majority of this Senate came together to pass the Workforce Innovation and Opportunity Act.

First, I congratulate Senators MURRAY, ISAKSON, HARKIN, and ALEXANDER who led so capably on this bill. Senators MURRAY, a Democrat of Washington, and ISAKSON, a Republican of Georgia, spent years working through the details, policy, and language, and months making sure that they got this bill to a point where the Senate and the House in a bipartisan, bicameral way could adopt legislation.

What is this about? It is about something simple, important, and powerful: investing in America's workforce so we can compete with anyone around the world in the 21st century.

This is an area I have focused on a lot here in the Senate which I believe is critical to our Nation, our competitiveness, to strengthening our middle class, and to growing good jobs.

In manufacturing, it is a core challenge for us to ensure that our workers have the training employers are looking for, and that our manufacturing companies are globally competitive. Manufacturing is important to America, to our future, to our middle class, to our communities, and to our families because it pays well, it drives innovation, it contributes greatly to other sectors in our economy and in communities.

That is why a few months ago I launched the Manufacturing Jobs for America initiative that has brought together dozens of Senators. We initially pulled together Democrats from across my caucus to introduce 34 bills, some of the best and broadest ideas we could bring to the table about how to accelerate America's recovery of employment and steady growth in manufacturing. Roughly half of these bills are bipartisan.

Part of the goal of this Manufacturing Jobs for America initiative was to put good ideas out on the floor and get them in the mix as we debate things going forward. So I wish to take a moment today and celebrate that the ideas of many of our partners in this campaign, ideas drawn from many of the bills that are part of this initiative, ended up being important parts of the Workforce Innovation and Opportunity Act that was passed this week.

Let me briefly touch on the five most important who contributed ideas that were embedded in this bill that passed.

First, the Adult Education and Economic Growth Act which was sponsored by Senators REED and BROWN. In our rapidly changing economy, ensuring we can train Americans of all ages for all jobs is critical. Senator REED's bill takes an important step in that direction by investing in adult education, expanding access to technology and digital literacy skills and improving the coordination of State and local programs.

A bill that was endorsed by the National Association of Manufacturers is the AMERICA Works Act, sponsored by Senators HAGAN and HELLER.

Another challenge we face is ensuring employers can quickly recognize whether a worker has the skills they need. So Senator HAGAN's bill helped solve this by ensuring we prioritize programs that invest in training that delivers portable national and industry-recognized credentials. This encourages job training programs to match the skills of workers with the needs of local employers, training individuals for the jobs currently available in their communities right now.

A third bill that contributed importantly to this bill that was enacted here yesterday, adopted by the Senate yesterday, was the Community College to Career Fund Act, sponsored by Senator FRANKEN and Senator BEGICH. Senator FRANKEN came to the floor yesterday and gave another passionate, important floor speech in support of these ideas. It is something that as I presided—and I have been with Senator FRANKEN in caucus and have heard him speak many times. It is about equipping workers with the skills they need by investing in partnerships between our community colleges and our employers. Senator FRANKEN, Senator BEGICH, myself and others have seen this work in our home communities. We have seen community colleges learn from manufacturers what today are the actual relevant modern manufacturing skills they need and then deliver customized training courses that make a difference in the skills, in the lives, in the college affordability and access of those who seek to join today's manufacturing workforce.

The fourth bill, the On-the-Job Training Act, cosponsored by Senators SHAHEEN and COCHRAN, contributes to the idea that we need to invest in on-the-job training. Because of Senator SHAHEEN's leadership on this bill, we will now make new and important investments so workers can learn what they need to do in the job that needs to be filled, rather than in an academic setting and then search the skills that may match the skills they learn. On-the-job training in this bill sponsored by SHAHEEN and COCHRAN is an important contribution to modernizing America's workplace skills.

The last, the SECTORS Act, cosponsored by Senators BROWN and COLLINS, is a provision that helps meet the fundamental challenge of connecting our schools with our businesses by requiring State and local workforce investment boards to establish sector-based partnerships.

With all of these bills there is an important and common theme. In the 21st century, rapid economic change is a given. In order to compete, in order to grow our economy and grow employment, in order to be productive and to have a successful and growing workforce, we need to be able to adapt as

quickly as our economy does and we need to invest in modernizing the skills of the American worker.

With the passage of the Workforce Innovation and Opportunity Act yesterday, we have made a strong statement that in a bipartisan way we are willing to invest in America's workers, the jobs of today and the jobs of tomorrow. This is just one of many encouraging moments here in the Senate that sometimes go without note or commentary in our communities at home, but I thought it was important to bring to the floor today this range of five different bills, three of them bipartisan, all of them strong, whose ideas were part of the package adopted on the floor yesterday and that I am confident will be adopted by the House and signed into law by our President. This Senate can, will, should continue to make bipartisan progress in investing in American manufacturing.

I thank the Chair.

Mr. CARDIN. Madam President, I strongly support the bicameral, bipartisan Workforce Innovation and Opportunity Act, WIOA. This long over-due reauthorization will help Americans to develop the skills necessary to participate in today's global economy. I would be remiss if I did not commend the leaders of the Senate Health, Education, Labor and Pensions Committee—especially Senators HARKIN, ALEXANDER, MURRAY, and ISAKSON—for their hard work on crafting this important jobs bill which will benefit job seekers and their families, employers, and the economy. Their House counterparts—Representatives JOHN KLINE, GEORGE MILLER, VIRGINIA FOXX, and RUBÉN HINOJOSA of the House Committee on Education and the Workforce—also deserve our praise and thanks.

Congress passed the Workforce Investment Act, WIA, in 1998. It expired in 2003, but Congress has relied on annual appropriations bills to extend WIA's authorization 1 year at a time. These appropriations bills often have made modest policy changes. Some of the policy changes have been retained in subsequent years but continuity isn't guaranteed. This patchwork approach to improving our workforce education and development system is far from ideal, especially as the labor market changes rapidly in response to the global economy.

As our Nation continues the long, arduous climb out of the worst recession since the Great Depression, effective education and workforce development opportunities are vital to sustaining a building and sustaining a vibrant middle class. The Workforce Innovation and Opportunity Act will allow local workforce investment boards to create a system which prepares workers for the 21st-century labor market and helps employers find the skilled labor needed to compete and create good jobs here in the United States.

Let me provide a report on the workforce development progress we have made in Maryland. The Workforce Investment Network for Maryland is comprised of Maryland's 12 workforce investment area/workforce investment boards. The network reports assisting more than 216,000 Marylanders with job placement assessment, job search workshops, resume preparation, and myriad other services from July 2012 to June 2013. Nearly 16,000 job seekers completed job training programs, with several thousand receiving nationally recognized certificates and credentials. Through an aggressive outreach process, the Workforce Investment Network for Maryland engaged more than 7,700 businesses and was able to match nearly 44,000 jobs seekers with employers.

In Maryland, our local workforce investment boards know how to respond to the needs of the local community. The field of cyber security is projected to grow by 41 percent over the next 8 years, and jobs in this expanding field pay a median hourly wage of $38 per hour. Maryland is a hotbed of activity in the cyber security field since it is home to the U.S. Cyber Command, the National Security Agency, the Defense Information Systems Agency, the Navy Fleet Cyber Command, and hundreds of Federal contractors and private technology companies. In an effort to address the lack skilled cyber security workers and increase the number of qualified workers in the pipeline, a three-way partnership—the Pathways to Cybersecurity Careers Consortium—was created to bring together the efforts of six workforce development agencies, three community colleges, and the local business community. The partnership, led by Anne Arundel Workforce Development Corporation, was awarded a $4.9 million community-based job training grant to create the Pathways to Cyber Security Program. The grant was intended to assist 1,000 new, dislocated, underemployed, recently separated veterans, and incumbent workers in obtaining cyber security certifications identified as critical industry shortages by regional businesses and government agencies. I am proud to report that nearly 1,150 workers have received training in the program, 755 program participants have received cyber security certifications, and 721 program graduates have been hired by an employer or improved their skills with an existing employer. Some of the graduates of the cyber security programs have begun to work with a number of Federal agencies in my home State.

As I have traveled across Maryland, I have seen firsthand the positive effect of effective programs in action. This past March, I had the opportunity to visit students at Chesapeake College's Continuing Education & Workforce Training Culinary Arts Program. The students in the culinary arts program learn the principles of food preparation, obtain a nationally recognized safe food handling certificate, and finish the program ready to enter the workforce in local area hotels and restaurants. Having tasted a number of dishes the students prepared, I can tell you their training is going well. I was impressed by the dedication and enthusiasm of the students. One of them travels more than 2 hours by bus, one way, to attend class each day. I am confident these men and women will continue to hone their skills and enhance their employment prospects.

Our Nation's at-risk youth present special challenges we must overcome. Aaron Sierak, a resident of Aberdeen, MD, dropped out of high school during his junior year. After he became discouraged about his future and expressed a desire to change, he learned about the Reconnecting Youth dropout recovery program run by the Harford County Public Schools in partnership with the Susquehanna Workforce Network. The Susquehanna Workforce Network helped Aaron obtain his GED, enroll in Harford Community College, and obtain a Pell grant to help cover the cost of his first year of tuition. Aaron now plans to obtain an associate's degree and registered nursing certification so he can find work in a high-demand—and rewarding—occupation.

The Workplace Innovation and Opportunity Act improves upon the existing youth services that helped put Aaron back on a path to economic mobility and a middle-class livelihood. WIOA places a priority on out-of-school youth by requiring that 75 percent of youth services funding at the State and local level be targeted to career pathways for youth, dropout recovery efforts, and education and training programs that lead to the attainment of a high school diploma and a recognized postsecondary credential.

The Workplace Innovation and Opportunity Act is bipartisan, bicameral legislation that will improve our workforce development system and help put Americans back to work, preparing workers for the 21st-century workforce and helping businesses find the skilled employees they need to compete and create even more domestic jobs. WIOA creates a streamlined workforce development system by eliminating 15 existing duplicative programs. It applies a single set of outcome metrics to every Federal workforce program under the act. It creates smaller, nimbler, and more strategic State and local workforce development boards. It integrates intake, case management, and reporting systems and strengthens program evaluations. And it eliminates the ''sequence of services.'' Finally, WIOA empowers local boards to tailor services to their region's employment and workforce needs with on-the-job, incumbent worker, and customized training and pay-for-performance contracts.

According to the Georgetown University Center on Education and the Workforce, by 2022 the supply of United States workers with postsecondary

education—including 6.8 million workers with bachelor's degrees and 4.3 million workers with a postsecondary vocational certificate, some college credits, or an associate's degree—will fall short of the demand for workers with those credentials by 11 million. This mismatch will impede our economic growth and harm our international competitiveness. It also represents a huge lost opportunity for millions of hard-working Americans and their families. To maintain our position as the world's economic leader, we need to educate and train our workers to fill the skilled jobs of the knowledge-based economy. And the workforce development system needs to pivot from short-term crisis intervention to long-term human capital development. WIOA does that, and the substitute amendment the Senate has passed demonstrates that here in Congress, we can come together to work on legislation that will boost the economic recovery and help all Americans.

WIOA

Mr. SCOTT. Madam President, I am pleased the Senate voted this week to improve job training in the United States. The Workforce Innovation and Opportunity Act, WIOA, is the result of a commitment in both parties and both Chambers to modernize our workforce development system to ensure American competitiveness. The last time a Workforce Investment Act reauthorization was signed into law was in 1998, far too long ago, and the significant skills gap we face as a Nation is evidence that our fragmented system simply is not working.

Despite the billions of taxpayer dollars we invest annually on Federal job training programs, there are 4.5 million unfilled jobs and a staggering 10 million unemployed Americans. We need to bridge this gap, and WIOA helps get us there by reducing bureaucracy and providing American workers with a more flexible and effective workforce training system. Over the past year, I have heard from businesses, elected State and local leaders, and families back home about the critical need for reforms to our job training system, and I am glad to have had the chance to work on this bill and be a part of this process in the Senate.

This legislation incorporates many reforms contained in the SKILLS Act, which I introduced in the Senate earlier this year, including the elimination of 15 programs identified as duplicative or ineffective and countless Federal mandates on States and local boards. In addition, WIOA establishes common performance metrics and requires independent evaluations every 4 years of all workforce programs to ensure effectiveness and accountability to taxpayers. By reducing bureaucracy and enhancing flexibility, WIOA eliminates delays that hinder job seekers from immediately accessing job training services and reentering the workforce.

I appreciate my colleagues' work on this important issue and look forward to swift passage of WIOA in both Chambers.

JUNETEENTH REMEMBRANCE

Mr. COONS. Mr. President, last Friday was Juneteenth, which marks four of the most important days in our Nation's long and continuing march toward racial justice and civil rights in this country.

First, on June 19, 1862, President Abraham Lincoln's Emancipation Proclamation abolished slavery in all U.S. territories. Then 3 years later, a month after the end of our Civil War, Union soldiers arrived in Galveston, TX, to free the last of our Nation's slaves. Nearly a century later on June 19, 1963, with Jim Crow laws still a stain on the moral fabric of our country, President John F. Kennedy sent his Civil Rights Act of 1963 to Congress. And the following year, as the Nation mourned JFK's loss, President Johnson shepherded the Civil Rights Act of 1964 to final passage.

As we mark these days in our Nation's history, from the end of our darkest period to some of the most important pieces of civil rights legislation passed, we know we still have farther to go.

It is appropriate that we do so this year especially, that we mark June 19 and these five moments across our Nation's history, because as a result of the Supreme Court's decision last year, the Shelby County case, a key piece of President Johnson's Voting Rights Act of 1965 stands in bad need of repair and revision; and, in fact, the Voting Rights Act itself is at risk of becoming a dead letter in the future of voting in our country.

Two years ago I had the opportunity to join many of my colleagues in the House and the Senate, Republicans and Democrats, in returning to Selma to the site of Bloody Sunday, to the march across the Edmund Pettus Bridge. Many Members of Congress got a chance to hear again from Congressman LEWIS about the events of that day, that day that was etched into the consciousness of this country and mobilized millions to speak out to their representatives and Senators and move this Congress finally to enact legislation that would unlock the key to the ballot box across the country.

I was so proud earlier this year to join with Chairman LEAHY of the Senate Judiciary Committee and with Senator DICK DURBIN, Congressman LEWIS, icon of the Civil Rights movement, Congressman JOHN CONYERS, and Republican Congressman JIM SENSENBRENNER, to introduce a bill that would restore the core protections made possible in the original Voting Rights Act.

The bill we introduced doesn't look at discrimination through the lens of the past. It focuses on modern-day violations, not the things that happened 50 years ago. It takes up the challenge laid down by the Supreme Court and comes up with a new formula and a new approach that makes voting rights and elections more transparent and has been carefully crafted to be both effective and to pass this Congress. It is a voting rights bill that is modern, to confront modern voting rights challenges.

As a country we have come a long way since 1965, but we are not where we need to be yet. As much as we don't want to admit it or confront it, racial discrimination in voting is not a relic of the past, but a tragic reality of today. Just yesterday the Senate Judiciary Committee held a hearing on what to do to address the loss of a key part of the Voting Rights Act that is known as preclearance.

In 2013 the Supreme Court struck down the heart of the Voting Rights Act, a bill that each and every Senate Republican voted for in 2006. Let me be clear about that. Again, in 2006 this body unanimously reauthorized the Voting Rights Act. Yet in 2013 the Supreme Court struck down an essential provision of that very act.

The Voting Rights Act and leadership to address the challenges of civil rights in this country have long been bipartisan in nature. My own family and friends who are Republicans are justifiably proud of their party's leadership role in addressing the darkest days and the biggest challenges in civil rights in the last century in this country. But today we are struggling in this body to find a single Republican cosponsor for this important and necessary bill. I ask my friends: Is this because there is nothing that remains to be done? Is that 2006 act, unanimously passed by this body, so obsolete that there is no legislative response necessary to Shelby?

I think a response is necessary. A month after the Supreme Court's decision, North Carolina passed a restrictive, a deeply restrictive, voting law that in addition to a strict photo ID requirement reduces early voting and forbids local jurisdictions flexibility in setting hours for early voting, among other restrictions. After the Shelby County decision, in Pasadena, TX, that city's voters adopted a plan to reduce the number of single-member districts from eight to six, adding two at-large representatives, a change nearly certain to reduce Latino representation on their city council. Hours after the decision, the State of Texas announced plans to implement its photo ID law that had long been blocked under section 5 of the Voting Rights Act. Again and again, shortly following the Shelby County decision, jurisdictions moved to implement discriminatory voting changes that had previously been blocked under section 5. Something needs to be done. I would suggest to my colleagues, if you don't like this proposal, please come forward with something you can support, with something that looks forward, not back; that has a formula that protects voting as the

most sacred and foundational right of our Republic and allows us to come together. History will not look kindly on our inaction.

Two days ago we honored the memory of Dr. King and Coretta Scott King with a Congressional Gold Medal. What better way to honor their legacy than to come together and strengthen the rights they fought so hard to secure for every American?

Voting is fundamental, and ensuring that every American has the right to vote is at the core of what makes our democracy vibrant.

I urge my colleagues on both sides of the aisle to come together and to find a way forward for us to put voting rights first and to restore the important legacy of June 19 from across so many incidents in so many years and to move us forward on a positive path.

Thank you.

Mr. President, could I ask my colleague's indulgence for one last 2-minute speech?

Mr. SESSIONS. Mr. President, I was to be recognized before, but I will be glad to, but would like the 15 minutes or so I was allowed to have even though it may back up after me.

So, Mr. President, I would ask unanimous consent that Senator COONS be allowed an additional 2 minutes and I be allowed 15 minutes thereafter.

The PRESIDING OFFICER. Is there objection?

Mr. COONS. I object, and suggest the absence of a quorum.

The PRESIDING OFFICER. The objection is heard.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

AMBASSADORIAL NOMINATIONS

Mr. COONS. Mr. President, when we send American Ambassadors to nearly every country around the world, we are able to strengthen democracy and protect our national security. Ambassadors are voices for American values and the interests we share with other nations. Simply put, they are critical to promoting our foreign policy, our economic and security interests, and our leadership in the world. Yet when—because of partisan politics and gridlock at home—we fail to confirm ambassadors, we send a dangerous message about our lack of interest in the world and our lack of interest to diplomacy.

I have the privilege of chairing the African Affairs Subcommittee of the Senate Foreign Relations Committee. Through my work as chair, as well as time I spent earlier in my life in Africa, I have seen up close both the incredible opportunities in the continent of Africa as well as the stark challenges.

For instance, today, this decade, 7 of the 10 fastest growing economies in the world are in Africa. Yet right now 1 in 5 American embassies of the 54 countries on that continent lacks a confirmed ambassador. Africa faces serious security challenges. Boko Haram in Nigeria, which has recently kidnapped hundreds of girls and burned down churches and schools is just one example. Yet as the countries bordering that troubled area of Nigeria try to coordinate a response to ensure that conflict doesn't spill over borders, we lack confirmed ambassadors in the adjacent nations of Niger and Cameroon.

In Namibia, where we also don't have a confirmed ambassador, the United States is dedicating $50 million to combat HIV and Aids. We need an ambassador to oversee those funds and make sure they are appropriately used.

I will briefly review some of the numbers and facts. Our nominees to the countries of Namibia, Cameroon, and Niger have waited for a vote for 330 days—almost a year. Our nominee to Sierra Leone has waited 352 days, our nominee to Mauritania has waited 289 days, and our nominee to Gabon has waited 287 days.

In the long absence of ambassadors, professional career Foreign Service officers, capable and competent Deputy Chiefs of Mission assume this role on an interim basis. I am deeply concerned that with the August turnover for Foreign Service officers quickly approaching, many of our embassies will also be left without a DCM at the helm.

This is inexcusable. It hurts our economy, our national security, and our leadership to leave these posts unfilled and the ambassadorial nominees unconfirmed for so long.

I have great hope for Africa's future. Across the continent there are emerging democracies, growing economies, and although there are some security challenges, I am optimistic we can meet them in partnership with Africa's leaders.

When we fail to send career public servants to serve as our ambassadors, we send the message that we are not serious about these challenges and are not willing to invest in these partnerships.

I urge my colleagues to work together across the aisle to devote ourselves to getting our ambassadorial nominees to Africa confirmed. This transcends partisanship, and it is a task we should turn to promptly.

I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I wish to thank the Senator from Alabama for allowing me to go ahead of him in cue.

IMMIGRATION REFORM

Mr. BENNET. Mr. President, we say that America is a nation of immigrants, and, of course, that is true. There is no other country in the world for which immigration is so central to its history and its identity. Let's take a moment to reflect on what that really means.

Here is a photo. I am afraid it is not a very good quality. I took it myself. It is a photo that I took at a naturalization ceremony held for Active Duty servicemembers in Fort Carson, CO. The 13 soldiers and spouses who became U.S. citizens on that day represented 11 different countries of origin even though they are wearing our uniform.

They came from all over the world: Colombia, Haiti, Malaysia, Mexico, Nicaragua, China, the Philippines, South Korea, Togo, Ukraine, and the United Kingdom. They all came for this pursuit of the American dream, and they all came to serve this country. They are going to be the people who help us determine our future.

The same is true with the refugees fleeing persecution from around the world. The parents seeking opportunity for their children and those stepping forward to serve and sacrifice for our shared values have made this country the America we love. But our existing immigration policies do not reflect this history or the values that shaped it. Instead, it is a mess of unintended consequences that hurts our businesses, rips families apart, and keeps us at a competitive disadvantage with the rest of the world.

Tomorrow marks 365 days—1 year—since the Senate acted to fix these problems and passed bipartisan immigration reform. Yet here we are still waiting for the House of Representatives to do the same. The House's inaction is costing our Nation. It has cost us, among other things, $13.4 billion in lost revenue in this last year alone. With each additional day that passes, we lose another $37 million of revenue.

What is most frustrating about this to me is that we agree—on both sides of the aisle—that our current immigration system is broken. We agree that our immigration system is critical for our economy and for our country.

In June of last year we passed a bill in this Chamber with strong bipartisan support. It won the support of a broad coalition of Republicans and Democrats. It also has the support of countless organizations, from migrant workers to farmers and ranchers, from law enforcement agencies to the faith community, Latino leaders across this country, and the Chamber of Commerce to labor unions.

Often I tell those who despair about the lack of leadership in Congress that there is a model we can learn from, and it is the bipartisan work that was done on this bill. I cannot say enough about the Republican Members of the Gang of 8 who negotiated a bill over seven or eight months, knowing what the base of their party might say about the fact that they were in that room but still willing to do it because it was right to do for their country and it was right to do for their party—in that order.

In this job I have had the opportunity to meet with a diverse cross section of

Coloradans throughout the State, each struggling beneath the weight of a broken immigration system. I have spoken with peach growers on the Western Slope, vegetable growers in Brighton, and melon farmers in the San Luis Valley—farmers such as Philip Davis from Mesa Winds Farm and Winery in Western Colorado who cannot get the seasonal workers he needs. He will tell you how hard he and his family have had to work to fill these gaps, and how every single day they have to keep fighting to prevent their 36-acre farm from closing.

A legal, reliable, competent workforce for our Nation's farms and ranches is essential for Colorado's $40 billion agricultural industry, and it is essential for our agricultural industry across the country. Maybe that is the reason why both the United Farm Workers union and the growers all across the United States of America endorsed this bill.

I have heard from Colorado's high-tech companies such as Full Contact, a tech startup in Boulder, CO, that acquired a company overseas. They have been unable to hire the talented engineers they need to grow their businesses and add jobs.

I have also heard from Colorado's dedicated teachers and administrators who work tirelessly to teach the next generation of entrepreneurs and innovators—teachers such as Mary Edwin from Colorado Springs. Mary, a graduate of Johns Hopkins with a master's degree in education, will likely be forced to return home to Nigeria, leaving behind the children she works with at Turman Elementary School, all on account of our broken, outdated visa system.

This year on April 7, approximately 6 months before the 2015 fiscal year even begins, the government announced it had already reached its statutory cap on H–1B petitions for H–1B visas. It has also reached its exemption for 20,000 advanced-degree holders. These are exactly the type of workers our State and the national economy require.

I will paint a picture of what our country would look like if the Senate's immigration bill were actually enacted. First, millions of people who came to this country for a better life, including young people whose parents brought them here as children, would have the opportunity to enter a tough but fair pathway to citizenship. With a path in place, we would see higher wages, greater consumption of goods and increased revenue. It would reduce our debt by nearly $1 trillion—even in Washington that is real money—over 20 years, and increase our economic growth by roughly 5.4 percent over that period of time.

Next, our bill would put in place an efficient and flexible visa system that would enable us to compete in a changing 21st century global economy. Talented entrepreneurs and innovators from around the world would have the opportunity to stay here in order to create jobs and fuel our economy. High-skilled workers in math and science, and lower-skilled workers in industries such as hospitality and tourism would come into the country to fill jobs where there are no available U.S. workers.

We would provide stability for our agricultural industry with a new streamlined program for agricultural workers—one that is more usable for employers and protects our workers.

Our borders would be more secure. There is one border security bill that has passed the Congress, and that is the bill passed by the Senate. It allows for new fencing, doubling the number of border agents, and increased spending on new technology. We would have full situational awareness on the border in order to allow us to intercept threats rapidly and successfully. And with the mandatory employment verification system and more effective entry-exit system, we would prevent future waves of illegal immigration.

A huge number of people who are here entered the country legally; we just don't know where they are. We ought to have a system that tells us that. These are all changes that our Nation urgently needs.

In the time since the Senate passed the bill, we heard a litany of reasons why it can't pass the House. They say the Senate bill doesn't have support in the House. If Speaker BOEHNER put the bill on the floor tomorrow, it would pass. They say the Senate bill is too long, too big, too comprehensive. I, for one, am willing to consider looking at this bill in smaller pieces as long as all the problems with the system are addressed. But the House has not produced—never mind voted—on a single bill, much less a series of smaller bills.

They say they want more border security, but what do they know about the border that our Republican colleagues from Arizona, JOHN MCCAIN and JEFF FLAKE, don't know? What do they know about the border that Senator FLAKE and Senator MCCAIN don't know? We have 21,000 border agents, and we are putting another 21,000 on the border if this bill were passed. We spend more money on the border than we do on all other Federal law enforcement combined, but they say there is not enough border security—not that they passed a border security bill. The only folks who have passed a border security bill are right here in the Senate. We should ask them how many more agents they need, and how many more billions of dollars we should spend.

If the House wants to secure the border first, which the Senate bill does, let's see their legislation. We are waiting. I, for one, would like to see them think about customs agents and trade instead of adding more billions of dollars at the border.

The most common excuse we have heard is that the House has not had time to pass a bill. The House was only scheduled to work 9 days last September. Ultimately, they came back for a few extra days to shut the government down.

In the year since the Senate passed the bill, the House has found the time to vote 17 times to repeal, delay or dismantle the health care bill—54 times in total in the last 4 years. They voted to name 20 post offices and an assortment of 20 other government buildings. They have held five separate House committee hearings. They produced three different public reports and passed one resolution on the topic of Benghazi—a topic that has never come up in most of our town hall meetings.

What I hear in Colorado over and over is we have to stop excuses, stop posturing, and pass a bill—a good bipartisan bill, and that is what the House of Representatives ought to be doing now. Fixing our broken immigration system is long overdue, and I believe that the bipartisan solution crafted in our Senate bill will fix it just fine. It is time for the House to act.

With that, I yield the floor, and I thank my colleague, again, for his patience and kindness in allowing me to go first.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate my colleague. I would note he didn't mention and wasn't mentioned in the effort to pass the Gang of 8 bill, which was dead on arrival in the House, the American worker. The numbers just came out yesterday, a revision of the economic numbers—our gross domestic product showed a decline in the first quarter of 2.9 percent, a GDP decline of 2.9 percent, which is the largest we have seen since the recession hit—those dramatic days.

We are not creating jobs in this country. Wages are not going up. We do not need to be surging the number of immigrants coming into the country. We don't need to be passing a law such as the Gang of 8 bill that would double the H–1B workers brought into America, increase by 50 percent the annual flow, add another 500,000 so-called backlog workers, in addition to legalizing some 11 million-plus, at a time when Americans are having wages fall and jobs are very difficult to find.

For example, I would note that workforce participation levels have fallen to their lowest point since the 1970s. This is a dramatic decline in the number of people working and the numbers continue to slide. Since 2009, we have had a decline in median income for families in America of $2,300.

They suggest repeatedly that this legislation we have brought to the floor was focused primarily on melon harvesters, but that is not so. About 80 percent of the people who would be given legal status and would be allowed to come to America to work under the guest worker program would not be on the farms. They would be taking jobs in plants and factories all over America, reducing the need for businesses to increase wages for a change and try to attract people into some of these more

difficult jobs. It is not that people won't do this work; it is that the wages aren't sufficient to take care of them and their families.

We need wages to rise. We have a loose labor market, not a tight labor market. People are having a hard time finding jobs. We are talking about a dramatic increase in the number of workers at a time when the economy is struggling, workers are hurting, wages are down, and unemployment is up.

I just want to dispute that. I want to push back on it. That has been my analysis from the beginning.

Oh, we need more high-tech workers, they say, and businesses say that too. But what do the numbers show? Professor Harold Salzman at Rutgers did a report that said we are actually graduating about 500,000 STEM graduates—science, technology, engineering, mathematics—about 500,000 graduate a year, but we only have jobs for fewer than half of them. Most STEM graduates are not working in their fields. They haven't been able to find the kind of work for which they trained. One of the reasons is that a substantial number of those jobs are taken by H–1B workers who are brought in not to immigrate to America to create jobs, I say to my colleagues; they come in on the H–1B visa, which is a limited period of time, they work at lower wages, and they return to their country. They are not on a path to be permanent citizens. But it is a great asset to businesses that don't want to hire, perhaps—it seems—people and put them on a career path where they might be expected to get pay raises in the years to come.

So I will challenge even that fact. I talked to a business person recently about a factory they have. The work sounded pretty good to me. He wants to bring in foreign workers to Alabama. Well, we have unemployment in Alabama. We have people on unemployment insurance. We have people on welfare and food stamps and assistance who need to be taking those jobs.

So the first responsibility of a congress, a senate, when they consider an immigration bill is what is in the interests of the American people. I don't believe it is wrong to discuss that. We have to ask what is in our national interests, the interests of our people, and this is not a time to be doubling the H–1B workers into America. It is just not. And more and more scientific, peer-reviewed, excellent studies are coming out on that.

I see my colleague, Senator DURBIN. I know he is exceedingly busy. My intention is to make a unanimous consent request that we actually do something about the crisis we have on the border.

UNANIMOUS CONSENT REQUESTS—S. 202 AND S. 91

Mr. SESSIONS. I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 202, the Accountability Through Electronic Verification Act; that the Senate proceed to the immediate consideration of the measure; I ask further that the bill be considered read a third time and passed and that the motion to reconsider be made and laid upon the table, with no intervening action or debate.

For the information of all Senators, S. 202, introduced by Senator GRASSLEY and of which I am a cosponsor, amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make an E-Verify program permanent. This is critical to protecting jobs and wages of American workers. It requires the government to at least run a cursory computer check to determine whether a person applied for a job is legally in this country.

I renew my unanimous consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, a year ago today on the floor of the Senate we passed the comprehensive immigration reform bill, and 68 Senators—14 Republicans and all of the Democrats—voted for it. We sent it to the House of Representatives. Included in that bill was a requirement that all employers use a mandatory electronic employment verification system to verify that all their employees were legal. Job applicants were required to show identifying documents, such as passport, driver's license, biometric work authorization card, including a photo ID. Any employer who continued to employ undocumented immigrants faced serious penalties. That would end the hiring of undocumented workers, which the Senator from Alabama has spoken to. E-Verify, though, has to be part of comprehensive immigration reform; otherwise, it would devastate the economy and hurt innocent workers. This was included in the bill, and we said there would be no path to citizenship until we have established this as a nationwide standard to verify that workers truly were not undocumented.

That bill came to the floor a year ago. The Senator from Alabama voted against it. It passed. It went to the House of Representatives. It has languished for 1 solid year. House Speaker JOHN BOEHNER will not call that bill because he knows it will pass. We are not going to take that bill apart piece by piece, as the Senator from Alabama suggests.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the able Senator from Illinois for his articulate response. I would note that the E-Verify program should already have been fully implemented long ago. If it is so good, why don't we bring it up and pass it now? Why do we have to pass along with it a bill that will double the number of guest workers in the country and would increase immigration and also had many other flaws in it?

So I ask unanimous consent—and this will be my last unanimous consent request this evening—that the Committee on Finance be discharged from further consideration of S. 91, the Child Tax Credit Integrity Preservation Act of 2013; that the Senate proceed to the immediate consideration of the measure; I ask further that the bill be considered read a third time and passed and that the motion to reconsider be considered and laid upon the table with no intervening action or debate.

For the information of all Senators, S. 91, introduced by Senator VITTER and which I cosponsored, would close a loophole in the law that permits illegal aliens to illegally and improperly receive cash tax credits from the Internal Revenue Service, according to the Treasury Department's own inspector general. The IRS sent illegal aliens $4.2 billion in additional child tax credit payments in 2010. The cost has quadrupled in 5 years. In one instance, four illegal aliens fraudulently claimed benefits for 20 children they claimed lived with them in the same trailer and received from the IRS $29,000 in refunds.

So I ask unanimous consent that this bill be passed.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object, the circumstance is this: If a person is legally required to pay income taxes in America, a person is legally entitled to some deductions and credits. One of those credits which a person is entitled to is a child tax credit. If a person has a minor child, that person pays less in taxes in America.

What the Senator from Alabama and this bill try to do is restrict the availability of this child tax credit to some workers in America. I think they have gone too far. I want to make sure working families with small children have the helping hand of our Tax Code. I want to stop any fraud in any program in our Tax Code, but I don't believe this bill is a balanced approach to solving the problem, and I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Mr. President, I appreciate the comments of the Senator from Illinois. I would have to say that the inspector general of President Obama's own U.S. Treasury Department has said this is a clear abuse. They have written a detailed letter on why it ought to be closed. I am flabbergasted and amazed that we would sit by and allow $4 billion in child tax credit payments to go out that are not justified. We have been told this. Why is it that we won't even respond to this little problem?

It is one reason I brought it up today—because I want the American people to know this Congress, this Democratic majority is not willing to

take any steps to confront the problems we have with regard to immigration unless they get a massive increase that satisfies activist groups, business interests, and their own political interests.

It is not in the interests of the American people. We need to do the right thing for our country based on law, on principles, on fairness. That is what we need to do. People who come to the country illegally aren't entitled to get child tax credits. I would think certainly not for children who don't exist. Nobody is going out and checking to see if children are in the home. They are just claiming this. The numbers have surged in recent years. The inspector general expressed great concern about that—how it went from $1 billion to $4 billion. That is a lot of money, $4 billion in 1 year, subsidizing, encouraging further illegal entry into America.

The first thing any country ought to do to control its borders, its sovereignty, its legal integrity, is not to provide financial benefit to people who violate the law and then give them benefits that are unlawful. That is beyond comprehension.

I want to say to my colleagues, the last few weeks it is becoming more and more clear that we have chaos at the border—all a direct result of the President and his administrative officials who have told the world we have no intention, basically, of deporting people who enter the country unlawfully, particularly the young people. And has that been heard? Have people around the world heard what has been said? Yes. And they are coming in unbelievable numbers, creating a humanitarian crisis, creating a crisis of law for America, and creating a financial crisis. The President's Fiscal Year 2015 Budget request $868 million for the Unaccompanied Alien Children program at HHS. Now that cost is expected to be $2.28 billion, based on the numbers today. In 2011 there were 6,000 apprehended children trying to come into America illegally. This year they say it could reach 90,000 or higher. 90,000 from 6,000? It is a direct result of the unwillingness of President Obama to look the American people in the eye, tell the people throughout the entire world: We believe in immigration. We have a lawful system of immigration. Please apply. Wait your turn. If you qualify, you will be able to come to America, and we are going to do it fairly and objectively and treat everybody with respect, but do not come unlawfully. Do not give money to some smuggler. Do not attempt to sneak over our border across the desert and place your lives at risk because it is against our law, and we will apprehend you and we will promptly deport you and you will lose all the money you have invested in this effort. Just do not do it.

They refuse to say that with clarity. Secretary Johnson was before the Judiciary Committee and I asked him about it. He almost refused to say: Don't come to America because it is against our law. He said: Don't come because it is dangerous. That is not the kind of message we need to hear from our leaders. The first thing a law enforcement officer should do—and the President is the chief law enforcement officer—but the Secretary of Homeland Security has the Border Patrol, he has Immigration and Customs enforcement officers, he has the Citizenship and Immigration Service. That is who is supposed to be enforcing our immigration law. He will not say that with clarity and he will not communicate it with clarity.

Vice President BIDEN supposedly made a statement in Central America about it. It was weak. It just was not strong. What is it? Do they want the illegality to continue? Do they believe in open borders? This Congress, this Senate is about to recess having done not one thing about it, and the humanitarian crisis continues on the border.

These children, some of them are young. Some of them are 16, 17, 18, 19, 20, 21, and they claim to be 17. Who knows. They are not carrying birth certificates with them. It is creating an incredible crisis. One reporter said the Border Patrol, instead of enforcing the law, are changing diapers. This is a very dangerous situation. Our entire legal system is crumbling about us, and the chief law enforcement officer in America—the President—alone is the one who can bring order to it.

The Secretary of Homeland Security works for the President. If he does not get on it, he needs to be out of there. The President needs to say: Get this thing under control. What are we paying you for?

What about the officers and agents? What do they think? Our officers and agents are stunned. There is report after report of senior officers saying they have never seen anything like this. It is a direct result of the inconsistent message we are sending. They are saying a message is only part of the solution. It has to be backed up with words.

So how is it happening today? A child and an adult cross the border. What are they doing today? They are going straight up—this is, I know, hard to believe—they go straight to the Border Patrol officer and turn themselves in. What does the Immigration officer do? He takes them into custody. If they have a child, the adult has to stay with the child, and then they put them in a shelter. Then they give them a hearing date. The hearing date is down the road. They have a backlog. So what do they do then? They release them. They allow them to go someplace where somebody will take them in, which is what they desire to begin with. Then they are told to appear at court at some given date in the future.

Nobody is going to investigate if they do not show up, or to see where they are, and there is nobody to investigate it. We are talking about a huge increase—by tens of thousands—of people coming into the country, in addition to the 11 million who are already here. So this is a guaranteed failure. That is what everybody has been telling us who knows anything about it.

The ICE officers, the Immigration and Customs enforcement officers—their association went so far two years ago to file a lawsuit in Federal court. What did they say? They said this administration is violating the laws of America and the Constitution by directing them not to enforce the laws they had sworn to uphold. The Federal judge was very sympathetic with them. He eventually ruled there was not standing for this lawsuit to proceed, but he was very sympathetic with the merits of their claim because that is exactly what has happened.

We have a situation where the President of the United States, based on the DREAM Act—the idea that we would provide legal status to everybody who was brought here under, I think, 18, that we would provide basically a legal status and a pathway to citizenship—that bill came up before the Senate and has been voted down three times by the Senate.

So what did the President do? He directed that the law not be enforced as to them, even though the law remains on the books. That is part of the message that was heard in Central America, and that is encouraging people to come unlawfully to America.

So we are not against immigration. We do need a certain number of farmworkers. We do need and will accept validated people who come with skills who are ready to go to work. We should do that, and we have a generous policy, but we should not be doubling it, as the Gang of 8 bill did. We just do not have the jobs for them. If we had low unemployment, rising wages, and a shortage of workers, I think we could justify a generous immigration policy perhaps but not now. Canada is not doing this. England is not doing this. They are reducing, right now, the number of people who are allowed into their countries. They feel an obligation to see that their people get the jobs first.

The whole matter is disturbing to me, that we are at a point where the law is not being enforced properly in this country.

RECESS APPOINTMENTS

Mr. SESSIONS. Mr. President, today, a unanimous Supreme Court ruled against the President's unconstitutional recess appointments in a dramatic repudiation of the White House's position. Nine to zero they ruled. It was an obvious decision, in my opinion. It was breathtaking that the President of the United States would appoint members to the National Labor Relations Board who have to come before the Senate for confirmation under the Constitution—we have the advice and consent authority—and he did not want to do that, so he just appointed them and claimed we were in recess. We were

not in recess. It was not a close question. He just did it. So it took over 2 years of a lawsuit, and finally the Supreme Court has now ruled. A lower court ruled against the President some months ago. The President clearly and deliberately violated article II of the Constitution in circumventing the advice and consent clause.

At the time of these appointments, the Senate had determined it was not in recess. We determined we were not in recess, and the Court affirmed that determination. The question of whether the Senate is in session is up to the Senate, not the President. So the President has to yield to the Senate's authority to determine its own rules and procedures. This is basic law, it seems to me.

Unfortunately, the President has made it clear that he will only follow the letter of the law when it is not an impediment to whatever agenda he has at the time.

Just today, the White House displayed again its lack of respect for our constitutional traditions. In a rather brazen display of candor, the new White House spokesman today explained the administration's rationale for moving unilaterally to rewrite America's immigration laws. Here is what Josh Earnest had to say. Hear me, colleagues. This is a direct threat to the integrity of our constitutional separation of powers. It is not far different from what the President said before, but it was today.

> [W]e're not just going to sit around and wait interminably for Congress. . . .

How about that: We are not going to sit around and wait on Congress. We do not have to fool with Congress.

We have been waiting 1 year already. The President has tasked his Secretary of Homeland Security Jeh Johnson with reviewing what options are available to the President, what is at his disposal using his Executive authority to try to address some of the problems that have been created by our broken immigration system.

So this is about as close as you can get to an open admission that the administration does not believe it has an obligation to follow the law. You cannot just eviscerate whole code sections of the law claiming that you have authority to decide what you want to prosecute and what you do not. Jonathan Turley, the great law professor, has hammered this idea. He is a liberal. He voted for President Obama in 2008. He has hammered this idea. This is an abuse of Executive power.

We are seeing the results of this on our borders right now. In 2011, we had 6,000 illegal immigrant youth from Central America apprehended. This year, we may hit more than 90,000. Next year, projections are as high as 130,000, costing billions of dollars to take care of them. That would be more than a 2,000-percent increase.

The President's policies are directly responsible for this crisis. They just are. He has acted unilaterally to suspend immigration enforcement and has sent the signal to the world that our borders are open and that if you get here unlawfully and borough in, you will be able to stay here.

As former ICE Director John Sandweg said: ''If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are close to zero.''

I asked Homeland Secretary Johnson about this during his testimony, to say clearly to the world: Do not come unlawfully. You must follow the laws of the country. If you come unlawfully, you will be sent back home. He refused to even say that in my presence with any clarity.

Here is what the New York Times reported on April 10:

> With detention facilities, asylum offices and immigration courts overwhelmed, enough migrants have been released temporarily in the United States that back home in Central America people have heard that those who make it to American soil have a good chance of staying. ''Word has gotten out that we're giving people permission and walking them out the door,'' said Chris Cabrera, a Border Patrol agent who is vice president of the local of the National Border Patrol Council, the agent's union. ''So they're coming across in droves.''

That is exactly what has happened. It is a national tragedy. It is a human tragedy for those children. It is costing them money, placing their lives at risk, and we are not able to handle them effectively.

Colleagues, I have a timeline over 17 pages long of the ways systematically this administration has ignored or simply suspended immigration law by issuing orders to the officers not to do their duty essentially.

So 1 week before the Fourth of July holiday, America cannot even protect its own borders, and what do our Democratic colleagues wish to do? They want to adjourn this Chamber, go home to their barbecues, work on their reelection campaigns, and promise while they are home they are fighting to end the lawlessness at the border, while doing nothing, while actually doing nothing but objecting to legislation that would make a real difference.

I see my colleague Senator SANDERS and I will wrap up.

I believe we were elected, colleagues, to protect this country and its people and the laws of our country. A critical component of national sovereignty is a control over your borders. We have passed immigration laws that are on the books and not being enforced. We on the Republican side have opposed immigration laws that would reduce the illegality that cannot even see the light of day on the floor of the Senate.

So I am asking my colleagues, we ought to stay here. Why do we not stay here and work on this crisis? I intend to request that we do so—and have done so—and offered unanimous consents to bring up legislation that would help improve the situation. But that has been objected to.

Our taxpayers are overstressed. If we want to get this country back on track, we need to control this border and enforce the Nation's laws in a fair and equitable way that allows generous immigration to America, that treats people fairly and decently, but is not an open border, where people can come by the tens of thousands unlawfully.

How can any of us relax at an Independence Day barbeque next week knowing at this very moment the Nation's sovereignty is being eroded? I think we have failed in our session. We have not responded to the crisis that is on our border. We could have made real progress. But there is a lack of will and a lack of willingness to act. I am disappointed to see that fact.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

VETERANS HEALTH CARE

Mr. SANDERS. Madam President, as chairman of the Senate Veterans' Affairs Committee, I would hope that every American understands that the cost of war does not end when the last shots are fired or when the last missiles are launched. The cost of war continues until the last veteran receives the care and benefits he or she has earned on the battlefield.

War is an incredibly expensive proposition in terms of human life, human suffering, and in financial terms. In my very strong view, if we are not prepared to take care of those men and women who went to war, then we should not send them to war in the first place. Taking care of veterans is a cost of war, period.

In terms of Iraq and Afghanistan, the human cost of those wars is almost 7,000 dead. The cost of war is 530,000 veterans seeking care at the VA in 2013 for post-traumatic stress disorder, not to mention those struggling with traumatic brain injury.

The cost of war is too many servicemembers coming home with missing arms and legs, lost eyesight, or lost hearing. The cost of war includes veterans each day dying by suicide, high rates of divorce, wives trying to rebuild their lives after losing their husbands, kids growing up in one-parent homes, and a too high rate of unemployment for returning servicemembers. Those are some of the real costs of war that this Congress cannot ignore.

Several weeks ago, Senator MCCAIN and I hammered out an agreement which I think goes a significant way to address many of the serious problems facing the VA. I am very proud that the Sanders-McCain bill passed the Senate with overwhelming bipartisan support, with a vote of 93 to 3. In terms of funding, very importantly, by a vote of 75 to 19, an overwhelming vote, the Senate made it crystal clear that the current crisis in the VA, the crisis facing veterans who are not getting health care in a timely manner, is an emergency and should be paid for through emergency funding. I am very proud that in a bipartisan way the Senate made that important vote.

In the last 4 years we have seen a significant increase in the number of veterans utilizing VA health care. In addition, many of our other veterans from World War II, Korea, and Vietnam require a greater amount of care as they age.

Further, a recent VA audit revealed that more than 57,000 veterans are on too-long waiting lists in order to be scheduled for medical appointments.

In addition to that, there are many other veterans who were never put on a list in the first place, which is what this whole scandal is largely about.

Clearly, these waiting lists and veterans not getting care in a timely manner are unacceptable and must be dealt with immediately, not 6 months from now, not a year from now, not in a great debate about national priorities. This is a crisis which must be dealt with now. I could not agree with Senator JOHN MCCAIN more when he said on the Senate floor during this debate:

If there is a definition of emergency, I would say that this legislation fits that. It is an emergency. It is an emergency what is happening to our veterans and the men and women who have served this country. We need to pass this legislation and get it to conference with the House as soon as possible.

Senator MCCAIN is right. I concur with what he said. We need to get this legislation moving as soon as possible and get it to the President's desk. Veterans in this country must get quality care and they must get that health care in a timely manner. We need to provide the funding the VA needs to accomplish that goal and do it as quickly as we can.

The simple truth is that the VA needs more doctors, the VA needs more nurses, it needs more mental health providers, and in certain parts of this country more space for a growing patient population. That is the reality.

Does the Veterans' Administration need better management? You bet it does. Does it need to be more efficient, more accountable? Absolutely. But at the end of the day, if you do not have the doctors and the nurses and the medical staff you need, there will continue to be waiting lines unacceptably long and veterans will not get the care they need.

I received, as did the chairman of the House Veterans' Affairs Committee, a letter on June 17 which was signed by virtually every major veterans organization. That is the American Legion, the DAV, the VFW, the Paralyzed Veterans of America, the Vietnam Veterans of America, the Iraq and Afghanistan Veterans, and many other organizations. They made a number of very important points in their letter talking about the kind of legislation we need to pass. I want to quote from one section of their letter, which they entitled ''Protect and Preserve the VA Health Care System.''

Any legislative, regulatory or administrative changes designed to respond to the VA health access crisis, whether temporary or permanent, must protect, preserve and strengthen the VA health care system so that it remains capable of providing a full continuum of high-quality, timely health care to all enrolled veterans . . .

Then the letter continues:

Unless the legislation simultaneously sets VA on a path to intelligently strengthen health care delivery, expand access and capacity, reallocate resources and ensure that overall VA funding matches its mission, the current problems confronting VA and veterans will inevitably recur.

In other words, what they are saying is that unless we strengthen the VA, give them the staffing and the space they need, this problem of waiting periods of time will continue. In order to address the long waiting periods, the Senate legislation says to veterans around the country that if you cannot get into a VA facility in a timely manner, you will be able to get the care you need outside of the VA. That means access to private doctors, community health centers, or Department of Defense or Indian Health Service facilities.

Furthermore, what the bill says is to veterans who live 40 miles or more from a VA facility, that if they choose, they also have the option of seeking care outside of the VA.

Just as the letter from the veterans service organizations articulated, it is critical to address the current waiting period crisis. But we also have to make sure that that crisis does not continue to occur. We do that by providing the VA the tools it needs to ensure sufficient capacity for veterans seeking care at VA medical facilities. Clearly, no medical program can work unless we have the necessary medical staff.

Today, the VA has thousands of vacancies for health care providers. These vacancies, along with an untold shortage of health care providers to meet the demands of veterans who want to get VA care, has a direct impact on the ability to get veterans in the door for appointments. To fill these positions, the Senate bill provides for the hiring of VA doctors and nurses, and it does so in an expedited fashion by ensuring VA's hiring efforts are not hamstrung by Federal bureaucracy.

During the discussion of VA health care, let us not forget that today alone some 230,000 veterans will walk in the doors of VA facilities for health care—230,000 veterans today, 6.5 million veterans in a year. While it is absolutely true that not every veteran is satisfied by the care he or she is getting, the overwhelming majority—well over 90 percent of them—believe they receive high quality care. Over and over, I hear from Vermont veterans and veterans across the country who say that once they get into the system the care is good.

That is just not my view, it is the view of virtually all of the major veterans organizations and a number of independent studies that have compared VA health care with that in the private sector. We owe it to these veterans, to our veterans, to fix the current problems and bolster the system to ensure that quality care is available in the VA for years and decades to come.

I have heard a lot of criticism of the VA. Much of that criticism is valid. But when we talk about VA health care, we must put it in the context of health care in the United States of America. Does anyone seriously believe the VA is the only health care institution in America that has problems? It is absolutely the case that not everybody outside of the VA gets timely, quality, affordable health care. That is just not the reality.

Today some 40 million Americans have no health insurance. According to a Harvard study of a few years ago, 45,000 Americans die each year because they do not get to the doctor when they should. That is outside of the VA.

But it is more than that. Let me read you a few headlines from the last couple of weeks. I make this point not to argue the whole health care debate again but to say that anyone who thinks it is only the VA that has health care problems does not understand what is happening with health care in America.

Here is a quote from a few weeks ago.

A report released Monday by a respected think tank—

That is the Commonwealth Fund.

—ranks the United States dead last in the quality of its health care system when compared with ten other Western industrialized nations.

Then the report further tells us that the United States has maintained this dubious distinction while spending far more per capita on health care than any other country. We are spending far more on health care than any other country.

Let me read you another headline published September 20, 2013 by FierceHealthCare. ''Hospital Medical Errors Now the Third Leading Cause of Death in US.''

Medical errors leading to patient death are much higher than previously thought and may be as high as 400,000 deaths a year, according to a new study in the Journal of Patient Safety.

I mention all of this to make clear that the VA, of course, has its problems. Our job is to strengthen the VA, to provide better accountability, to make sure that incompetent and dishonest people are not working in the VA. But we also have to make sure the VA has the doctors, the nurses, and the other health care providers it needs in order to provide the quality of care our veterans deserve.

The last point I want to make. I hope very much the House will agree with the Senate that we are in an emergency.

It is absolutely imperative that we move as quickly as possible to get the funding we need so that all veterans enrolled in the VA health care system get quality care in a timely manner.

I hope very much that we don't once again have a major debate about whether we are going to cut food

stamps or education or roads and bridges in order to fund the Veterans' Administration. When this Congress voted to go to war in Iraq and Afghanistan, it said that it was an emergency. Some of us disagreed with that, and I don't want to debate the Iraq war again, but when Congress said it is an emergency that we go to war, well, if it is an emergency that we go to war, it is more of an emergency that we take care of the men and women who fought in those wars. If you don't believe that is the case, don't send Americans off to war. Taking care of veterans is a cost of war.

I hope very much that we don't go back to the same old, same old of having a debate where some people say: Well, if you want to fund VA health care, you are going to have to cut education or cut Medicaid or cut Medicare or cut some other program. That is not the issue. This is an emergency. Our veterans have put their lives on the line. Now is the time for us to defend them, and we have to get this legislation moving.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Texas.

ISRAELI KIDNAPPING

Mr. CRUZ. Madam President, I rise today to talk about three young boys—three young boys who are now in the hands of terrorists. This should be on the front page of every paper in the United States because this is an issue that is as vital to us as it is to the nation of Israel.

On Thursday night, June 12, three Jewish teenagers—Naftali Fraenkel, Gilad Shaar and Eyal Yifrah—were kidnapped. You can see all three of these boys in the photos beside me.

Today, Thursday June 26, marks the 14th day of their abduction. Just imagine if these were your children or any child you know. Just imagine if it were your child who was kidnapped for 14 days and you don't know where they are or even whether they are still alive.

These boys—all smart, hard-working, diligent students—were taken on their way home from school. They were waiting at the bus stop. They were only 5 minutes away from their school—one of the finest yeshivas in Israel. These boys weren't doing anything wrong. They are innocent schoolchildren.

Yet today it has been reported that Israel's Shin Bet identified two key suspects in the abduction. These two individuals are members of Hamas—a vicious terrorist organization that seeks Israel's destruction and has launched thousands of rockets into Israel, killing innocent civilians. These rockets have also killed dozens of Americans in Israel. Now they have kidnapped three school boys. Sadly, this is business as usual for Hamas. This is the same terrorist organization with which the Palestinian Authority recently joined in a so-called ''unity'' government.

Israel has been tirelessly looking for these two men since the kidnapping. They come from families who have broader ties to Hamas. In a telling statement to the Times of Israel, the mother of one of the two alleged terrorists claims she did not know of her son's actions, but she said she would be ''proud of him and hoped he would continue to evade capture.'' A mother, proud of her son for kidnapping three school boys.

Hamas leader Khaled Mashal spoke about the kidnappings on Monday, saying, ''I bless those who did it because it is a moral obligation to free prisoners from Israeli jails.'' This is a leader of Hamas now parked effectively in the unity government of the Palestinian Authority blessing those who have kidnapped three school boys because this is the kind of activity that Hamas terrorists support, the kidnapping of innocent schoolchildren.

Since the kidnapping, there have been no pictures or videos made available of the kidnapped boys. Their families are in the dark without any knowledge of where their boys are or what conditions they are being held in.

Rachel Fraenkel, the mother of Naftali Fraenkel, spoke before the United Nations Human Rights Council on June 24. Rachel said:

> My son texted me—said he's on his way home—and then he's gone. Every mother's nightmare is waiting and waiting endlessly for her child to come home.

She then pleaded for more action to be taken to find the boys, concluding:

> We just want them back in our homes, in their beds. We just want to hug them . . .

All of us should stand with Rachel as she stands with her son who has been kidnapped.

I also want to tell the world about these three boys.

Rachel's son Naftali is 16 years old. His grandparents have lived in Brooklyn, and Brooklyn has been a second home to him. He is the oldest of seven children. He likes playing the guitar, basketball, and Ping-Pong. Indeed, there is even a video of him on YouTube playing Ping-Pong. I have to say he is pretty good. He is a talented and gifted student who is on track to take the biology matriculation exams. His teachers say Naftali is brilliant, one of the best they have ever had, and his mother said his personality is a delightful combination of both serious and fun.

Gilad Shaar, who was with Naftali that day—also coming home from school—was likewise abducted. Like Naftali, Gilad is 16 years old. ''Gil'' means happiness and ''ad'' means forever. His name literally means ''happiness forever,'' and he is a source of joy to those who meet him.

His aunt Leehy Shaar, whom I had the privilege of meeting and visiting earlier this week, said, ''He has a smile that brings light to the world''—quite fitting for a boy named ''happiness forever.'' She said, ''We want him home where he belongs, with his family, who so dearly loves him.''

Gilad has five sisters, and he is described by them as a caring and loving brother. He is the family's only son, and he has family in Los Angeles and in New York. Gilad is witty. He loves to read, watch movies, and recently he finished a scuba diving course, but he is also a talented cook. He enjoys baking his sisters cakes and pastries.

We don't know where Gilad is right now.

Then there is Eyal Yifrah, the third boy kidnapped that day. He is 19 years old and is the oldest of six children. He is a role model for their family, and he is loved by friends who say they would like to have him as a brother. He loves sports. He should be cheering the World Cup games today—like so many other teenagers—with his friends. A gregarious fellow, he likes to cook, travel, play guitar, and sing. Indeed, you can find videos of him on YouTube singing a song that he himself wrote. Eyal should be home singing again.

There can be no more illusions that Hamas has any role in any future government formed by the Palestinian Authority. They must not receive any further recognition or legitimization. Hamas is a violent terrorist organization ready and eager to brutalize the most innocent. Hamas is a terrorist organization that kidnapped three innocent school boys.

Hamas, give those boys back.

Hamas, give those boys back now.

The full weight of the world should bear down on Hamas to give them back safely and immediately. If they do not, we should use all available means to stand unequivocally with Israel for however long it takes to find these boys and to bring them home. These are teenagers who were targeted for who they are, who have done no wrong, who have done nothing that comes near to deserving what happened to them that day while waiting at the bus stop to go home from school.

It is easy for us to become desensitized to violence, desensitized to terrorism. It is easy for us to forget that these are three teenage boys whose families desperately want their boys back. I ask that all of us lift them up in prayer. I pray for their safe return. I pray they will soon be home with the families who so dearly love them and miss them, and I pray that God will cover them with a shield of heavenly protection. I pray that America will stand strong, will shine a light and do everything possible to apprehend the terrorists and bring these boys home.

Thank you, and God bless you.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent to address the Senate as in morning business, and I appreciate the wonderful courtesy of my friend Senator CARL LEVIN.

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

U.S.-INDIA STRATEGIC PARTNERSHIP

Mr. MCCAIN. Madam President, next week I look forward to traveling to India, where I look forward to meeting with Prime Minister Modi, his national security team, and other Indian leaders. I am excited to be returning to New Delhi, and I am so hopeful about what the Prime Minister's election could mean for the revitalization of India's economy, its rising power, and for the renewal of the U.S.-India strategic partnership.

National elections in India are always a remarkable affair. Over several weeks hundreds of millions of people peacefully elect their leaders—the largest exercise of democracy on the planet. But even by Indian standards, the recent election that brought to power Prime Minister Modi and his party, the BJP, was a landmark event. It was the first time in 30 years that one Indian political party won enough seats to govern without forming a coalition with another party. This gives the Prime Minister a historic mandate for change, which Indians clearly crave.

I want Prime Minister Modi to succeed because I want India to succeed. It is no secret that the past few years have been challenging ones for India—political gridlock, a flagging economy, financial difficulties, and more. It is not my place or that of any other American to tell India how to realize its full potential. That is for the Indians to decide. Our concern is simply that India does realize its full potential, for the United States has a stake in India's success. Indeed, a strong, confident, and future-oriented India is indispensable for a vibrant U.S.-India strategic partnership.

It is also no secret that India and the United States have not been reaching our full potential as strategic partners over the past few years, and there is plenty of blame to be shared on both sides for that. Too often recently we have slipped back into a transactional relationship, one defined more by competitive concession seeking than by achieving shared strategic goals.

We need to lift our sights again. To help us do so, I think we need to remind ourselves why the United States and India embarked on this partnership in the first place. It was never simply about the personalities involved, although the personal commitment of leaders in both countries has been indispensable at every turn. No, the real reason India and the United States have resolved to develop the strategic partnership is because each country has determined independently that doing so is in its national interests.

It is because we have been guided by our national interests that the progress of our partnership has consistently enjoyed bipartisan support in the United States and in India.

This endeavor began with closer cooperation between a Democratic administration in Washington and a BJP-led government in New Delhi. It deepened dramatically during the last decade under a Republican and a Congress-led government. It reached historic heights with the conclusion of our civil nuclear agreement—thanks to the bold leadership of President Bush and Prime Minister Singh. This foundation of shared national interests has sustained our partnership under President Obama, and it is the common ground on which we can build for the future as a new prime minister takes office in New Delhi.

When it comes to the national interests of the United States, the logic of a strategic partnership with India is powerful. India will soon become the world's most populous nation. It has a young, increasingly skilled workforce that can lead India to become one of the world's largest economies. It is a nuclear power and possesses the world's second largest military, which is becoming even more capable and technologically sophisticated. It shares strategic interests with us on issues as diverse and vital as defeating terrorism and extremism, strengthening a rules-based international order in Asia, securing global energy supplies, and sustaining global economic growth.

India and the United States not only share common interests, we also share common values, the values of human rights, individual liberty, and democratic limits on state power, but also the values of our societies—creativity and critical thinking, risk-taking and entrepreneurialism and social mobility—values that continue to deepen the interdependence of our peoples across every field of human endeavor. It is because of these shared values we are confident that India's continued rise as a democratic great power—whether tomorrow or 25 years from now—will be peaceful and thus can advance critical U.S. national interests. That is why, contrary to the old dictates of realpolitik, we seek not to limit India's rise but to bolster and catalyze it—economically, geopolitically, and, yes, militarily.

It is my hope that Prime Minister Modi and his government will recognize how a deeper strategic partnership with the United States serves India's national interests, especially in light of current economic and geopolitical challenges.

For example, a top priority for India is the modernization of its armed forces. This is an area where U.S. defense capabilities, technologies, and cooperation—especially between our defense industries—can benefit India enormously. Similarly, greater bilateral trade and investment can be a key driver of economic growth in India, which seems to be what Indian citizens want most from their new government. Likewise, as India seeks to further its ''Look East'' policy and deepen its relationships with major like-minded powers in Asia—especially Japan, but also Australia, the Philippines, the Republic of Korea, Singapore, and Vietnam. Those countries are often U.S. allies and partners as well, and our collective ability to work in concert can only magnify India's influence and advance its interests.

Put simply, I see three strategic interests that India and the United States clearly share, and these should be the priorities of a reinvigorated partnership:

First, to shape the development of South Asia as a region of sovereign democratic states that contribute to one another's security and prosperity; second, to create a preponderance of power in the Asia-Pacific region that favors free societies, free markets, free trade, and free comments; and, finally, to strengthen a liberal international order and an open global economy that safeguards human dignity and fosters peaceful development.

As we seek to take our strategic partnership with India to the next level, it is important for U.S. leaders to reach out personally to Prime Minister Modi, especially in light of recent history. That is largely why I am traveling to India next week, and that is why I am pleased President Obama invited the Prime Minister to visit Washington. I wish he had extended that invitation sooner, but it is positive nonetheless. When the Prime Minister comes to Washington, I urge our congressional leaders to invite him to address a joint session of Congress. I can imagine no more compelling scene than the elected leader of the world's largest democracy addressing the elected representatives of the world's oldest democracy.

Yet we must be clear-eyed about those issues that could weaken our strategic partnership. One is Afghanistan. Before it was a safe haven for the terrorists who attacked America on September 11, 2001, Afghanistan was a base of terrorists that targeted India. Our Indian friends remember this well, even if we do not. For this reason I am deeply concerned about the consequences of the President's plan to pull all of our troops out of Afghanistan by 2016, not only for U.S. national security but also for the national security of our friends in India.

If Afghanistan goes the way of Iraq in the absence of U.S. forces, it would leave India with a clear and present danger on its periphery. It would constrain India's rise and its ability to devote resources and attention to shared foreign policy challenges elsewhere in Asia and beyond. It could push India toward deeper cooperation with Russia and Iran in order to manage the threats posed by a deteriorating Afghanistan. And it would erode India's perception of the credibility and capability of U.S. power and America's reliability as a strategic partner.

The bottom line here is clear: India and the United States have a shared interest in working together to end the scourge of extremism and terrorism that threatens stability, freedom, and prosperity across South Asia and beyond. The President's current plan to

disengage from Afghanistan is a step backward from this goal, and thus does not serve the U.S.-India strategic partnership.

For all of these reasons and more, I hope the President will be open to reevaluating and revising his withdrawal plan in light of conditions on the ground.

Another hurdle on which our partnership could stumble is our resolve to see it through amid domestic political concerns and short-term priorities that threaten to push our nations apart. For most of the last century, the logic of a U.S.-India partnership was compelling, but its achievements eluded us. We have finally begun to explore the real potential of this partnership over the past two decades, but we have barely scratched the surface, and the gains we have made remain fragile and reversible, as our largely stalled progress over the past few years can attest.

If India and the United States are to build a truly strategic partnership, we must each commit to it and defend it in equal measure. We must each build the public support needed to sustain our strategic priorities, and we must resist the domestic forces in each of our countries that would turn our strategic relationship into a transactional one—one defined not by the shared strategic goals we achieved together but by what parochial concessions we extract from one another. If we fail in these challenges, we will fall far short of our potential, as we have before.

It is this simple: If the 21st century is defined more by peace than war, more by prosperity than misery, and more by freedom than tyranny, I believe future historians will look back and point to the fact that a strategic partnership was consummated between the world's two preeminent democratic powers: India and the United States. If we keep this vision of our relationship always uppermost in our minds, there is no dispute we cannot resolve, no investment in each other's success we cannot make, and nothing we cannot accomplish together.

I thank my beloved friend from Michigan for allowing me to speak, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I thank my good friend from Arizona for not only his remarks but also the thoughtfulness of his remarks on the U.S.-India relationship. I listened to them carefully and am glad to join in and look forward to his report. We have had a historic relationship with India as the two preeminent democracies, and we have a great opportunity to build on this relationship. I know my friend from Arizona has contributed vitally to that effort.

IRAQ

Mr. LEVIN. Recent events in Iraq have created great concern. The territorial gains by the ISIL, a violent extremist group, are not just a threat to Iraq's security but a security challenge to the entire region, and indeed to the United States. By its words and deeds, ISIL has made clear that it is deeply hostile to American interests and to universal values of freedom and human rights. That hostility can easily translate into plans and threats against us.

Faced by these developments, President Obama's decision to send a small number of U.S. military advisers is prudent. They will help assess the situation on the ground, they will support Iraqi efforts to defeat the Islamic militants Iraq faces, and help the Iraqis make best use of the intelligence support we are providing.

The President is right to say that U.S. troops will not return to ground combat in Iraq. The President is also right to say it is not our place to choose Iraq's leaders, because doing so is only likely to feed distrust and suspicion, and there is already too much of that in Iraq and in the Middle East.

What we can do is promote moves toward the political unity that is so essential for Iraq if it is going to weather the crisis and make progress toward a stable, democratic society. The problem in Iraq has not been a lack of direct U.S. military involvement but, rather, a lack of inclusiveness on the part of Iraqi leaders. That is why I believe we should not consider any direct action on our part, such as air strikes, unless three very specific conditions have been met:

First, that our military leaders tell us we have effective options that can help change the momentum on the ground in Iraq. In other words, only if our military leaders believe we can identify high-value targets—that striking them could have a measurable impact on the ability of the Iraqi security forces to stop and reverse the advances of the ISIL on the ground, and that we can strike them with minimal risk of civilian casualties and without dragging us further into the conflict.

Second, any additional military action on our part should come only with the clear public support of our friends and allies in the region—particularly moderate Arab leaders of neighboring countries. The United States has engaged in a comprehensive diplomatic effort to coordinate our response with Iraq's neighbors. If our strategy is to have the effect we want, it is essential that we have broad support in the region.

Finally, and perhaps most importantly, we should not act unless leaders of all elements of Iraqi society—Shia, Sunni, Kurds, and religious minorities—join together in a formal request for more direct support.

There is an obvious need for Iraqi leaders to form an inclusive unity government for their country's long-term success. But that process is likely to take some time, weeks or even months. But a unified formal statement requesting our further military assistance would be an important signal that Iraq's leaders understand the need to come together.

It could not only be a sign that additional action on our part would be effective but also could be an important step toward creation of a national unity government.

So far, the signs that Iraqi leaders are prepared to take the steps they need to take are mixed at best. Prime Minister Maliki, who has too often governed in a sectarian and authoritarian manner, delivered a speech recently in which he said national unity is essential to confront ISIL—which is true—but then he signaled little willingness to reach out to other groups. A number of prominent Shia leaders portrayed the conflict in starkly sectarian terms, and Shia militias, including those under the control of Moktada al-Sadr, have marched through the streets of Baghdad. There is little doubt also that Iran is pursuing its own sectarian agenda in the region. Some Iraqi Sunni leaders too have made statements that promote sectarian interests over the common good, and there are also fears that the Kurdish minority may exploit the situation. But on the other hand there have also been some signs that the Iraqi leaders recognize the need to confront the ISIL threat not as Sunnis or Shia or Kurds but together as Iraqis.

Iraq's most influential Shia clerk, Ali Sistani, has called on all Iraqis ''to exercise the highest degree of restraint and work on strengthening the bonds of love between each other, and to avoid any kind of sectarian behavior that may affect the unity of the Iraqi nation,'' spreading the message that ''this army [the Iraqi Army] does not belong to the Shia. It belongs to all of Iraq. It is for the Shia, the Sunni, the Kurds and the Christians.'' That is the message from Ali Sistani—a very powerful message and a unifying message in contrast to the messages that should come, for instance, from Mr. Sadr.

The United States has national security interests in Iraq, but further military involvement there will not serve those interests unless Iraq begins to move toward the inclusiveness and unity that is necessary if our involvement is to have a positive impact. Put another way, we cannot save Iraqis from themselves. Only if Iraq's leaders begin to unify their nation can help from us really matter.

The ISIL is a vicious enemy. It is also the common enemy of all Iraqis—of all Iraqis and of Iraq's neighbors. If this vicious common enemy cannot unite Iraqis in a common cause, than our assistance, including airstrikes, won't matter. Only a unified Iraq governed by elected leaders who seek to rule in the interest of all their people can stand up to this threat.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

REMEMBERING HOWARD BAKER

Mr. HATCH. Madam President, before I begin, I want to pay tribute to

my friend and former colleague Howard Baker. I was honored to work with him in the Senate and later worked closely with him when he was President Reagan's White House Chief of Staff. He loved the Senate, and he built an impressive leadership role as majority leader. He was a skilled negotiator, an honest broker, an effective legislator, and a great steward of this institution.

I offer my deepest condolences to his wife Senator Nancy Landon Kassebaum Baker, an incredible woman, a dear friend, and a respected colleague as well. It was truly a privilege to learn from and serve alongside Howard, and I know I am far from alone among his many friends and colleagues in missing him deeply. We miss Nancy too. It was wonderful to see the two of them together. They cared a great deal for each other. He was a wonderful man, she is a wonderful woman, and I personally love both of them. We will miss him.

ADVICE AND CONSENT

Mr. HATCH. Madam President, I rise to commend the holding of the Supreme Court's decision this morning in NLRB vs. Noel Canning. The Court's decision is a critical victory for the principle that we are a nation of laws, not of men. It is a vindication of the fundamental notion that the Constitution binds us all, including even the President, and it is a triumph for the rightful prerogatives of this institution, the U.S. Senate, the authority of which has been under siege throughout the Obama years.

One of the most important powers endowed in this body by the Constitution is the requirement that nominations of principal officers receive the advice and consent of the Senate. The confirmation process provides Members of the Senate with a wide range of tools—up to and including outright refusal to confirm a nominee—in order to influence the proper execution of the laws we pass. When aggregated, these tools amount to a critical check on the workings of the executive branch.

The Senate's advice and consent rule did not rise from accident—far from it. As the Supreme Court has explained, quoting the famed historian Gordon Wood, ''The manipulation of official appointments had long been one of the American revolutionary generation's greatest grievances against executive power, because the power of appointment to offices was deemed the most insidious and powerful weapon of 18th century despotism.''

The Founders' worry about the dangers of the Executive appointment power should ring true today given many of the Obama administration's actions, including a radical set of National Labor Relations Board nominees who promised to tip the balance of the Board toward an extreme and divisive agenda, hurting both employers and employees, and a Consumer Financial Protection Bureau Director nominee poised to exercise unprecedented and unchecked power thanks to the dangerous provisions of Dodd-Frank—no checks on his removal, no congressional control over his budget, and no effective judicial review. These are exactly the sorts of circumstances that motivated the Founders' concerns about an unchecked appointment power in the Executive. They are the very reasons the Presidential nominees must obtain the Senate's consent before taking office.

The only exception to this body's power to decline its consent to a nomination is the President's power ''to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.'' But the President's power to make recess appointments is wholly contingent on what the Constitution terms ''the Recess of the Senate'' actually occurring, and the power to decide when that happens rests squarely with the legislative branch.

This is the obvious consequence of the Senate's constitutional power—conferred in article I, section 5—to determine the rules of its proceedings. And it is well supported by longstanding practice and precedent, acknowledged by the executive branch going as far back as 1790. Consider what would happen if the President could unilaterally determine when the recess of the Senate occurs. With no check on the President's discretion to declare the Senate in recess, he could employ the recess appointment power whenever the Senate refused to give immediate and unencumbered consent to his or her nominees. The advice-and-consent process would become a dead letter. The exception would swallow the rule, and the Senate would be deprived of a central tool our Nation's Founders specifically conferred to prevent Executive mischief.

The Founders realized the severity of this threat. They had fought royal abuses of the appointment power, asserting in the Declaration of Independence how the King's government had ''erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.'' As Hamilton explained in Federalist 69, ''They deliberately chose not to give the President the King's often-abused power to discontinue a session of the legislature.''

So concerned were the Framers with the legislature's power to control its own sittings that the Constitution gave each House the power to prevent the other from adjourning for more than 3 days. In essence, the Senate and the House of Representatives both have the power to prevent the recess of the Senate and thereby avoid the activation of the President's recess appointment power.

So when the Senate was confronted by the prospect of an out-of-control National Labor Relations Board and an unchecked Consumer Financial Protection Bureau led by President Obama's appointees, we were facing threats that our Founders had themselves faced and for which they had specifically provided us with the tools to resist. When we refused to act as quickly as the administration wanted and merely rubberstamp these nominees, we acted exactly as the Constitution's Framers had intended. And the House of Representatives wisely refused to consent to a recess of the annual session of the Senate, thereby refusing to grant the President authority to make lawful recess appointments.

I don't relish rejecting nominees—quite the contrary. Over the past 38 years, I have voted for the vast majority of nominees from each of the six Presidents under whom I have served and with whom I have served alongside, including President Obama. But scrutinizing the President's nominees and occasionally withholding consent when circumstances warrant represents Congress fulfilling, not abdicating, its constitutional responsibilities.

So when faced with our legitimate and lawful use of the powers endowed in the legislative branch by the Constitution, what did the Obama administration do? Did it seek to accommodate our concerns about the unconstitutional structure and unprecedented powers of the CFPB? Did the President seek to help develop a compromise package of the NLRB nominees, as Ted Kennedy and I always did? Sadly, no. Instead, President Obama simply proclaimed that he ''wouldn't take no for an answer'' despite what the Constitution may say. He chose instead to use—or rather abuse—the recess appointment power to install these four nominees, including two who had been nominated only 2 weeks before—hardly long enough for the Senate to vet them thoroughly. But, of course, we were not in ''the Recess of the Senate'' that the Constitution requires to activate the recess appointment power. Even the Solicitor General admitted that a 3-day adjournment was too short to allow the President to bypass the Senate lawfully.

Instead, President Obama audaciously claimed the power to decide for himself when the Senate was in recess and determined that in his personal opinion, our so-called pro forma sessions during this period did not really count as sessions of the Senate, at least for the purposes of the Constitution's requirements.

But during these sessions the Senate was fully capable of engaging in its business. Indeed, during a similar session the previous fall, the Senate twice passed legislation that President Obama himself signed. We have also used these sessions to appoint conferees, to read calendar bills, and to engage in other such activity characteristic of the Senate operating in session. While the Senate planned to conduct no subsequent business under a unanimous consent agreement, even the Obama administration admitted

that there was a possibility that we might decide otherwise. Whether the Senate chooses to conduct business has no relevance here. Instead, it is the ability of the Senate to conduct business if it so chooses that matters.

Faced with this reality, the Obama administration even argued that the Senate, by refusing to adjourn for more than 3 days, could not deny the President his recess appointment power—as if he was owed the opportunity to use this power.

This argument turns basic structure of Presidential appointments on its head, as if our advice-and-consent role were merely an inconvenience to be avoided rather than the organizing principle of how the entire constitutional process is designed to work. The Constitution does not create in the President an endlessly flexible power to bypass Congress when he disagrees with us. In fact, it does exactly the opposite: It vests in Congress both the power and the responsibility to resist a President's ill-advised policies and Executive overreach.

The actions and arguments advanced by the Obama administration represent a direct assault on the Constitution's division of powers between the different branches. This brazen power grab takes President Obama's already audacious overreach to a new level.

I applaud the Supreme Court's willingness to fulfill its constitutional obligations and check this abuse of power by the White House. While I agree most with the reasoning of Justice Scalia's concurrence, which respects the fixed and discernible meaning of the Constitution's text and its controlling power, the unanimous nature of this decision reflects just how egregious the President's action was.

But those of us who care about checking the Obama administration's overreach cannot place our faith in the courts alone, although they must play an important role. Too often this administration has been crafty in implementing its breaches of the law to avoid judicial review, frequently structuring its overreach to prevent any plaintiff from having any legal standing to sue in court. This White House has even used its role in the legislative process to advance provisions that eliminate the potential for judicial review, as it did in Dodd-Frank. And when the courts have found legitimate occasion to scrutinize President Obama's overreach, the administration has often fought to keep litigants out of court, as in the Fast and Furious litigation.

Perhaps most disturbing is what happened with the DC Circuit, the second most important court in the land that oversees our massive regulatory state, the court that originally held the President's appointments unconstitutional. When the DC Circuit tried to hold the Obama administration accountable to the law and the Constitution, President Obama and his allies sought—in their own words—to ''switch the majority'' on the court and to ''fill up the D.C. Circuit one way or another.''

In the rush to eliminate any possible judicial obstacle to accountability by packing the DC Circuit, the Obama administration ran roughshod over the rules and traditions of this body by blowing up the filibuster. Whether through unilaterally changing the Senate rules or abusing the recess appointment power, the President and his allies have demonstrated a willingness to work untold and permanent damage to the institutions of this great body and to our constitutional system itself.

With such a powerful and aggressive President, no single institution can restore the constitutional checks on President Obama's often lawless exercise of power. Restoring constitutional government will require great effort by all of us: The courts, the Congress, and most importantly the voting public. That is why it is essential for my colleagues on both sides of the aisle to stand and defend the institutional prerogatives of the Senate. That is every Senator's sworn duty under the Constitution.

Many of my colleagues—even those with whom I rarely agree—have the potential to be great Senators, worthy stewards of this institution, zealous guardians of its prerogatives and true defenders of its role in our constitutional system of government.

Sadly, whether blinded by partisan loyalty to the President or too inexperienced to understand the Senate from any other perspective than having a like-minded Senate majority and President, my colleagues on the other side of the aisle have allowed—even facilitated—this administration's attempts to break down the constitutional checks on Executive power. Bob Byrd must be rolling over in his grave. He would never allow the Senate's power to be as diluted and dissipated as it has been during this Presidency. He would have stood up to them. He would have taken the Senate's prerogatives and made them very clear to this President and anybody else who tried to invade the Senate's prerogatives—and I might add constitutional prerogatives at that.

We must all realize what is at stake. This is not some petty turf war. As Madison warned in Federalist 47, ''The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.''

To disregard this central principle of constitutional government is to abolish the barriers protecting us from arbitrary government action and to undermine the rule of law.

We in the Congress should make no apology for protecting the legal prerogatives of the body in which we serve, for as Madison counseled in Federalist 51: ''[t]he great security against a gradual concentration of the several powers in the same department consists of giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.''

If this body—and constitutional government generally—are to maintain a meaningful role in preserving liberty, we must all realize the importance of connecting the President's unlawful and illegitimate attempts to assert power. We must use the rightful and legitimate constitutional authorities that the Founders gave us to stand and fight back.

This is important. This is not just a battle between the two sides. This is not just an itty-bitty, little problem. This is one that has thwarted the intentions of the Founders to have three separated powers, each with its own duties and responsibilities, not infringed by the other powers that disregard the duties and responsibilities of the legislative branch.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONGRATULATING MEREDITH MELLODY

Mr. REID. Madam President, it is always rewarding to see people go on to bigger and better pursuits in their careers, unless, of course, we depend on them. And for almost my entire time as majority leader here in this body, one of the people I have depended on is Meredith Mellody. Isn't that a great name, Meredith Mellody. She has been an important part of the Democratic floor staff for that entire time.

For 8 years she has been here in the Senate, working late hours on the floor, sending me, among other things, the wrapup—she did that for a while—what happened during the day. It is tedious, but it is important, and we did it every day. She has been in the cloakroom making sure the wheels of this body continue turning. She comes from a political family. She comes, as I recall, from Scranton.

Anyway, I am grateful for her hard work and her dedication over the years. We all depend on her and have depended on her, and we are very thankful for her service.

She is leaving the Senate to pursue opportunities in the private sector, and that is important. But the main reason she is leaving—that I don't question, anyway, recognizing this is very important to her, and it is probably one of the most important things she has ever done—if not the most important—she is going to get married. I have already congratulated her.

But it is really sad to see these people who have become a part of our family go. She is going to be successful in

her future endeavors in the private sector.

I certainly wish you, Meredith, the best in the future. You are a wonderful person. You are kind, thoughtful, and considerate always. You are never rude to anyone. And the pressure that is on each of you to do this yesterday, do it right now, and do it sooner than you are capable of doing it—you have always been polite and never rude to anyone.

So I am grateful to you for your service to the Senate and, in doing that, your service to the country.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

IMMIGRATION REFORM ANNIVERSARY

Mr. LEAHY. Madam President, one year ago tomorrow, the Senate came together to pass historic legislation to reform our broken immigration system. We did so with a strong bipartisan vote and after weeks of exhaustive work. The Border Security, Economic Opportunity, and Immigration Modernization Act would unite families, spur the economy, and help protect our borders. Above all else, this historic legislation would create an immigration system that is worthy of our American values.

Today, our system does not reflect the values we hold as a nation. It is devastating that after 1 year, the House has yet to pass desperately needed immigration reform. The cost of inaction is all around us, from the millions of workers who are forced to live in the shadows without fully contributing to our economy, to the foreign-born students who are taking their skills overseas when they graduate instead of investing their talents here, to the uncertainty that continues to plague our agricultural and dairy industries because of unstable work visa programs. Families are being torn apart by deportations, and visa applicants around the world find themselves stuck in limbo because of our lengthy visa backlogs. However, nowhere is the cost of inaction more evident than in the faces of the young children sleeping on cold floors in detention centers on our border.

The humanitarian crisis at the border is growing, and we have a moral duty to address it. I was glad this body came together last year to support my bipartisan Trafficking Victims Protection Reauthorization Act, which included important new provisions to improve the treatment of unaccompanied children at our border. This vital legislation, signed into law as part of the Leahy-Crapo Violence Against Women Reauthorization Act of 2013 provides additional advocates and support for the unaccompanied youngsters who come to our border often fleeing violence and abuse in their country of origin. I was proud when the Republican-controlled House voted overwhelmingly to support these important protections for unaccompanied minors. But they address just one piece of a rapidly growing problem. To truly address the crisis we are seeing today, the Republican House must act to pass bipartisan and comprehensive immigration reform.

Those Republican critics who claim we must first secure our border before the House will vote on immigration reform should actually read the bipartisan Border Security, Economic Opportunity, and Immigration Modernization Act that the Senate passed last year. The bill would double the number of Border Patrol agents and authorize the completion of a 700-mile wall at the southern border. This language was a Republican demand during Senate consideration of the legislation. While I did not agree with it, I voted to authorize this so-called border surge because I supported the broader reform that would do so much for the families and DREAMers who contribute to the fabric of this Nation. Border security measures take up an entire title of the legislation, allocating billions of dollars to border security in addition to the considerable expenditures already authorized by existing law. Those measures are reinforced by ''triggers'' that must be satisfied before undocumented individuals may apply for permanent residence under the bill. These issues were hard-fought in the Senate, and the result was legislation that dramatically reshaped the landscape for border enforcement. So I say again, those who claim we must secure our border before passing immigration reform should look at the bill this Senate passed with broad bipartisan support a year ago.

Americans have seen too much inaction in Washington. The issue before us is too important to simply put off for another time. Just as House Republican leaders set aside partisanship to do what is right by passing the Leahy-Crapo Violence Against Women Act, they should again recognize that a majority of the Chamber supports passing comprehensive immigration reform. Immigration reform should not be held back due to partisan caucus rules that say only legislation supported by the majority of Republicans can be considered. All Members, Democrats and Republicans, should have the courage to vote. House Republican leaders cast aside partisanship and showed their courage last year by bringing the Leahy-Crapo Violence Against Women Act to the floor. They should do so again today.

Legislating is about making tough choices. It is not about standing on the sidelines and complaining that this solution is not perfect. It is about supporting efforts that move this country forward. The bipartisan legislation we passed had the support of businesses, community and faith leaders. It received support from groups ranging from the chamber of commerce and Americans for Tax Reform to law enforcement, university presidents, civil rights groups, and community advocates. Voices from across the Nation and the political spectrum came together in support of enacting long-overdue reforms.

I have been privileged to serve in this great body for nearly four decades because of the trust of the people of Vermont. In my time here, I have rarely seen such commitment to an issue as I did last year to comprehensive immigration reform. What was initially a proposal from the so-called Gang of 8 went through an extensive committee and floor process to allow every Senator to offer their input. The result was an historic bill supported by 68 Senators from both sides of the aisle. I congratulate those Senators for their hard work to pass this historic legislation. They share my belief that the status quo is not an option. President Obama, who has called the crisis at the border an ''urgent humanitarian situation,'' knows that maintaining the system we have in place today is not an option. We need a long-term plan to address the many problems in our immigration system and to ensure that in the future we have the tools to address crises like the one we are seeing now. That solution lies in passing the Senate immigration bill.

There is still time this year to accomplish meaningful and historic reform. I urge Republican leaders in the House not to waste another day and to bring up the bipartisan Border Security, Economic Opportunity, and Immigration Modernization Act.

ECUADORAN AMAZON OIL DRILLING

Mr. LEAHY. Madam President, I wish to call attention to a recent decision by the Ecuadoran Government to issue a permit for oil drilling in the Yasuni reserve in the Amazon region. This should raise alarm bells in the international community for a number of reasons.

It was not long ago that President Correa was supporting a lawsuit against Chevron, citing contamination that resulted from oil exploration by Texaco, the previous owner of the

wells, in the Amazon region of Ecuador. That case, while fraught with allegations of corruption and ethical violations, shone a spotlight on the undeniable environmental damage, water contamination, and health problems associated with those oil wells, as well as on the rich biodiversity and indigenous populations in that region.

But the Correa administration has now backstepped, deciding to allow the state-run oil company Petroamazonas to begin exploratory drilling. Given the history, one can only be concerned about the threat this poses to one of the most biologically diverse regions in the world and the people who live there.

I am also disappointed by the circumstances leading up to the decision to begin oil production. Having failed in its far-fetched attempt to elicit contributions from the international community in exchange for halting plans to drill in the reserve, the Correa administration is moving ahead with this ill-conceived project. In other words, if someone else won't pay to prevent the Ecuadoran Government from potentially despoiling their own forests, they will drill there themselves despite the grave problems that occurred in the past.

Nobody questions Ecuador's need for energy. Nobody doubts Ecuador's right to drill for oil. But we all have a responsibility to protect areas especially rich in biodiversity for future generations. We also have a responsibility to respect vulnerable indigenous cultures. While no country, including the United States, can claim perfection in environmental stewardship, we need to collectively learn from our mistakes and avoid repeating them.

FAMILY SMOKING PREVENTION

Mr. DURBIN. Madam President, I rise to mark the 5-year anniversary of the Family Smoking Prevention and Tobacco Control Act. This legislation was a landmark in the decades-long fight against the No. 1 cause of preventable death in the United States—tobacco use.

The Family Smoking Prevention and Tobacco Control Act passed in 2009—15 years after Dr. Kessler, the FDA Commissioner, began trying to regulate tobacco and 45 years after the Surgeon General's landmark report on tobacco use and lung cancer. For the first time in history, this law gave the FDA the authority to regulate the manufacturing, marketing, and sale of tobacco products.

One express aim of the law was to reduce rates of tobacco use among children. The law achieved this by restricting sales to minors, banning flavored cigarettes, banning tobacco-brand sponsorships of sport and entertainment events, banning free samples, restricting advertisements to children, and more.

The results speak for themselves. Just this month, the CDC reported that cigarette smoking among U.S. high school students has dropped to the lowest level in 22 years. According to the National Youth Risk Behavior Survey, the percentage of students who reported smoking a cigarette in the last 30 days fell from 27.5 percent in 1991 to 15.7 percent in 2013. In Illinois, the percentage of students who are current smokers dropped by more than half between 1993 and 2013.

The FDA's implementation of this law is incomplete, and it needs to act now to reverse worrying trends. The CDC reports that e-cigarette use among middle and high school students more than doubled in 1 year, from 2011 to 2012. The same study found that one in five middle school students who reported using e-cigarettes had never tried conventional cigarettes. E-cigarettes could be a gateway to nicotine addiction and smoking. A new study released in the JAMA Pediatrics goes even further. This study found that middle and high school students who used e-cigarettes were more likely to smoke traditional cigarettes and less likely to quit smoking. If current smoking trends continue, 5.6 million American kids will die prematurely from a smoking-related illness.

I commend FDA for its most recent efforts to bring e-cigarettes, cigars, pipes, and other forms of tobacco under its authority. However, FDA's proposed regulations remain dangerously silent on one of the most pressing questions of all—the marketing of these addictive products to children.

In April, ten of my congressional colleagues and I released a report documenting how leading e-cigarette manufacturers are marketing e-cigarettes to young people. The industry is deploying the same advertising techniques it used to hook previous generations of cigarette smokers. Many of these companies hired glamorous celebrities to push their brands through TV and radio ads, and sponsored events with heavy social media promotion. For example, NJOY advertised its products during the Super Bowl, the Academy Awards, and on ESPN—all programs with substantial children and teen viewership. In just 2 years, from 2012 to 2013, 6 of the surveyed companies sponsored or provided free samples at 348 events—many geared toward youth audiences.

These e-cigarette companies have even revived cartoon characters in a way that calls to mind Joe Camel—the deadliest cartoon of the 20th century. While many of these companies argue that they do not market to children, a robust analysis recently published in the journal Pediatrics suggests otherwise. Between 2011 and 2013, exposure to e-cigarette marketing by children aged 12 to 17 rose 256 percent. Mr. President, 24 million children saw these ads. Not only is the marketing and packaging intended to appeal to young people, so is the product itself. Let me read a list of e-cigarette flavors being marketed today—vivid vanilla, gummy bears, chocolate treat, and cherry crush. In the face of this mounting evidence, rather than accelerating its efforts, the FDA bowed to industry pressure last week and extended the comment period on its proposed regulations. Every day, 3,200 kids smoke their first cigarette. Every day that the FDA fails to take action costs lives.

As we move to protect kids from new threats like e-cigarettes, we also have to redouble our fight against tobacco use in the military. Nearly 30 years have passed since the first Department of Defense report on high rates of tobacco use among servicemembers and its devastating impact on readiness, productivity, and medical costs. While overall rates of use have declined significantly, smoking rates among servicemembers are nearly 20 percent higher than civilian rates. The use of smokeless tobacco is more than 450 percent higher for servicemembers than civilians. One in three military smokers began doing so after enlisting.

The Department of Defense spends more than $1.6 billion every year on tobacco-related medical care and lost days of work, and the VA spends an additional $5 billion a year to treat chronic obstructive pulmonary disease, primarily caused by smoking.

In 1993, after reading about the dangers of secondhand smoke, CAPT Stanley W. Bryant, commander of the U.S.S. Roosevelt, declared that his ship would be smoke-free. He said, ''I'm the commanding officer of these kids and I can't have them inhaling secondhand smoke. I wouldn't put them in the line of fire. I'm not going to put them in the line of smoke.'' Captain Bryant is one of many leaders in our Armed Forces who have tried to protect the men and women under their command from the dangers of tobacco, but at every turn, their efforts have come under fire from the tobacco industry and its allies. Even Bryant's victory was short-lived. Within the year the tobacco industry forced in a new tobacco policy that stripped ships' captains of their authority over ships' stores and mandated that cigarettes be sold on ships.

One of the central problems is the widespread availability of cheap tobacco products on military installations and ships. The Department of Defense policy requires that exchanges set tobacco prices 5 percent below the lowest local competitor. In practice, these discounts are greater. A 19-year-old soldier walking into a PX can buy a pack of Marlboro cigarettes for 25 percent less, on average, than at the nearest Walmart, according to a recent study in JAMA. These discounts are deadly. Extensive research shows that raising tobacco prices is one of the most effective ways to reduce use. Efforts to end these discounts began in the late 1980s, but nearly every attempt has been blocked due to industry pressure.

This spring, Navy Secretary Ray Mabus announced that he is considering a ban on tobacco sales at all

bases and ships. As the Department of Defense has acknowledged, our ultimate goal should be a tobacco-free military. When I asked about this last week at a hearing, I was heartened to hear that Secretary of Defense Chuck Hagel was conducting a Department-wide review of tobacco sale policies. I urge Secretaries Hagel and Mabus to set concrete goals, policies, and timelines—starting with an end to these discounts that cost lives just as surely as do wars.

The Tobacco Control Act is one of this administration's greatest legacies. I urge the administration to continue its leadership by protecting children from e-cigarettes and our men and women in uniform from the harms of smoking.

CONGO

Mr. DURBIN. Madam President, I rise today to talk about what this Congress did to help one of the world's most forgotten yet most deadly conflicts—that in the Democratic Republic of Congo. Former Kansas Senator Sam Brownback invited me to eastern Congo almost 10 years ago and later I returned with Senator SHERROD BROWN in 2010.

The Democratic Republic of Congo is a nation of breathtaking natural beauty, rich in a vast array of resources. It is also a badly broken country, weak in governance and dominated by relentless poverty, warlords, pillaging soldiers, and horrific, almost incomprehensible, violence. A barbaric civil war spanning more than a decade in Congo is the most lethal conflict since World War II.

Eastern Congo is known as the ''Rape Capital of the World.'' In fact, according to the United Nations, regional war and rape leaves an estimated 1,000 or more women assaulted every day in the Congo. That is 12 percent of all Congolese women.

I will try to describe the city of Goma in eastern Congo to those who haven't been there. It is almost impossible. Imagine one of the poorest places on Earth, where people are literally starving, where they are facing the scourge of disease, where malaria and AIDS cut short the lives of far too many. Imagine a nearby active volcano. Then superimpose over that the misfortune of ongoing war and unrest that has ravaged the eastern part of the Democratic Republic of Congo for years and resulted in millions of deaths and unspeakable sexual violence. Armed militias, some left over from the genocide in Rwanda, continue to operate in the region, terrorizing civilians and inflicting horrific brutality.

The United Nations has a 20,000-member peacekeeping force in the area with an impressive new mandate to bring stability, but it can only do so much. The area is still very fragile, awash in weapons, warlords, and competing regional interests. It is also rich in valuable minerals that are found in our every-day electronics, jewelry, and other products.

It has been said that the Congo war contains ''wars within wars''—and that is true. But fueling much of the violence is a bloody contest for control of these vast mineral resources.

Most people probably don't realize that many of the products we use and wear every day, from automobiles to our cell phones and even our wedding rings, may use one of these minerals—and that there is a possibility it was mined using forced labor from an area of great violence.

We can not begin to solve the problems of eastern Congo without tackling a key source of funding for armed groups, which is the mining of conflict minerals, including tin, tantalum, tungsten, and gold. We as a nation and as consumers, as well as industries that use these minerals, have a responsibility to ensure that our economic activity does not support such violence.

NGOs like the Enough Project have led the way in informing the American people about what goes into the jewelry, electronics, and manufacturing equipment they wear and use.

That is why I joined with Senators Brownback and Feingold and Congressman JIM MCDERMOTT to support legislation that would help stem the flow of proceeds from illegally mined minerals into those perpetuating unspeakable violence. That law passed almost 4 years ago. Its requirement is simple: If a company registered in the United States uses any of a small list of key minerals from the Congo (tin, tantalum, tungsten, and gold)—minerals known to be involved in the conflict areas—then such usage must be reported in that company's SEC disclosure. Companies can also include information showing steps taken to ensure the minerals are legitimately mined and sourced and that by responsibly sourcing these minerals, they are not contributing to the region's violence.

It is not a ban on using the materials or a requirement to source responsibly. Instead it was a reasonable step—a reporting requirement—to shed some light on the issue and to encourage companies using these minerals to source them responsibly.

It took some time for the Securities and Exchange Commission to thoughtfully craft the rule for this law. And disappointingly, as is increasingly too often the case with the rulemaking process, some tried to gut the law in court.

But the law was upheld repeatedly in court, moved forward as enacted by Congress. The first filing reports were submitted to the SEC early this month. This is a milestone.

A look at these filings shows us that some companies have been working for several years already to use their collective financial incentives to foster clean and legitimate supply chains out of eastern Congo. And I want to commend a few of these companies for taking such an early and responsible lead on this issue, including Apple, Intel, and electronics components manufacturer Kemet, which has a branch of its business in my home State of Illinois.

For example, Intel has created its first conflict-free computer chip, while still using responsibly sourced minerals from Congo, and took its reporting a step further by voluntarily submitting it to third-party audits. Under the Conflict-Free Smelter program, the number of international smelters operating free from conflict minerals continues to grow, with almost 90 smelters—40 percent of the world's total smelters—being certified as conflict-free and over 150 companies and industry associations participating in the program. After being refined, the origins of the material become difficult to track, as these smelters purchase materials from a variety of sources. The smelter or refiner therefore represents a critical point in the supply chain where we can look for assurances about whether or not the material has been purchased from conflict-free sources. Apple has confirmed that its entire tantalum supply chain is conflict free.

Another leader in the electronics industry has been Motorola Solutions, headquartered in Schaumberg, IL. Motorola Solutions emerged early as a company dedicated to cleaning up its supply chain, and to do so, it helped establish Solutions for Hope, dedicated to developing a ''closed-pipe'' supply chain. In the Rubaya region of the North Kivu province in the DRC, it has done just that. Tantalum mines in Rubaya were directly funding the leader of the vicious M23 rebel group, Bosco Ntaganda. Through persistent effort, diligent monitoring and the banding together of other likeminded corporations, those 17 mines are now certified conflict-free, and most importantly, M23 has laid down its arms and Bosco Ntaganda stands before the International Criminal Court to face charges for the atrocities he and his comrades committed.

According to the Enough Project's recent report on the impact of this legislation, armed groups and the Congolese army are no longer present at two-thirds of tin, tantalum and tungsten mines surveyed in eastern Congo. And as you may have seen recently, Dutch smart phone manufacturer Fairphone is making its products with conflict-free raw materials. Fairphone has already sold 35,000 units and is hoping to expand production as more consumers embrace conflict-free electronics. Fairphone and others are leading by example, and proving that conflict-free is not only possible, but it can be profitable too.

This was the whole point of the legislation. And consumers will finally have an option to invest in and purchase from those companies that are making a good-faith effort to source from this war stricken area responsibly.

I thank my many colleagues here in the Congress on both sides of the aisle

who helped make this bill a reality and the many responsible companies that are taking steps to help ensure their sourcing of minerals does not contribute to the horrific violence in mineral-rich Congo. The Congolese people have suffered entirely too much, and I sincerely believe that these efforts will be part of the long-term solution to the quest for stability and peace in their country.

RECESS APPOINTMENT DECISION

Mr. ENZI. Madam President, I wish to applaud the Supreme Court's unanimous decision that the President's January 4, 2012 appointments to the NLRB were unconstitutional. As you know, I was the Ranking Member on the Senate Health, Education, Labor and Pensions Committee in 2012, and when these appointments were made I expressed my concern with the administration's contempt for small businesses and the Senate's confirmation and vetting process. I was also proud to cosign an amicus brief led by our Republican leader against these proforma session appointments.

The Appointments Clause of our Constitution provides that ''the President shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.'' Today the Supreme Court validated the Senate's important advice and consent role in the confirmation process.

These unconstitutional appointments are just one example of the executive branch overreach that Americans face every day under this administration. In his State of the Union address, President Obama said that since he is unable to rely on Congress to rubber stamp his agenda, he intends to use executive orders to avoid the legislative process altogether. This is certainly not a new practice for him: President Obama has issued more executive orders and economically significant rules and regulations than President George W. Bush, Clinton or Reagan. I hope today's Supreme Court decision will serve as the impetus that brings my colleagues together to say enough is enough.

One issue we need to stand up to the administration about is its war on coal. Earlier this month the EPA issued new regulations that try to force a backdoor cap and tax proposal on Americans that Congress has rejected. Senators on both sides of the aisle realized a couple of years ago that coal is one of our best sources of energy and that cap and tax was an extremely expensive and bad idea. I urge those Senators to come together again and make the President withdraw his cap and tax regulation.

Another issue we need to stand up to the President about is his attempt to control all our water. In March the EPA proposed a new rule that could allow the administration to regulate all bodies of water, no matter how small, and regardless of whether the water is on public or private property. We have already experienced that attempt at control in Wyoming, where the EPA tried to fine an individual up to $75,000 per day for the pond he built on his private property. Mark Twain once said, ''in the West, whiskey is for drinking. Water is for fighting over.'' I urge my Western State colleagues to come together and make the President withdraw his waters of the United States regulation.

We do not have to wait for the Supreme Court to act on these examples of executive overreach. The Congressional Review Act provides an expedited procedure for us to consider a resolution of disapproval of the President's rules. Under the CRA, before any final rule can become effective it must be filed with each House of Congress and GAO. Within 60 days after Congress receives an agency's rule, we can introduce a resolution of disapproval to nullify the rule. The CRA also guarantees us a vote because 30 of us can sign a petition to discharge the resolution from Committee, and the motion to proceed to the resolution is not subject to amendment, motion to postpone, or motion to proceed to other business. I hope I have 29 colleagues willing to join me in signing petitions to discharge resolutions of disapproval regarding both of these rules.

There are also areas where the administration is not acting when it should, and I hope my colleagues will push the administration to spend its time taking actions that help, not hurt, America.

Officials from the IRS, Treasury Department, and White House did not tell Congress when they realized IRS emails had been lost that were relevant to bipartisan committee investigations. The administration knew about those emails for at least 2 months before the Senate Finance Committee was informed. I urge my colleagues to come together and insist on full disclosure from the administration regarding allegations of political targeting by the IRS. A Finance Committee hearing about the lost IRS emails would be an excellent step in getting to the bottom of this issue.

The administration has not approved the Keystone Pipeline application that has been pending for more than 5 years. The State Department has done five reviews of the project and determined that the pipeline would cause no significant environmental impacts. The pipeline would create about 42,000 jobs. Our Energy Committee has passed legislation to build the pipeline. A bipartisan group of at least 55 Senators say they want to build the pipeline. I urge that group to come together and insist the President let the pipeline go forward.

These are not the only areas where the President has acted when he should not have, and has not acted when he should have. But they are important to Wyoming and America, and I urge my colleagues to stand up to the executive branch now rather than waiting for the Supreme Court on another issue.

STOPPING SCHOOL TRAGEDIES

Mr. LEVIN Mr. President, every morning around our Nation, as young people walk into their schools, they are reminded of our Nation's epidemic of gun violence. The sights and sounds of an American school day—lockers closing, the morning bell—now compete with more disconcerting scenes: metal detectors, security cameras, and armed guards. Students interrupt math and science lessons to participate in active shooter drills. Parents everywhere ask the same, legitimate question: Are my kids safe in their school?

They are right to be concerned. On June 10, a 15-year-old boy in Oregon brought a military-style assault rifle, nine magazines of ammunition, a handgun, and a knife to his high school. There, he murdered a classmate and exchanged gunfire with police before taking his own life. Several reports have counted this as the 74th instance of a shot being fired inside or near an American school since the tragic events of December 14, 2012, when a mentally deranged individual stole the lives of 27 people, 20 of them children, at Sandy Hook Elementary School in Newtown, Connecticut. The only number of such instances that America should accept is zero.

It does not have to continue this way. The Newtown shooting, along with so many other horrific instances, created overwhelming consensus among Americans that Congress needs to act to stop this senseless gun violence. Polls now routinely show that more than 90 percent of the American public supports the passage of legislation to require simple background checks to be conducted on all gun sales. Recent reports have shown that 95 percent of internal medicine physicians in our Nation agree. And 76 percent of these physicians believe that gun safety legislation would ''help to reduce the risk for gun-related injuries or death.'' Organizations outside of government have engaged in important work to reduce gun violence in our society, including a recent initiative spearheaded by the Brady Campaign to Prevent Gun Violence that encourages parents to keep their kids safe by asking a simple question: ''Is there an unlocked gun where my child plays?''

But as long as Congress continues to ignore the American people, the fundamental problems remain. Today, in places all around our Nation, a convicted felon, a domestic abuser, a dangerously mentally ill individual, or a confused and angry teenager can still buy a firearm from an unlicensed dealer without undergoing any sort of background check. And at almost any time, a mentally ill young person can

take their parent's military-style assault weapons, designed for no purpose other than murder, and commit an unspeakable atrocity, as happened that sad day in Newtown.

Our country is not a war zone. Our Founding Fathers did not set forth to create a nation where parents walk through school hallways wondering if the doors and windows are thick enough. Or where communities turn on their televisions to tragic news, day after day, and have the same thought: ''That could be us next time.''

It is long past time for Congress to live up to our responsibility to protect the American people. I urge my colleagues to take up and pass urgently needed, commonsense legislation to reduce gun violence in our society. The American people deserve nothing less.

INDEPENDENCE DAY

Mr. CARDIN. Madam President, on June 7, 1776, Virginian Richard Henry Lee introduced a motion in the Second Continental Congress to declare the 13 American colonies' independence from Great Britain. Four days later, Congress established a committee—the Committee of Five—to draft a statement proclaiming and justifying American independence. The Committee consisted of John Adams (Massachusetts), Benjamin Franklin (Pennsylvania), Thomas Jefferson (Virginia), Robert Livingston (New York), and Roger Sherman (Connecticut) and assigned the duty of writing the first draft to Thomas Jefferson. The Committee left no minutes so we aren't sure how many iterations of the document were drafted before the Committee presented the final version to Congress on June 28, 1776—an action immortalized by the artist John Trumbull in a painting that hangs in the Capitol Rotunda.

On Monday, July 1, 1776, the Committee of the Whole debated the Lee Resolution. Jefferson wrote that they were ''exhausted by a debate of nine hours, during which all the powers of the soul had been distended with the magnitude of the object.'' The Committee of the Whole voted 9–2 to adopt the Lee Resolution. The following day—July 2, 1776—Congress heard the report of the Committee of the Whole and declared the sovereign status of the American colonies. The Declaration of Independence was given its second reading before Congress adjourned for the day. On July 3, 1776, the Declaration received its third reading and final edits. The text's formal adoption was deferred until the following morning—July 4, 1776. That evening, the Committee of Five reconvened to prepare the final ''fair copy'' of the document, which was delivered to the 29-year-old Irish immigrant printer John Dunlap, with orders from John Hancock to print ''broadside'' copies. Dunlap worked into the night setting the type and running off 200 or so broadside sheets—now known as the Dunlap broadsides—which became the first published copies of the Declaration of Independence. Twenty-six of the original Dunlap broadsides—or fragments of them—are extant. Here in Washington, the Library of Congress has two and the National Archives has one. In January 1777, Congress commissioned publisher Mary Katherine Goddard to produce a new broadside of the Declaration of Independence that listed the individuals who signed it.

And so, here we are 238 years later, preparing once again to celebrate the birth of our Nation and the document that proclaimed it. We will have appropriate celebrations from the National Mall to small towns across America. We will gather with families and friends in communities large and small to relax and refresh ourselves. And we will reflect on the blessings of liberty that have been bequeathed to us. We must never take those blessings for granted. Americans have fought and died to defend them and people around the world have fought and died to obtain them.

We cannot calculate what we owe to Thomas Jefferson and the Committee of Five. But, as Abraham Lincoln summoned all Americans in 1863 at Gettysburg, we can dedicate ourselves to the ''great task remaining before us . . . that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.'' The stakes are high, for as President Franklin Delano Roosevelt remarked in his fireside chat on May 26, 1940, ''We defend and build a way of life, not for America alone, but for all mankind.'' That is our unique and solemn responsibility as Americans, and our cherished privilege.

I wish all of my colleagues, my fellow Marylanders, and all Americans a happy and safe Fourth of July.

50TH ANNIVERSARY OF FREEDOM SUMMER AND CIVIL RIGHTS ACT OF 1964

Mr. CARDIN. Madam President, I wish to commemorate the 50th anniversary of Freedom Summer and the Civil Rights Act of 1964, and to talk for a few minutes about how Senators can work together to make this a more perfect Union and guarantee equal justice under the law to all Americans.

Freedom Summer was a campaign in Mississippi to register Black voters during the summer of 1964. In 1964, most Black voters were disenfranchised by law or practice in Mississippi, notwithstanding the 15th Amendment to the Constitution, which was ratified in 1870. The 15th Amendment provides that ''the rights of citizens of the United States to vote shall not be denied or abridged by . . . any State on account of race, color, or previous condition of servitude.''

On January 23, 1964, the States ratified the 24th Amendment to the Constitution, which provides that ''the rights of citizens of the United States to vote in any primary or other [Federal] election . . . shall not be denied or abridged . . . by any State by reason of failure to pay any poll tax or other tax.''

The Freedom Summer voting rights initiative was led by the Student Nonviolent Coordinating Committee, SNCC, with the support of the Council of Federated Organizations, COFO, which included the National Association for the Advancement of Colored People, NAACP, the Congress of Racial Equality, referred to in this preamble as the CORE, and the Southern Christian Leadership Conference, SCLC.

Thousands of students and activists participated in 2-week orientation sessions in preparation for the voter registration drive in Mississippi. In 1962, at 6.7 percent of the State's Black population, Mississippi had one of the lowest percentages of Black registered voters in the country.

Tragically, three civil rights volunteers lost their lives in their attempts to secure voting rights for Blacks. Andrew Goodman was a White 20-year-old anthropology major from Queens College who volunteered for the Freedom Summer project. James Chaney was a 21-year-old Black man from Meridian, MS, who became a civil rights activist, joining the CORE in 1963 to work on voter registration and education. Michael ''Mickey'' Schwerner was a 24-year-old White man from Brooklyn, NY, who was a CORE field secretary in Mississippi and a veteran of the civil rights movement.

On the morning of June 21, 1964, the three men left the CORE office in Meridian, MS, and set out for Longdale, MS, where they were to investigate the recent burning of the Mount Zion Methodist Church, a Black church that had been functioning as a freedom school to promote education and voter registration. The three civil rights workers were beaten, shot, and killed by members of the Ku Klux Klan, after being turned over by local police.

The national uproar in response to these brave men's deaths, which occurred shortly before enactment of the Civil Rights Act of 1964, helped build the momentum and national consensus necessary to bring about passage of the Voting Rights Act of 1965.

So as we celebrate the anniversaries of these landmarks pieces of civil rights legislation, we are reminded that there is more work to be done. As former Senator Ted Kennedy used to say, ''Civil rights is the great unfinished business of America.''

One year ago this week the Supreme Court issued its decision in Shelby County v. Holder, which struck down section 4 of the Voting Rights Act, invalidating the coverage formula that determines which jurisdictions are subject to the preclearance provisions of the act.

Congress must act to reverse the erroneous decision by the Supreme Court which overturned several important

precedents in a fit of judicial activism. As much as we wish it wasn't so, racism has not disappeared from America and there continue to be individuals and groups who would use our voting system to deliberately minimize the rights of minority voters. Congress overwhelmingly reauthorized the Voting Rights Act in 2006 after building an extensive record that made a compelling case for the continued need to protect minority voters from discrimination. I strongly agree with Justice Ginsburg's dissent that 'in truth, the evolution of voting discrimination into more subtle second-generation barriers is powerful evidence that a remedy as effective as preclearance remains vital to protect minority voting rights and prevent backsliding.'" I am deeply disappointed that the Court put voting rights in jeopardy by ignoring reality and disregarding the power of Congress to enforce the 15th Amendment of the Constitution by appropriate legislation.

I am pleased that the Judiciary Committee held a hearing this week on potential legislative responses to the Supreme Court's decision in Shelby County v. Holder, and I hope Congress can take up and pass a legislative fix before the midterm elections.

Congress should also take up and pass the Democracy Restoration Act, DRA, S. 2235, which I have introduced. The Democracy Restoration Act would restore voting rights in Federal elections to approximately 5.8 million citizens who have been released from prison and are back living in their communities.

After the Civil War, Congress enacted and the States ratified the 15th Amendment, which provides that ''the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation.''

Unfortunately, many States passed laws during the Jim Crow period after the Civil War to make it more difficult for newly freed slaves to vote in elections. Such laws included poll taxes, literacy tests, and disenfranchisement measures.

Some disenfranchisement measures applied to misdemeanor convictions and in practice could result in lifetime disenfranchisement, even for individuals that successfully reintegrated into their communities as law-abiding citizens.

Shortly thereafter Congress enacted the Voting Rights Act of 1965, which swept away numerous State laws and procedures that had denied African Americans and other minorities their constitutional right to vote. For example, the act outlawed the use of literacy or history tests that voters had to pass before registering to vote or casting their ballot.

The act specifically prohibits States from imposing any ''voting qualification or prerequisite to voting, or standard, practice, or procedure . . . . . to deny or abridge the right of any citizen of the United States to vote on account of race or color.'' Congress overwhelmingly reauthorized the act in 2006, which was signed into law by President George W. Bush. Congress is now working on legislation to revitalize the VRA after recent Supreme Court decisions curtailed its reach.

In 2014, I am concerned that there are still several areas where the legacy of Jim Crow laws and State disenfranchisement statutes lead to unfairness in Federal elections. First, State laws governing the restoration of voting rights vary widely throughout the country, such that persons in some States can easily regain their voting rights, while in other States persons effectively lose their right to vote permanently. Second, these State disenfranchisement laws have a disproportionate impact on racial and ethnic minorities. Third, this patchwork of State laws results in the lack of a uniform standard for eligibility to vote in Federal elections, and leads to an unfair disparity and unequal participation in Federal elections based solely on residence. Finally, studies indicate that former prisoners who have voting rights restored are less likely to reoffend, and disenfranchisement hinders their rehabilitation and reintegration into their community.

In 35 States, convicted individuals may not vote while they are on parole. In 11 States, a conviction can result in lifetime disenfranchisement. Several States require prisoners to seek discretionary pardons from Governors, or action by the parole or pardon board, in order to regain their right to vote. Several States deny the right to vote to individuals convicted of certain misdemeanors. States are slowly moving to repeal or loosen many of these barriers to voting for ex-prisoners.

An estimated 5,850,000 citizens of the United States, or about 1 in 40 adults in the United States, currently cannot vote as a result of a felony conviction. Of the 5,850,000 citizens barred from voting, only 25 percent are in prison. By contrast, 75 percent of the disenfranchised reside in their communities while on probation or parole after having completed their sentences. Approximately 2,600,000 citizens who have completed their sentences remain disenfranchised due to restrictive State laws. In six states—Alabama, Florida, Kentucky, Mississippi, Tennessee, and Virginia—more than 7 percent of the total population is disenfranchised.

Studies show that a growing number of African-American men, for example, will be disenfranchised at some point in their life, partly due to mandatory minimum sentencing laws that have a disproportionate impact on minorities. Latino citizens are disproportionately disenfranchised as well.

Congress has addressed part of this problem by enacting the Fair Sentencing Act to partially reduce the sentencing disparity between crack cocaine and powder cocaine convictions. Congress is now considering legislation that would more broadly revise mandatory sentencing procedures and create a fairer system of sentencing. While I welcome these steps, I believe that Congress should take stronger action now to remedy this particular problem.

The legislation would restore voting rights to prisoners after their release from incarceration. It requires that prisons receiving Federal funds notify people about their right to vote in Federal elections when they are leaving prison, sentenced to probation, or convicted of a misdemeanor.

The legislation is narrowly crafted to apply to Federal elections, and retains the States' authorities to generally establish voting qualifications. This legislation is consistent with congressional authority under the Constitution and voting rights statutes.

I am pleased that this legislation has been endorsed by a large coalition of public interest organizations, including civil rights and reform organizations; religious and faith-based organizations; and law enforcement and criminal justice organizations.

In particular I want to thank the Brennan Center for Justice, the ACLU, the Leadership Conference on Civil and Human Rights, and the NAACP for their work on this legislation.

This legislation is designed to reduce recidivism rates and help reintegrate ex-prisoners back into society. When prisoners are released, they are expected to obey the law, get a job, and pay taxes as they are rehabilitated and reintegrated into their community. With these responsibilities and obligations of citizenship should also come the rights of citizenship, including the right to vote.

In 2008, President George W. Bush signed the Second Chance Act into law, after overwhelming approval and strong bipartisan support in Congress. The legislation expanded the Prison Re-Entry Initiative, by providing job training, placement services, transitional housing, drug treatment, medical care, and faith-based mentoring.

At the signing ceremony, President Bush said: ''We believe that even those who have struggled with a dark past can find brighter days ahead. One way we act on that belief is by helping former prisoners who have paid for their crimes. We help them build new lives as productive members of our society.''

The Democracy Restoration Act is fully consistent with the goals of the Second Chance Act, as Congress and the States seek to reduce recidivism rates, strengthen the quality of life in our communities and make them safer, and reduce the burden on taxpayers.

More recently, in a February 2014 speech, Attorney General Eric Holder called on elected officials to reexamine disenfranchisement statutes and enact reforms to restore voting rights.

I urge Congress to continue the fight to protect and expand civil rights in

this country, as we celebrate the 50th anniversary of Freedom Summer and the Civil Rights Act of 1964 and as we strive to make this a more perfect union.

POST-TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. CARDIN. Madam President, I wish to speak on behalf of our service men and women suffering from Post-Traumatic Stress Disorder, or PTSD. Tomorrow—June 27—is National Post-Traumatic Stress Disorder Awareness Day, so designated by the U.S. Senate in a unanimous action 2 years ago. I am calling on all of my colleagues in this body to redouble our efforts to help veterans and servicemembers who are struggling with PTSD each and every day. I remain committed to provide all necessary assistance to people who have this problem as the result of their faithful military service because it is one of the solemn obligations we have as a nation. For this reason I supported Senator HEITKAMP's bi-partisan resolution designating June as National Post-Traumatic Stress Disorder—PTSD—Awareness Month.

With the military drawdown currently underway, I am concerned that our Nation will not adequately address the PTSD-related issues that many of our veterans and servicemembers face. I find it deeply troubling that, on average, 22 veterans commit suicide every day. Furthermore, veterans who have post-traumatic stress are at greater risk for drug abuse and alcoholism. The abuse of these substances often amounts to a form of a self-medication because the servicemember or veteran is unable or unwilling to seek help.

I strongly believe that Post-Traumatic Stress Disorder Awareness Day is an important step in highlighting these issues. Our challenge is to help every veteran suffering from these invisible wounds seek help and cope with their very real injury. There is a perceived stigma that makes veterans reluctant to seek help and feeds negative perceptions which can cause employers not to hire veterans. Educating veterans and the public about this affliction and the support networks available will bring to light a very real and deadly epidemic among servicemembers. Too often we say ''thank you'' to servicemembers and veterans without really knowing what we are thanking them for, because we don't bother to understand their struggles. Addressing this disconnect would make a world of difference in helping this population mitigate the effects of post-traumatic stress.

The work being done today to address this issue proves that post-traumatic stress does not have to be a permanently disabling condition. Within my own State of Maryland, organizations such as Fort Detrick's Army Medical Research & Materiel Command are making amazing advances in developing post-traumatic stress treatments that were unimaginable just a few years ago. As for present treatments, the Warrior Canine Connection is an excellent example of an organization that is helping veterans here and now. This organization, located in Brookeville, provides therapeutic working dogs to veterans and servicemembers, and it also conducts research that strives to further improve upon the positive effects that these service animals have on the veterans and servicemembers. The Warrior Canine Connection has helped countless veterans relieve the symptoms of post-traumatic stress, enabling them to regain their status as healthy and productive members of our society.

I am not at all surprised that these servicemembers and veterans have bounced back wonderfully after being treated for their post-traumatic stress. If a soldier, sailor, airmen or Marine is able to excel on the battlefield, then I see no reason why that same person should not be able to excel in the classroom, in a hospital, or in the boardroom. I refuse to believe that our veterans and servicemembers are ''damaged goods'' because of their military service.

One only needs to look at our history to see that our society benefits greatly when we provide our veterans and servicemembers with the assistance they need to transition successfully to civilian life. During World War II, American servicemembers encountered some of the most difficult combat conditions in human history. Yet when World War II veterans returned home, did they become a burden to their nation because of those combat experiences? Not at all. Returning World War II veterans spearheaded the work that made our country more prosperous than it had ever been. Veterans can be the engine to a great economy that sustains a flourishing middle class. I believe World War II veterans were able to succeed in the civilian workforce because after the war, they returned to a society that understood and genuinely respected their military service.

This week I had the privilege of visiting the Veterans Health Care System in Baltimore, MD. America cannot break our promise to those who have sacrificed so much to protect our great Nation. We have seen bipartisan progress toward correcting the systemic problems facing our veterans' health care system, and I am encouraged by the additional staff and resources being deployed in Baltimore. Most Maryland veterans are receiving quality health care at world-class facilities close to home. But the wounds inflicted by this national breach of trust will take more time to heal as we renew and fulfill our commitment to care for the health and well-being of our veterans.

I am continually in awe of the extraordinary men and women serving at the Walter Reed National Military Medical Center who make it their daily mission to provide the highest level of support to our wounded, ill, and injured servicemembers and their families. A testament to their commitment is the Department of Defense Deployment Health Clinical Center in Bethesda, MD, which has developed an intensive, 3-week, multi-disciplinary treatment program called The Specialized Care Program. This program is designed for servicemembers experiencing PTSD or experiencing difficulties readjusting to life upon redeployment after serving in Operations IRAQ or ENDURING FREEDOM. This program is for patients who have had other treatments for PTSD, or perhaps depression, but who continue to experience symptoms that interfere with their ability to function.

In light of the upcoming July 4 holiday, providing assistance to veterans who have served our Nation so diligently must be a priority. As we celebrate our Independence Day, we must also address the needs of those who have defended our liberty and have allowed it to thrive. Without the men and women who fought for the United States' freedom in 1776 and those who bravely do so today, our country simply would not exist. With this in mind, we as Americans ought to support our veterans to the best of our abilities and present them with the necessary assistance and resources they may require. Whether we succeed in this endeavor will be a significant measure of our Nation's fidelity towards our veterans and its moral character. I am committed to making sure this population receives treatment for post-traumatic stress, should they need it. The United States is the strongest nation in the world because of our veterans and servicemembers. We owe it to bring them back home not just in body, but in mind and spirit, as well.

RWANDA

Mr. MENENDEZ. Madam President, rising from the ashes of the 1994 genocide, the Rwandan people can be proud of the progress their country has made over the past two decades. Through reconciliation and resilience, Rwanda has entered a new phase of economic growth and is working to protect civilians in other countries through its vital contributions to global peacekeeping missions. The world has cheered these successes, but today we have cause for concern.

To cement its legacy as a world leader and model for development, there is in Rwanda today a clear need to ensure space for a thriving civil society—a hallmark of any democracy. I am deeply troubled by reports of shrinking space for dissenting voices. Rwanda's domestic human rights movement has been profoundly constrained by a combination of intimidation and stigmatization, threats, harassment, arbitrary arrests and detentions, infiltration, and administrative obstacles. The government's actions to censor domestic and international human rights

groups appear to be part of a broader pattern of intolerance of criticism.

In 2013, the United States, the United Kingdom, the United Nations Human Rights Council, Amnesty International, and Freedom House all expressed concern over the interference of the Rwandan Government in determining the leadership of the Rwandan League for the Promotion and Defense of Human Rights, one of the last remaining independent advocacy organizations in the country. This has effectively curtailed domestic civil society initiatives to monitor human rights abuses.

In June of this year, the U.S. State Department cited its deep concern over the arrest and disappearance of dozens of Rwandan citizens over a period of 2 months, citing incommunicado detention and a lack of due process, as well as the threatening of journalists.

Also in June, Human Rights Watch, HRW, an organization that has worked on Rwanda for more than 20 years and documented the 1994 genocide, was accused by the Ministry of Justice of political bias and collaboration with the Democratic Forces for the Liberation of Rwanda, FDLR, some of whose members participated in the genocide and committed horrific human rights abuses in eastern Democratic Republic of Congo, DRC. These accusations come in the wake of a May HRW critique of the Rwandan Government's actions, including forced disappearances, and discount HRW's constant critique of the FDLR's egregious human rights record in the DRC. HRW, the last independent international organization based in Kigali speaking out against human rights abuses, appears at increasing risk of not being able to do its job, and perhaps even of being shut down.

Rwanda's past should not be used as an excuse to suppress free speech and independent reporting in Rwanda today. Dissent is an important tool for citizens in holding their elected leaders accountable. Peaceful, law-abiding individuals and organizations should not be labeled as conspirators or enemies of state because they question the government. Freedom of expression and due process are rights that should extend to all Rwandans and its visitors—including journalists, human rights advocates, opposition members, and everyday citizens alike.

Rwanda has made great strides, but there is still work to do. As Rwanda faces its newest challenges, the United States stands with its people and remains committed to their success.

HONORING OUR ARMED FORCES

SPECIALIST DYLAN J. JOHNSON

Mr. INHOFE. Madam President, I wish to remember the life and sacrifice of a remarkable young man, Army SPC Dylan J. Johnson. Dylan died 3 years ago today, June 26, 2011, of injuries suffered from an improvised explosive device in Diyala Province, Iraq, in support of Operation New Dawn.

Dylan was born November 07, 1990, in Tulsa, OK. His father Jeff Johnson said Dylan ''had aspired to military service for years and dressed as a soldier for Halloween six years running.'' After Dylan graduated from Jenks High School, he joined the military in August 2009, largely inspired by the men on both sides of his family who served with the military during World War II and Korea.

After completing basic training at Fort Knox, KY, Dylan was assigned to the 4th Squadron, 9th Cavalry Regiment, 2d Brigade Combat Team, 1st Cavalry Division in Fort Hood, TX.

Specialist Johnson departed on Memorial Day 2011 for his first overseas deployment and arrived in Iraq June 2. On June 26, 2011, Dylan tragically died of injuries he sustained when insurgents attacked his armored vehicle with an improvised explosive device. One other soldier in the vehicle was killed alongside of Dylan.

''Dylan possessed a kind spirit and was a bit reserved in my world literature class,'' said teacher, Ron Acebo. ''We all ache for the loss of this young life and grieve with his family. As teachers, we all hold hopes and dreams for our students. We do not know what he could have achieved but we are humbled that he had made the supreme sacrifice for his country. . . . and that is how he will be remembered.''

A memorial service was held July 6, 2011, at Kirk of the Hills Church in Tulsa, OK and he was buried at Arlington National Cemetery on August 9, 2011.

At a ceremony on his birthday in 2013, the State of Oklahoma dedicated to his memory the bridge on U.S. 75 across Polecat Creek, just south of Main Street in Jenks, OK. A sign reading ''Specialist Dylan Johnson Memorial Bridge'' was emplaced on the structure, and his father asked those gathered to remember Oklahoma's other fallen soldiers when they cross it.

Dylans's military honors include the Purple Heart, the Bronze Star, the Army Good Conduct Medal, the National Defense Service Medal, and the Iraqi Campaign Medal with Combat Service Star.

In addition to his father, Dylan is survived by his mother Joy Sehl; his stepmother Lynda Johnson; two sisters, Alexandra Johnson and Kathryn Sehl; and two stepsisters, Brittany Dinan and Brooke Dinan. All are of Tulsa, OK.

Today we remember Army SPC Dylan J. Johnson, a young man who loved his family and country and gave his life as a sacrifice for freedom.

SPECIALIST JORDAN M. MORRIS

Madam President, I now wish to remember the life and sacrifice of a remarkable young man, Army SPC Jordan M. Morris. Along with 4 other soldiers, Jordan died August 11, 2011 of injuries he sustained from an improvised explosive device in Kandahar Province, Afghanistan, in support of Operation Enduring Freedom.

Jordan was born in Elk City, OK on February 12, 1988, and later moved to Ripley, OK. While attending Ripley High School, he was a member of the baseball team, National Honor Society, 4–H, and served as Student Council president. He was concurrently enrolled and graduated from the Oklahoma School of Science and Math. As an active member of the Hillcrest Baptist Church, he was very involved with the youth group and enjoyed spending time serving others on various mission trips.

After graduating as class valedictorian from Ripley High School in 2006, he fulfilled a dream he had from the age of 8 as he was accepted to the U.S. Military Academy at West Point. Jordan spent 4 years at West Point, majoring in mechanical engineering. Friend Caleb Eytcheson said Jordan ''wanted to be the best, and he knew West Point is where they trained the best. He wanted to serve his country,'' he said.

Jordan joined the Army in January 2011, serving as an infantryman. After completing training at Fort Benning, GA he was assigned to 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Fort Drum, NY. On May 5, 2011, Jordan deployed to Afghanistan.

Doug Scott, assistant principal of Ripley High School said Morris was intelligent, had a great sense of humor and was very popular in school. ''He showed his unselfish side by going overseas,'' Scott said.

Jordan's baseball coach, Donnie Hoffman said: ''The world is not as good a place, when you lose people with the character that he was. The legacy he leaves behind was the way he led his life, the character, the discipline, the dedication, the honor.''

Jordan was buried August 20, 2011 at Palmer Marler Funeral Home in Stillwater, OK.

Jordan is survived by his parents Brett and Nita (Faber) Morris of Stillwater; two brothers Levi James and Jesse Isaac Morris of Stillwater; grandparents Wilma Faber, of Tulsa, James and Patricia Morris, of Broken Arrow; numerous aunts, uncles, cousins and friends, as well as his former West Point classmates and fellow soldiers in the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division.

Today we remember Army SPC Jordan M. Morris, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

SPECIALIST JOSHUA M. SEALS

Madam President, I also wish to remember the life and sacrifice of a remarkable young man, Army SPC Joshua M. Seals. Specialist Seals died August 16, 2011 of non-combat injuries at Forward Operating Base Lightening in Paktika Province, Afghanistan, in support of Operation Enduring Freedom. He was assigned to the 1st Battalion, 279th Infantry Regiment, 45th Infantry Brigade Combat Team, Oklahoma National Guard.

Joshua was born April 10, 1990, in Glendale, AZ and later moved to Porter, OK. While attending Porter High School he played football, was an honor roll student and a member of the academic team. He was also active in Wagoner County 4–H and showed Dutch rabbits.

He joined the military as a truck driver in 2008 while still in high school. Aunt Trina Seals said ''his mother and father served in the Army, and he felt it was just something he wanted to do.''

''My thoughts and prayers go out to the Seals family and friends,'' said Maj. Gen. Myles Deering, Oklahoma's adjutant general. ''As we mourn his loss in the days ahead, we will be forever honored and proud that he chose to serve his country and the people of Oklahoma in the National Guard.''

Principal Larry Shackelford described him as a great student and a wonderful young man with a bright outlook.

A memorial and burial service was held August 27, 2011 at Greenwood Cemetery in Porter, OK.

Specialist Seals is survived by his parents Rhonda and Stanley; wife Andrina; and siblings Jeremy, Sarah and James.

Today we remember Army SPC Joshua M. Seals, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

SPECIALIST JAMES T. WICKLIFF-CHACIN

Madam President, I pay tribute to a true American hero, Army SPC James T. Wickliff-Chacin of Edmond, OK who died on September 20, 2013 serving our nation in Pul-E-Alam, Afghanistan. Specialist Wickliff-Chacin was assigned to 6th Squadron, 8th Cavalry Regiment, 4th Brigade Combat Team, Fort Stewart, GA.

James died at Brook Army Medical Center in San Antonio, TX of injuries sustained when an improvised explosive device detonated near his dismounted patrol during combat operations in Pul-E-Alam, Afghanistan on August 12, 2013. He was 22 years old.

Born February 18, 1991 in Venezuela, James moved to Oklahoma with his family in 2006. He graduated from Edmond Santa Fe High School in 2010. After graduation, he enlisted as an infantryman in the Army in June 2010 and arrived at his unit in October 2010.

''He had a good future,'' his father said. ''He had all the scores to go to whatever college he wanted.'' But James wanted to join the Army. Friends said he was proud of his service even before he graduated from high school.

''I remember him as a young man who very much wanted to go into the military,'' said his former high school principal Jason Brown. The following year, before graduation, James had asked ahead of time if the school was going to do anything to recognize students who would be serving in the military. ''I told him he would have to wait but he was in for a surprise,'' Brown said. ''During graduation we always asked for those individuals to stand up who wanted to go into the military. I distinctly remember looking for and finding him in the audience and he was smiling ear to ear.''

This was his second deployment; he previously deployed to Iraq from March to June 2011.

In May 2013, James wrote on his Facebook page ''I am proud to carry the legacy of my family. We are warriors at heart that fight against all odds to protect those who need us. There is nothing else that I would rather be doing with my life.''

James was laid to rest at Fort Sill National Cemetery, Elgin, OK on October 3, 2013. He was posthumously awarded the Purple Heart and the Army Commendation Medal of Valor.

Today we remember Army SPC James T. Wickliff-Chacin, a young man who loved his family and country, and gave his life as a sacrifice for freedom.

TRIBUTE TO ANDREA FOUBERG

Mr. THUNE. Madam President, today I recognize Andrea ''Andi'' Fouberg, communications director in my Washington, DC office, for over 9 years of hard work she has done for me, my staff, and the State of South Dakota.

Andi is a native of Letcher, SD, and is a graduate of South Dakota State University, SDSU. During her time working in the Senate, Andi has worked as deputy State director, deputy communications director, and as communications director. On July 7, 2014 Andi will become the president and chief executive officer at the SDSU Alumni Association.

I extend my sincere thanks and appreciation to Andi for nearly a decade of dedicated work she has done and wish her continued success in the years to come.

ADDITIONAL STATEMENTS

UNITY, NEW HAMPSHIRE

● Ms. AYOTTE. Madam President, I wish to honor the town of Unity, NH. This great American community is celebrating the 250th anniversary of its founding, and I am proud to recognize this historic event.

Located in Sullivan County in the western part of the State, the town of Unity includes the villages of Unity, East and West Unity, and Quaker City. The origins of Unity date back to 1753 when the territory then known as Buckingham was chartered through a series of grants from New Hampshire Governor Benning Wentworth and the Massachusetts government. Unfortunately, this grew territorial tension among the local residents, so in 1764 the town of Unity was formally incorporated. Today Unity is home to approximately 1,700 New Hampshire residents who take great pride in living their lives as their town name intended them to, in unity.

The Unity Town Hall, which today serves as the official location for Unity Town Hall meetings, was constructed in 1831. It was originally a Baptist meeting house, but the town of Unity purchased the building for $25.00 in 1877. It has since undergone renovation but still stands proudly today where in the bell tower hangs a famed Revere Bell which will ring forth in celebration of Unity on July 11, 2014.

Unity is an example of a quintessential New Hampshire town whose citizens embody everything that it means to be great Americans. So today we honor the 250th anniversary of Unity, NH. We commend its citizens and recognize their accomplishments, their love of country, and their spirit of independence. But more importantly, we look forward to the next 250 years and the great things this town will have to offer.●

RECOGNIZING WILD TOUCH TAXIDERMY

● Mr. RISCH. Madam President, more and more small businesses across America have started to pursue opportunities outside of our borders by extending their markets globally. According to the Small Business Administration, almost 96 percent of consumers reside outside of the United States. The benefits to small businesses that export are compelling. According to a report by the Institute for International Economics, U.S. exporting firms grow 2 to 4 percent faster in employing than their nonexporting counterparts, offer better opportunities for advancement, expand their annual total sales faster, and are nearly 8.5 percent less likely to go out of business.

Today, I would like to recognize one such U.S. small business that has experienced growth in revenues and employment because they have pursued exporting opportunities across the globe. Wild Touch Taxidermy in Meridian, ID, a small business dedicated to quality products, has achieved an outstanding reputation both domestically and overseas.

Licensed since 1985, Wild Touch Taxidermy specializes in custom taxidermy for customers who desire a unique and high-quality trophy. Family owned and operated by Kelly and Sharon Adams, Wild Touch Taxidermy lives up to their motto, ''We Do It All.'' The small taxidermy business offers a high-quality way to preserve and display trophy animals of all sizes and from any country, including skull mounts, old mounts, tan hides, and clean skulls. Wild Touch Taxidermy operates in a federally approved facility with U.S. Department of Agriculture permission, allowing them to receive restricted and out-of-country imports and enabling them to expand their business internationally.

To bolster its success, Wild Touch Taxidermy took full advantage of export assistance through the Idaho Department of Commerce, which connected the business to Taiwanese buyers through its trade office in Taipei. The business's exposure to the Asian market allowed them to expand the business to China. Wild Touch Taxidermy was also provided grant funds through the Small Business Administration's State Trade and Export Promotion Program, which seeks to grow the number of U.S. small businesses that export their goods and services to foreign buyers. The additional aid for 2 years allowed the owners to attend several trade shows and trade missions in Taiwan and China, which resulted in a boost to the business's profitability and international presence. Utilizing STEP grants, Wild Touch Taxidermy's actual export sales for year one leveraged a return on investment of 15 to 1 and actual export sales for year two leveraged a return on investment of 74 to 1, with anticipation of more sales in the international market.

With 29 years of experience, Wild Touch Taxidermy has achieved a reputation of excellence both domestically and internationally. Wild Touch Taxidermy's dedication to quality, persistence in pursuing new opportunities, and their efficient use of export assistance have allowed their business to catapult to the next level. I congratulate Kelly and Sharon Adams and wish them an abundance of success in the future.●

JONES COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Jones County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Jones County worth over $870,000 and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $5.6 million to the local economy.

Of course, one of my favorite memories of working together is the community's work to secure funding through the Federal Emergency Management Agency for programs I fought for to mitigate and prepare for natural disasters and provide safety equipment and training for firefighters.

Among the highlights:

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency-response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster, it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Jones County has received over $2.9 million to remediate and prevent widespread destruction from natural disasters.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as the meth-amphetamine epidemic. During the mid-to-late 1990's, cities in Jones County received $311,465 in Community Oriented Policing Services grants. Also, since 2001, Jones County's fire departments have received over $985,443 for firefighter safety and operations equipment.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Jones County has received $750,273 in Harkin grants. Similarly, schools in Jones County have received funds that I designated for Iowa Star Schools for technology totaling $82,973.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Jones County has received more than $687,000 from a variety of farm bill programs.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Jones County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Jones County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Jones County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

WAYNE COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its

vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Wayne County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Wayne County worth over $100,000 and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $23 million to the local economy.

Of course, one of my favorite memories of working together is the great work that the Wayne County Public Health Department has done to secure wellness funding to improve the health and lives of its residents.

Among the highlights:

Wellness and health care: Improving the health and wellness of all Americans has been something I have been passionate about for decades. That is why I fought to dramatically increase funding for disease prevention, innovative medical research, and a whole range of initiatives to improve the health of individuals and families not only at the doctor's office but also in our communities, schools, and workplaces. I am so proud that Americans have better access to clinical preventive services, nutritious food, smoke-free environments, safe places to engage in physical activity, and information to make healthy decisions for themselves and their families. These efforts not only save lives, they will also save money for generations to come thanks to the prevention of costly chronic diseases, which account for a whopping 75 percent of annual health care costs. I am pleased that Wayne County has recognized this important issue by securing more than $100,000 for community wellness activities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Wayne County has received $109,597 in Harkin grants. Similarly, schools in Wayne County have received funds that I designated for Iowa Star Schools for technology totaling $90,000.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Wayne County has received more than $20 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Wayne County's fire departments have received over $850,000 for firefighter safety and operations equipment.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Wayne County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Wayne County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Wayne County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

NEVADA NATIONAL GUARD

● Mr. HELLER. Madam President, today I wish to recognize the Nevada National Guard's 45th Detachment of the Operational Support Airlift Agency, DET 45 OSAA, located at Reno-Stead airport. On June 6th, this unit departed for Joint Base Bagram, Afghanistan, where they will be serving for the next 9 months.

While tensions continue to rise in the Middle East, I am both humbled and honored that these brave men and women are willing to go into harm's way to put the needs of our country before their own. We owe our respect and gratitude to these soldiers, who are sacrificing so much to defend our freedoms. The DET 45 OSAA unit has a flawless reputation for providing safely executed flight operations both nationally and internationally without any accidents for the past 20 years, which has earned them a spot among the top 10 units for the past 10 years. I, along with my fellow Nevadans are honored that the DET 45 OSAA Unit call Nevada home. We as a nation are fortunate to have men and women, like those in the DET 45 OSAA unit, to serve and protect us.

The Nevada National Guard's 45th Detachment plays an integral role within the Operational Support Airlift Agency's mission by providing high priority, short notice fixed wing air transport support to passengers and cargo for all components and members of the Department of Defense. DET 45 OSAA has supported many missions both nationally and abroad. From 2003 to 2010 the unit flew missions in Cuba in support of Special Forces operations, and were deployed to Iraq and Kuwait supporting Operation Enduring Freedom, Operation Iraqi Freedom, and the United States Africa Command. The DET 45 OSAA unit has also supported ground forces by flying an intelligence, surveillance and reconnaissance mission with the King Air 300 series Medium Altitude Reconnaissance

and Surveillance System aircraft. Most recently, the State of Nevada has contributed to a new intelligence mission by providing soldiers working as Aerial Electronic Sensor Operators to perform their newest intelligence mission.

I would like to thank the courageous men and women in DET 45 OSAA for their contributions to the United States of America and to freedom-loving nations around the world. Their service to our country and their bravery and dedication to their families and communities earn all of these heroes a place among the outstanding men and women who have valiantly defended our Nation.

I ask my colleagues and all Nevadans to join me in recognizing and thanking these heroes for their selfless service both at home and abroad. May they have another successful mission and a safe return home.●

RECOGNIZING SQUADBAY

● Mr. HELLER. Madam President, today I wish to recognize a veterans volunteer program within Las Vegas known as Squadbay for their continued dedication to help their fellow servicemembers transition back from the battlefield to their communities. This unique program comprised of Marine Corps combat veterans provides recently discharged veterans with a mission, which uses newly acquired battlefield skills, and provides housing and other resources.

There is no way to adequately thank the men and women who lay down their lives for our freedoms, but the founders and volunteers at Squadbay have developed a way to assist our Nation's veterans in need by affording them various ways to use their training to benefit others. I commend this organization's continued dedication to serving Marine combat veterans needing to process traumatic experiences while simultaneously affecting a positive change in the lives of those in need of humanitarian assistance. Squadbay was founded by Lu Lobello, a brave veteran living in Las Vegas who realized the importance of having a mission after returning home from combat in Baghdad. Lu serves as a shining example of putting one's community before oneself.

With its first mission in 2013 to the Philippines after Typhoon Yolanda, Squadbay's service extends far beyond our Nation's borders. By allowing veterans the ability to continue using their combat training in a new environment, with a new mission that mirrors the values of their military experience, Squadbay is working to create a seamless transition to civilian life for our veterans. By providing a safe and social space for combat veterans to come together and the opportunity to embark on humanitarian aid missions, they are affording these brave men and women an opportunity to work through any issues brought on by experiencing combat.

As a member of the Senate Veterans' Affairs Committee, I know the struggles that our veterans face after returning home from the battlefield. Congress has a responsibility not only to honor these brave individuals but to ensure they receive the quality care they have earned and deserve. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. I am very pleased that veterans service organizations like Squadbay are committed to ensuring that the needs of our veterans are being met.

Today, I ask my colleagues and all Nevadans to join me in recognizing Squadbay, an organization whose mission is both noble and charitable. Their commitment to helping rehabilitate our veterans by giving them an outlet to embark on humanitarian aid missions in a positive life-changing scenario is admirable, and I wish them the best of luck in all of their future endeavors.●

REMEMBERING MICHAEL GEORGE

● Mr. LEVIN. Madam President, on June 24, my hometown of Detroit and the State of Michigan lost a great friend and public servant. Indeed, the loss of Michael George at the age of 81 was a tremendous loss for all those who admire hard work, dedication, generosity, and commitment to making the world a better place.

The son of immigrants, Mike was best known to many through his successful business ventures. He built a small, family-owned dairy business into Melody Farms, one of the largest and most successful dairy producers and distributors in the country.

Had that been his only endeavor, we would have called Mike's life well-lived. But Mike was more than a businessman. He became a leader in Detroit's Chaldean community. Chaldeans—Catholics originating mainly from Iraq—settled in large numbers in Detroit along with other immigrants from the Middle East. Mike was deeply proud of his Chaldean heritage. He helped found the Chaldean Iraqi Association of Michigan, and chaired the Chaldean Federation of America. He helped hundreds of Chaldean-owned businesses to grow. And as religious minorities came under increasing persecution in the Middle East, he became a leader in helping to settle endangered Iraqi Christians in the United States.

Mike didn't just serve the Chaldean community. He was passionately committed to Detroit and its rebirth. He served on countless charitable foundation boards and supported a host of worthy causes.

Mike George was a walking, talking personification of the American Dream. He was a friend to the city of Detroit. He was a friend to me. Barbara and I join Mike's legion of friends in Michigan and around the country extending our condolences to his wife Najat, and his family and friends.●

TRIBUTE TO COLONEL ROY BAHR

● Mr. MANCHIN. Madam President, I wish to commemorate the service of a patriot and decorated Soldier, COL Roy W. Bahr. Roy joined the U.S. Army in 1950 after the onset of the Korean War. Shortly after graduating from Officer Candidate School, he deployed to Korea and served as an infantry platoon leader. Following his deployment, Colonel Bahr volunteered for U.S. Army Special Forces and went on to serve with the 5th Special Forces Group (Airborne) in Vietnam. There, he was assigned as the commander of Forward Operating Base 3, Khe Sanh, leading elements of Military Assistance Command Vietnam—Studies and Observations Group, MACVSOG.

MACVSOG was tasked with conducting highly classified operations throughout Southeast Asia during the Vietnam war. This highly decorated unit was responsible for gathering critical intelligence throughout the conflict and was so effective that the North Vietnamese had to divert tens of thousands of troops in an attempt to counter MACVSOG operations. Consequently, MACVSOG's casualty rates were higher than any American unit since the American Civil War.

Only the best and most highly skilled commanders were involved with MACVSOG. During Colonel Bahr's time with MACVSOG, he commanded forward operating bases at Phu Bai, Kontum, and Khe Sanh. Colonel Bahr was responsible for dozens of reconnaissance teams and special reaction forces that often worked clandestinely in enemy occupied territory with limited support. It is difficult to fully articulate the risk incurred by Colonel Bahr and his men, or the difficulty of their missions, as they heroically served our Nation.

Colonel Bahr commanded MACVSOG, FOB–3 during the height of the siege at Khe Sanh in 1968. Under constant bombardment, Colonel Bahr's reconnaissance teams were given full authority to operate outside the compound during what would become one of the largest battles of the Vietnam war. Colonel Bahr's unit, in concert with a large contingent of U.S. Marines, fought to prevent the North Vietnamese units from overrunning the combat base at Khe Sanh.

Later in the conflict, Colonel Bahr organized and led a force to relieve an American operating base at Da Nang after it came under assault by North Vietnamese sappers on August 22 and 23, 1968. The North Vietnamese attack on Da Nang was the single deadliest day for U.S. Army Special Forces during the war. Colonel Bahr's relief effort and subsequent pursuit of remaining enemy personnel was critical in gaining full control of the base and saving American lives.

In early 1961, while visiting Fort Bragg, President Kennedy stated, ''The Green Beret is a symbol of excellence, a badge of courage, a mark of distinction in the fight for freedom.'' COL

Roy W. Bahr's devotion to duty and professional leadership as a commander, a warrior and a Green Beret exemplifies this mark of distinction. Roy's life is testament to the highest attributes of American service, individual bravery, and patriotism, and I am glad to have this opportunity to thank him.●

TRIBUTE TO HUGH McVEY

● Mrs. McCASKILL. Madam President, I wish to congratulate Hugh McVey on his retirement and to thank him for his many years of leadership and service to the field of labor. For over 40 years, Hugh has been a champion of workers' rights and has fought tirelessly to improve the lives of Missouri's workers and their families. It is my pleasure to honor him today.

A native of St. Louis, MO, Hugh comes from a working family of 11 children. His family's strong labor background encouraged him to get involved. His uncle Duke was president of the Missouri AFL–CIO for many years until Hugh succeeded him in 1999. Hugh considered his father and uncle his closest friends and respected their advice and support.

Hugh attended Southern Illinois University Edwardsville. While there, he became involved with the operating engineers and was the group steward and later chief steward for Local 148 out of Collinsville, IL. He then became the business agent and assistant business manager for the same local.

After his time with the operating engineers, McVey worked for Union Electric, now Ameren, for 23 years and joined Operating Engineers Local 1148 in 1974. In 1997, Hugh relocated to Jefferson City, when he was elected executive vice president of the Missouri AFL–CIO. In 1999, he was elected President, and served for 17 years before his retirement this July.

During Hugh's tenure as president of the Missouri AFL–CIO, the organization was instrumental in advocating for the union rights Executive order, the Affordable Care Act, and the ''Made in Missouri'' jobs package. Hugh's effective leadership shaped the Missouri AFL–CIO into the outstanding organization it is today. As president, Hugh continued to attend local meetings and listened to workers' concerns. He effectively recruited candidates for local offices and worked with legislators on pending legislation that would impact the worker. Hugh considers the labor movement his life's work, never a job. Hugh is completely dedicated to ensuring that workers get a fair day's pay and reasonable benefits. His passion to help working families is unparalleled.

Hugh and his wife Peggy have three daughters: Megan, Maureen, and Colleen. I know they will enjoy the opportunity to spend more time with him.

It is my pleasure to honor my friend Hugh McVey today. His dedicated leadership has improved the quality of the workplace for Missourians. He has touched the lives of many, and improved the quality of our community at large.

I ask that the Senate join me in congratulating and honoring Hugh McVey.●

REMEMBERING HERMAN DILLON, SR.

● Mrs. MURRAY. Madam President, I wish to honor Mr. Herman Dillon, Sr., who passed away on Friday, May 23, 2014. Mr. Dillon, Senior was the tribal council chairman of the Puyallup Tribe of Indians in my home State of Washington and at the time of his passing had dedicated an astounding 35 years to the tribal council.

Mr. Dillon, Senior served his tribe and his country throughout his life. He joined the Navy Reserves at 17, at the tail end of World War II. Following 4 years in the Navy Reserves, he was drafted by the Army and served for 2 years guarding the port and prisoner of war camps in Puson during the Korean war. Of course, his life of service did not end there, and he was first elected to the Puyallup Tribal Council in 1971. In the time since he was first elected to the tribal council, Mr. Dillon, Senior experienced a number of historical changes. He saw his fellow tribal members get arrested for exercising their treaty-protected right to fish in the Puyallup River, and on February 12, 1974, Judge Boldt of the U.S. District Court for the Western District of Washington issued a decision affirming the rights of Washington treaty tribes to take up to half of the harvestable fish in Washington State fishing waters. Of course, he also served on the tribal council as the tribe experienced a time of great economic development and diversification of their business interests in an effort to set themselves on a path to economic sustainability.

I had the pleasure of working with Mr. Dillon, Senior throughout my time in the Senate. I was always impressed by his leadership, integrity, and dedication to the Puyallup people. He was their champion on issues from health care to the construction of a new tribal justice center. He also led by example, earning his GED when he was 50 years old and fostering children in his home. Even into his ninth decade of life, Mr. Dillon, Senior continued to advocate for his tribal community and was dedicated to solutions that would help his Tribe better themselves.

Washington State and our country lost a great tribal leader in May, and I am grateful I had the opportunity to work with Mr. Dillon, Senior and advocate on the Puyallup Tribe's behalf in Washington, DC. My thoughts are with Darlene Dillon, Mr. Dillon, Senior's, wife of over 40 years, his 12 children, the children whose lives he changed through fostering, his entire extended family, and the Puyallup Tribe of Indians. We are all better for having known him and will work to carry his legacy forward.●

TRIBUTE TO EMMA-SUE ISHOL

● Mr. THUNE. Madam President, today I recognize Emma-Sue Ishol, an intern in my Washington, DC office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Emma is a graduate of St. Andrews Episcopal School in Potomac, MD. Currently, she is attending the Creighton University where she is majoring in accounting. She is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Emma for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO KODY KYRISS

● Mr. THUNE. Madam President, today I recognize Kody Kyriss, an intern in my Washington, DC office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Kody is a graduate of Menno High School in Menno, SD. This fall he will be attending law school at the University of South Dakota. He is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Kody for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KELSEY LUCKHURST

● Mr. THUNE. Madam President, today I recognize Kelsey Luckhurst, an intern in my Washington, DC office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Kelsey is a graduate of Clark High School in Clark, SD. Currently, she is attending Northern State University, where she is majoring in political science and history. She is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Kelsey for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ALEXA MOELLER

● Mr. THUNE. Madam President, today I recognize Alexa Moeller, an intern in my Washington, DC office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Alexa is a graduate of Watertown High School in Watertown, SD. Currently, she is attending the University of South Dakota where she is majoring in political science and criminal justice. She is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Alexa for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO DEREK OLSON

● Mr. THUNE. Madam President, today I recognize Derek Olson, an intern in

my Washington, DC office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Derek is a graduate of Dakota Valley High School in North Sioux City, SD. Recently, Derek graduated from Iowa State University where he majored in political science. He is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Derek for all of the fine work he has done and wish him continued success in the years to come.●

WARRIORS AND QUIET WATERS FOUNDATION

● Mr. WALSH. Madam President, I wish to recognize the remarkable work of the Warriors and Quiet Waters Foundation.

Located in Bozeman, MT, the Warriors and Quiet Waters Foundation helps reintegrate combat-injured veterans and active servicemembers upon their return from deployment through fly fishing and other high-quality therapeutic recreation throughout Southwest Montana.

As the Senate's only Iraq war combat veteran, I know firsthand the cost of war. Men and women who were injured in combat pay a price for the rest of their lives. Our Nation must now heal a new generation of American heroes that carry with them wounds that are both visible and invisible.

As a nation, we took our citizens and turned them into the best warriors the world has ever seen. Now, it is time we take those warriors and turn them back into citizens.

In 2007, the Warriors and Quiet Waters Foundation left shore with 14 wounded veterans of the wars in Iraq and Afghanistan to drop a line in one of Montana's pristine rivers.

The goal was to build hope, facilitate camaraderie, and find serenity through fly fishing. That is exactly what they accomplished.

Commanded by retired Marine Col. Eric Hastings and Dr. Volney Steele, Warriors and Quiet Waters has provided over 300 veterans and their spouses a fly fishing experience complete with world-class guides on some of our Nation's blue ribbon streams.

But, the mission is not complete.

More than 50,000 American servicemembers have been injured in combat over the past 13 years, and thousands more suffer from post-traumatic stress and traumatic brain injuries as a result of their service to our Nation.

The Warriors and Quiet Waters Foundation has identified a model for the difficult reintegration process that so many of our young veterans will be going through as a result of a decade of war.

Their commitment to those who served so bravely on our behalf is more than commendable—it is inspiring and is a strong example of how we can fulfill our Nation's responsibility to those who have served.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on June 25, 2014, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

S. 1681. An act to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The enrolled bill was subsequently signed during the session of the Senate by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 3:38 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6. An act to provide for expedited approval of exportation of natural gas to World Trade Organization countries, and for other purposes.

H.R. 4899. An act to lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4899. An act to lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3301. An act to require approval for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities at the national boundary of the United States for the import or export of oil, natural gas, or electricity to or from Canada or Mexico, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2562. A bill to provide an incentive to businesses to bring jobs back to America.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 26, 2014, she had presented to the President of the United States the following enrolled bill:

S. 1681. An act to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6235. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Organization; Disclosure to Shareholders; Disclosure to Investors in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System; Advisory Vote'' (RIN3052–AD00) received in the Office of the President of the Senate on June 19, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6236. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Michael R. Moeller, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6237. A communication from the Director, Facilities Services Directorate, Department of Defense, transmitting, pursuant to law, the Facilities Services Directorate/Pentagon Renovation and Construction Program Office (PENREN) annual report; to the Committee on Armed Services.

EC–6238. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Removal of Regulations Transferred to the Consumer Financial Protection Bureau'' (RIN2501–AD67) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6239. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Burmese Sanctions Regulations'' (31 CFR Part 537) received in the Office of the President of the Senate on June 23, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6240. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 of July 22, 2004, relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC–6241. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6242. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report on the competitiveness of the export financing services for the period from January 1, 2013 through December 31, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–6243. A communication from the Secretary of Energy, transmitting, pursuant to law, a report concerning operations at the Naval Petroleum Reserves for fiscal year 2013; to the Committee on Energy and Natural Resources.

EC–6244. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Reliability Assurance Program'' (NRC–2013–0123) received in the Office of the President of the Senate on June 23, 2014; to the Committee on Environment and Public Works.

EC–6245. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Status for the Northern Mexican Gartersnake and Narrow-headed Gartersnake'' (RIN1018–AY23) received in the Office of the President of the Senate on June 23, 2014; to the Committee on Environment and Public Works.

EC–6246. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status for Ivesia webberi'' (RIN1018–AZ12) received in the Office of the President of the Senate on June 23, 2014; to the Committee on Environment and Public Works.

EC–6247. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Ivesia webberi'' (RIN1018–AZ57) received in the Office of the President of the Senate on June 23, 2014; to the Committee on Environment and Public Works.

EC–6248. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9912–55–Region 10) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Environment and Public Works.

EC–6249. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans for Georgia: State Implementation Plan Miscellaneous Revisions'' (FRL No. 9912–82–Region 4) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Environment and Public Works.

EC–6250. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule'' ((RIN2050–AG68) (FRL No. 9911–84–OSWER)) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Environment and Public Works.

EC–6251. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2014 (OEI–05–14–00170)''; to the Committee on Finance.

EC–6252. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Changes to Scheduling and Appearing at Hearings'' (RIN0960–AH37) received during adjournment of the Senate in the Office of the President of the Senate on June 20, 2014; to the Committee on Finance.

EC–6253. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC–6254. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–059); to the Committee on Foreign Relations.

EC–6255. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: United States Munitions List Category XI (Military Electronics), and Other Changes'' (RIN1400–AD25) received during adjournment of the Senate in the Office of the President of the Senate on June 20, 2014; to the Committee on Foreign Relations.

EC–6256. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–75, Introduction'' (FAC 2005–75) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6257. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; EPEAT Items'' (RIN9000–AM71) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6258. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Contracting with Women-Owned Small Business Concerns'' (RIN9000–AM59) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6259. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–75, Small Entity Compliance Guide'' (FAC 2005–75) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6260. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Limitation on Allowable Government Contractor Compensation Costs'' (RIN9000–AM75) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6261. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Ninety-Day Waiting Period Limitation'' (RIN1210–AB61) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6262. A communication from the Acting Assistant General Counsel, Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priorities, Requirement, and Definitions; Innovative Approaches to Literacy (IAL) Program'' (CFDA No. 84.215G); to the Committee on Health, Education, Labor, and Pensions.

EC–6263. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

EC–6264. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2013 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC–6265. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral William H. McRaven, Jr., United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC–6266. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Howard B. Bromberg, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6267. A communication from the Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''U.S. Integrated Ocean Observing System; Regulations to Certify and Integrate Regional Information Coordination Entities'' (RIN0648–ZA94) received in the Office of the President of the Senate on June 24, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6268. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the deployment of certain U.S. forces to Iraq; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Appropriations, without amendment:

S. 2534. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes (Rept. No. 113–198).

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs:

Report to accompany S. 2244, a bill to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes (Rept. No. 113–199).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 2554. An original bill to approve the Keystone XL Pipeline (Rept . No. 113–200).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1104. A bill to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes (Rept. No. 113–201).

By Mr. TESTER, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1448. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes (Rept. No. 113–202).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1933. A bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes (Rept. No. 113–203).

H.R. 3212. A bill to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes (Rept. No. 113–204).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2449. A bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2454. A bill to amend title 17, United States Code, to extend expiring provisions of the Satellite Television Extension and Localism Act of 2010.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. JOHNSON of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

Laura S. Wertheimer, of the District of Columbia, to be Inspector General of the Federal Housing Finance Agency.

*Julian Castro, of Texas, to be Secretary of Housing and Urban Development.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. RISCH, Mr. CRAPO, Mr. JOHNSON of Wisconsin, Mr. COATS, Mr. JOHANNS, and Mr. THUNE):

S. 2533. A bill to require the Administrator of the Environmental Protection Agency to include in any proposed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 2534. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. VITTER (for himself, Mr. RUBIO, Mr. BURR, Mr. ROBERTS, Mr. RISCH, and Mr. MCCONNELL):

S. 2535. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. KIRK (for himself and Mrs. FEINSTEIN):

S. 2536. A bill to amend title 18, United States Code, to provide for enhanced criminal and civil remedies in the protection of children and other victims of commercial sexual exploitation and related crimes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2537. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KIRK (for himself and Ms. HIRONO):

S. 2538. A bill to amend the Public Health Service Act to revise and extend the program for viral hepatitis surveillance, education, and testing in order to prevent deaths from chronic liver disease and liver cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself and Mr. CASEY):

S. 2539. A bill to amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Ms. BALDWIN, and Mr. SANDERS):

S. 2540. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 2541. A bill to allow additional appointing authorities to select individuals from competitive service certificates; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. HAGAN:

S. 2542. A bill to clarify the effect of State statutes of repose on the required commencement date for actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 2543. A bill to support afterschool and out-of-school-time science, technology, engineering, and mathematics programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 2544. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; to the Committee on Energy and Natural Resources.

By Ms. AYOTTE (for herself and Mrs. MCCASKILL):

S. 2545. A bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ISAKSON:

S. 2546. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HEITKAMP (for herself and Mr. SCHUMER):

S. 2547. A bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mrs. MCCASKILL, Mr. LEVIN, Mr. CARDIN, Mr. FRANKEN, Mr. BROWN, Ms. BALDWIN, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. MARKEY, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. HIRONO, Mr. MANCHIN, Mr. ROCKEFELLER, Mr. SCHATZ, Ms. WARREN, and Mrs. BOXER):

S. 2548. A bill to require the Commodity Futures Trading commission to take certain emergency action to eliminate excessive speculation in energy markets; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Mr. MCCAIN):

S. 2549. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. REID):

S. 2550. A bill to secure the Federal voting rights of non-violent persons when released from incarceration; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself and Mr. COATS):

S. 2551. A bill to amend the Small Business Act to establish the Innovative Approaches to Technology Transfer Grant Program; to the Committee on Small Business and Entrepreneurship.

By Mr. BROWN (for himself and Mr. BLUMENTHAL):

S. 2552. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. HATCH):

S. 2553. A bill to amend title XVIII of the Social Security Act to provide for standardized post-acute care assessment data for quality, payment, and discharge planning, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2554. An original bill to approve the Keystone XL Pipeline; from the Committee on Energy and Natural Resources; placed on the calendar.

By Ms. AYOTTE (for herself, Mr. CRUZ, Mr. DONNELLY, Mr. CORNYN, Mr. RUBIO, and Mr. MURPHY):

S. 2555. A bill to require a report on military assistance to Ukraine; to the Committee on Foreign Relations.

By Mr. LEVIN (for himself, Ms. KLOBUCHAR, Ms. STABENOW, Ms. BALDWIN, and Mr. BROWN):

S. 2556. A bill to require the Under Secretary for Oceans and Atmosphere to conduct an assessment of cultural and historic resources in the waters of the Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Mr. BROWN):

S. 2557. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 2558. A bill to require the Administrator of the Environmental Protection Agency to revise the definition of the term ''colonia'', and for other purposes; to the Committee on Environment and Public Works.

By Mr. ROCKEFELLER:

S. 2559. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (by request):

S. 2560. A bill to authorize the United States Fish and Wildlife Service to seek compensation for injuries to trust resources and use those funds to restore, replace, or acquire equivalent resources, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 2561. A bill to prevent organized human smuggling, and for other purposes; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. WALSH, Mr. WARNER, Mr. PRYOR, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mrs. HAGAN, Mr. COONS, Mr. REED, Mr. DURBIN, Mr. MERKLEY, Mr. FRANKEN, Mr. MARKEY, Mr. ROCKEFELLER, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. MCCASKILL, and Mr. SCHATZ):

S. 2562. A bill to provide an incentive to businesses to bring jobs back to America; read the first time.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 2563. A bill to amend title 23, United States Code, to improve highway safety and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself, Mr. RUBIO, Mr. COATS, Mr. BOOZMAN, and Mr. MCCAIN):

S. Res. 486. A resolution expressing the sense of the Senate that President Obama should take immediate action to mitigate the humanitarian crisis along the international border between the United States and Mexico involving unaccompanied migrant children and to prevent future crises; to the Committee on the Judiciary.

By Mr. CRUZ:

S. Res. 487. A resolution expressing the sense of the Senate that Attorney General Eric H. Holder, Jr. should appoint a special counsel or prosecutor to investigate the targeting of conservative nonprofit groups by the Internal Revenue Service; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Ms. HEITKAMP, Mr. HOEVEN, Mr. INHOFE, Mr. JOHANNS, Mr. JOHNSON of South Dakota, Mr. MERKLEY, Mr. RISCH, Mr. TESTER, and Mr. WALSH):

S. Res. 488. A resolution designating July 26, 2014, as ''National Day of the American Cowboy''; to the Committee on the Judiciary.

By Mr. KIRK:

S. Res. 489. A resolution supporting the goals and ideals of ''Growth Awareness Week''; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. BOOKER, Mr. CARDIN, and Mr. MENENDEZ):

S. Res. 490. A resolution commemorating the 50th Anniversary of the Cape May-Lewes Ferry; considered and agreed to.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 491. A resolution congratulating the Los Angeles Kings on winning the 2014 Stanley Cup Championship; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 492. A resolution congratulating ''A Prairie Home Companion'' on its 40 years of engaging, humorous, and quality radio programming; considered and agreed to.

By Mr. TESTER (for himself, Mr. BURR, and Mr. BEGICH):

S. Res. 493. A resolution designating July 11, 2014, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Mr. MCCONNELL (for himself, Mr. REID, Mr. ALEXANDER, Mr. CORKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 494. A resolution relative to the death of Howard H. Baker, Jr., former United States Senator for the State of Tennessee; considered and agreed to.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. Con. Res. 38. A concurrent resolution expressing the sense of Congress that Warren Weinstein should be returned home to his family; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 719

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 719, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 742

At the request of Mr. CARDIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 836

At the request of Mr. BROWN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 836, a bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 1027

At the request of Mr. KIRK, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1027, a bill to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health.

S. 1114

At the request of Mr. BROWN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1128

At the request of Mr. TOOMEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1128, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1184

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1184, a bill to amend title XVIII of the Social Security Act to include information on the coverage of intensive behavioral therapy for obesity in the Medicare and You Handbook and to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 1396

At the request of Mr. REID, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1396, a bill to authorize the Federal Emergency Management Agency to award mitigation financial assistance in certain areas affected by wildfire.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1445

At the request of Mr. PRYOR, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 1622

At the request of Ms. HEITKAMP, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1688

At the request of Mr. KIRK, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1688, a bill to award the Congressional Gold Medal to the members of the Office of Strategic Services (OSS), collectively, in recognition of their superior service and major contributions during World War II.

S. 1799

At the request of Mr. COONS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 2037

At the request of Mr. TESTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2037, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 2091

At the request of Mr. HELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2091, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2192

At the request of Mr. MARKEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2235

At the request of Mr. REID, his name was added as a cosponsor of S. 2235, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 2329

At the request of Mrs. SHAHEEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2346

At the request of Mr. COONS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2346, a bill to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes.

S. 2349

At the request of Mr. SANDERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2349, a bill to establish a grant program to enable States to promote participation in dual enrollment programs, and for other purposes.

S. 2363

At the request of Mrs. HAGAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 2395

At the request of Mr. MENENDEZ, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2395, a bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002.

S. 2414

At the request of Mr. MCCONNELL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2414, a bill to amend the Clean Air Act to prohibit the regulation of emissions of carbon dioxide from new or existing power plants under certain circumstances.

S. 2449

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from North Carolina (Mr. BURR), the Senator from New York (Mr. SCHUMER), the Senator from Missouri (Mr. BLUNT), the Senator from Iowa (Mr. HARKIN), the Senator from Kansas (Mr. MORAN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2449, a bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

S. 2483

At the request of Mr. BLUMENTHAL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2483, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S. 2496

At the request of Mr. BARRASSO, the names of the Senator from Indiana (Mr. COATS) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2496, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2507

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2507, a bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for

purposes of laws administered by the Secretary of Veterans Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2537. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Red River Private Property Protection Act''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) In 1923, the Supreme Court found the border between Texas and Oklahoma to be: ''the water-washed and relatively permanent elevation or acclivity at the outer line of the river bed which separates the bed from the adjacent upland, whether valley or hill, and serves to confine the waters within the bed and to preserve the course of the river, and that the boundary intended is on and along the bank at the average or mean level attained by the waters in the periods when they reach and wash the bank without overflowing it. When we speak of the bed, we include all of the area which is kept practically bare of vegetation by the wash of the waters of the river from year to year in their onward course, although parts of it are left dry for months at a time, and we exclude the lateral valleys, which have the characteristics of relatively fast land and usually are covered by upland grasses and vegetation, although temporarily overflowed in exceptional instances when the river is at flood.''.

(2) This would become known as the ''gradient boundary''.

(3) This decision makes clear that, absent water that is physically touching the bank, the high bluff or ''ancient bank'' along the southern edge of the Red River is not the boundary between Texas and Oklahoma.

(4) In 2000, Public Law 106–288 ratified the Red River Boundary Compact agreed to and signed into State law by Texas and Oklahoma that sets the boundary between the States to be the vegetation line on the south bank of the Red River, except for the Texoma area where the boundary is established pursuant to procedures provided for in the Compact.

(5) Therefore, the Bureau of Land Management should have no claim to land that is either south of the ''gradient boundary'' established by the Supreme Court or south of the vegetation line on the southern bank of the Red River pursuant to Public Law 106–288 whereby landowners have proof of their right, title, and interest to the land and have been paying property taxes accordingly.

SEC. 3. ISSUANCE OF QUIT CLAIM DEEDS.

(a) IN GENERAL.—The Secretary shall relinquish and shall transfer by quit claim deed all right, title, and interest of the United States in and to Red River lands to any claimant who demonstrates to the satisfaction of the Secretary that official county or State records indicate that the claimant holds all right, title, and interest to those lands.

(b) PUBLIC NOTIFICATION.—The Secretary shall publish in the Federal Register and on official and appropriate Web sites the process to receive written and/or electronic submissions of the documents required under subsection (a). The Secretary shall treat all proper notifications received from the claimant as fulfilling the satisfaction requirements under subsection (a).

(c) STANDARD OF APPROVAL.—The Secretary shall accept all official county and State records as filed in the county on the date of submission proving right, title, and interest.

(d) TIME PERIOD FOR APPROVAL OR DISAPPROVAL OF REQUEST.—The Secretary shall approve or disapprove a request for a quit claim deed under subsection (a) not later than 120 days after the date on which the written request is received by the Secretary. If the Secretary fails to approve or disapprove such a request by the end of such 120-day period, the request shall be deemed to be approved.

SEC. 4. RESOURCE MANAGEMENT PLAN.

The Secretary shall ensure that no parcels of Red River lands are treated as Federal land for the purpose of any resource management plan until the Secretary has ensured that such parcels are not subject to transfer under section 3.

SEC. 5. DEFINITIONS.

For the purposes of this Act—

(1) the term ''Red River lands'' means lands along the approximately 539-mile stretch of the Red River between the States of Texas and Oklahoma; and

(2) the term ''Secretary'' means the Secretary of the Interior, acting through the Director of Bureau of Land Management.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Ms. BALDWIN, and Mr. SANDERS):

S. 2540. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Patriot Employer Tax Credit Act''.

SEC. 2. PATRIOT EMPLOYER TAX CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. PATRIOT EMPLOYER TAX CREDIT.

''(a) DETERMINATION OF AMOUNT.—

''(1) IN GENERAL.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year shall be equal to 10 percent of the qualified wages paid or incurred by the Patriot employer.

''(2) LIMITATION.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

''(b) PATRIOT EMPLOYER.—

''(1) IN GENERAL.—For purposes of subsection (a), the term 'Patriot employer' means, with respect to any taxable year, any taxpayer—

''(A) which—

''(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

''(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003,

''(B) with respect to which no assessable payment has been imposed under section 4980H with respect to any month occurring during the taxable year, and

''(C) in the case of—

''(i) a taxpayer which employs an average of more than 50 employees on business days during the taxable year, which—

''(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 150 percent of the Federal poverty level for a family of three for the calendar year in which the taxable year begins divided by 2,080,

''(II) meets the retirement plan requirements of subsection (c) with respect to at least 90 percent of its employees providing services during the taxable year who are not highly compensated employees, and

''(III) meets the additional requirements of subparagraphs (A) and (B) of paragraph (2), or

''(ii) any other taxpayer, which meets the requirements of either subclause (I) or (II) of clause (i) for the taxable year.

''(2) ADDITIONAL REQUIREMENTS FOR LARGE EMPLOYERS.—

''(A) UNITED STATES EMPLOYMENT.—The requirements of this subparagraph are met for any taxable year if—

''(i) in any case in which the taxpayer increases the number of employees performing substantially all of their services for the taxable year outside the United States, the taxpayer either—

''(I) increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees outside the United States, or

''(II) has a percentage increase in such employees inside the United States which is not less than the percentage increase in such employees outside the United States,

''(ii) in any case in which the taxpayer decreases the number of employees performing substantially all of their services for the taxable year inside the United States, the taxpayer either—

''(I) decreases the number of employees performing substantially all of their services outside the United States by an amount not less than the decrease in such number for employees inside the United States, or

''(II) has a percentage decrease in employees outside the United States which is not less than the percentage decrease in such employees inside the United States, and

''(iii) there is not a decrease in the number of employees performing substantially all of their services for the taxable year inside the United States by reason of the taxpayer contracting out such services to persons who are not employees of the taxpayer.

''(B) TREATMENT OF INDIVIDUALS IN THE UNIFORMED SERVICES AND THE DISABLED.—The requirements of this subparagraph are met for any taxable year if—

''(i) the taxpayer provides differential wage payments (as defined in section 3401(h)(2)) to each employee described in section

3401(h)(2)(A) for any period during the taxable year in an amount not less than the difference between the wages which would have been received from the employer during such period and the amount of pay and allowances which the employee receives for service in the uniformed services during such period, and

''(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

''(3) SPECIAL RULES FOR APPLYING THE MINIMUM WAGE AND RETIREMENT PLAN REQUIREMENTS.—

''(A) MINIMUM WAGE.—In determining whether the minimum wage requirements of paragraph (1)(C)(i)(I) are met with respect to 90 percent of a taxpayer's employees for any taxable year—

''(i) a taxpayer may elect to exclude from such determination apprentices or learners that an employer may exclude under the regulations under section 14(a) of the Fair Labor Standards Act of 1938, and

''(ii) if a taxpayer meets the requirements of paragraph (2)(B)(i) with respect to providing differential wage payments to any employee for any period (without regard to whether such requirements apply to the taxpayer), the hourly rate (or equivalent thereof) for such payments shall be determined on the basis of the wages which would have been paid by the employer during such period if the employee had not been providing service in the uniformed services.

''(B) RETIREMENT PLAN.—In determining whether the retirement plan requirements of paragraph (1)(C)(i)(II) are met with respect to 90 percent of a taxpayer's employees for any taxable year, a taxpayer may elect to exclude from such determination—

''(i) employees not meeting the age or service requirements under section 410(a)(1) (or such lower age or service requirements as the employer provides), and

''(ii) employees described in section 410(b)(3).

''(c) RETIREMENT PLAN REQUIREMENTS.—

''(1) IN GENERAL.—The requirements of this subsection are met for any taxable year with respect to an employee of the taxpayer who is not a highly compensated employee if the employee is eligible to participate in 1 or more applicable eligible retirement plans maintained by the employer for a plan year ending with or within the taxable year.

''(2) APPLICABLE ELIGIBLE RETIREMENT PLAN.—For purposes of this subsection, the term 'applicable eligible retirement plan' means an eligible retirement plan which, with respect to the plan year described in paragraph (1), is either—

''(A) a defined contribution plan which—

''(i) requires the employer to make nonelective contributions of at least 5 percent of the compensation of the employee, or

''(ii) both—

''(I) includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) under which the uniform percentage described in section 414(w)(3)(B) is at least 5 percent, and

''(II) requires the employer to make matching contributions of 100 percent of the elective deferrals (as defined in section 414(u)(2)(C)) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee's compensation, or

''(B) a defined benefit plan—

''(i) with respect to which the accrued benefit of the employee derived from employer contributions, when expressed as an annual retirement benefit, is not less than the product of—

''(I) the lesser of 2 percent multiplied by the employee's years of service (determined under the rules of paragraphs (4), (5), and (6) of section 411(a)) with the employer or 20 percent, multiplied by

''(II) the employee's final average pay, or

''(ii) which is an applicable defined benefit plan (as defined in section 411(a)(13)(B))—

''(I) which meets the interest credit requirements of section 411(b)(5)(B)(i) with respect to the plan year, and

''(II) under which the employee receives a pay credit for the plan year which is not less than 5 percent of compensation.

''(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' has the meaning given such term by section 402(c)(8)(B), except that in the case of an account or annuity described in clause (i) or (ii) thereof, such term shall only include an account or annuity which is a simplified employee pension (as defined in section 408(k)).

''(B) FINAL AVERAGE PAY.—For purposes of paragraph (2)(B)(i)(II), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the employee had the greatest compensation from the taxpayer.

''(C) ALTERNATIVE PLAN DESIGNS.—The Secretary may prescribe regulations for a taxpayer to meet the requirements of this subsection through a combination of defined contribution plans or defined benefit plans described in paragraph (1) or through a combination of both such types of plans.

''(D) PLANS MUST MEET REQUIREMENTS WITHOUT TAKING INTO ACCOUNT SOCIAL SECURITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section 416(e) shall apply.

''(d) QUALIFIED WAGES AND COMPENSATION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified wages' means wages (as defined in section 51(c), determined without regard to paragraph (4) thereof) paid or incurred by the Patriot employer during the taxable year to employees—

''(A) who perform substantially all of their services for such Patriot employer inside the United States, and

''(B) with respect to whom—

''(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of subclauses (I) and (II) of subsection (b)(1)(C)(i) are met, and

''(ii) in the case of any other Patriot employer, the requirements of either subclause (I) or (II) of subsection (b)(1)(C)(i) are met .

''(2) SPECIAL RULES FOR AGRICULTURAL LABOR AND RAILWAY LABOR.—Rules similar to the rules of section 51(h) shall apply.

''(3) COMPENSATION.—For purposes of subsections (b)(1)(C)(i)(I) and (c), the term 'compensation' has the same meaning as qualified wages, except that section 51(c)(2) shall be disregarded in determining the amount of such wages.

''(e) AGGREGATION RULES.—For purposes of this section—

''(1) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of section 52 shall be treated as a single taxpayer.

''(2) SPECIAL RULES FOR CERTAIN REQUIREMENTS.—For purposes of applying paragraphs (1)(A) and (2)(A) of subsection (b)—

''(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to section 1563(b)(2)(C) (relating to exclusion of foreign corporations), and

''(B) if any person treated as a single taxpayer under this subsection (after application of subparagraph (A)), or any predecessor of such person, was an expatriated entity (as defined in section 7874(a)(2)) for any taxable year ending after March 4, 2003, then all persons treated as a single taxpayer with such person shall be treated as expatriated entities.

''(f) ELECTION TO HAVE CREDIT NOT APPLY.—

''(1) IN GENERAL.—A taxpayer may elect to have this section not apply for any taxable year.

''(2) TIME FOR MAKING ELECTION.—An election under paragraph (1) for any taxable year may be made (or revoked) at any time before the expiration of the 3-year period beginning on the last date prescribed by law for filing the return for such taxable year (determined without regard to extensions).

''(3) MANNER OF MAKING ELECTION.—An election under paragraph (1) (or revocation thereof) shall be made in such manner as the Secretary may by regulations prescribe.''.

(b) ALLOWANCE AS GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following:

''(37) in the case of a Patriot employer (as defined in section 45S(b)) for any taxable year, the Patriot employer credit determined under section 45S(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C of the Internal Revenue Code of 1986 is amended by inserting ''45S(a),'' after ''45P(a)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

SEC. 3. DEFER DEDUCTION OF INTEREST EXPENSE RELATED TO DEFERRED INCOME.

(a) IN GENERAL.—Section 163 of the Internal Revenue Code of 1986 (relating to deductions for interest expense) is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) DEFERRAL OF DEDUCTION FOR INTEREST EXPENSE RELATED TO DEFERRED INCOME.—

''(1) GENERAL RULE.—The amount of foreign-related interest expense of any taxpayer allowed as a deduction under this chapter for any taxable year shall not exceed an amount equal to the applicable percentage of the sum of—

''(A) the taxpayer's foreign-related interest expense for the taxable year, plus

''(B) the taxpayer's deferred foreign-related interest expense.

For purposes of the paragraph, the applicable percentage is the percentage equal to the current inclusion ratio.

''(2) TREATMENT OF DEFERRED DEDUCTIONS.—If, for any taxable year, the amount of the limitation determined under paragraph (1) exceeds the taxpayer's foreign-related interest expense for the taxable year, there shall be allowed as a deduction for the taxable year an amount equal to the lesser of—

''(A) such excess, or

''(B) the taxpayer's deferred foreign-related interest expense.

''(3) DEFINITIONS AND SPECIAL RULE.—For purposes of this subsection—

''(A) FOREIGN-RELATED INTEREST EXPENSE.—The term 'foreign-related interest expense' means, with respect to any taxpayer for any taxable year, the amount which bears the same ratio to the amount of interest expense for such taxable year allocated and apportioned under sections 861, 864(e), and 864(f) to income from sources outside the United States as—

''(i) the value of all stock held by the taxpayer in all section 902 corporations with respect to which the taxpayer meets the ownership requirements of subsection (a) or (b) of section 902, bears to

''(ii) the value of all assets of the taxpayer which generate gross income from sources outside the United States.

''(B) DEFERRED FOREIGN-RELATED INTEREST EXPENSE.—The term 'deferred foreign-related interest expense' means the excess, if any, of the aggregate foreign-related interest expense for all prior taxable years beginning after December 31, 2014, over the aggregate amount allowed as a deduction under paragraphs (1) and (2) for all such prior taxable years.

''(C) VALUE OF ASSETS.—Except as otherwise provided by the Secretary, for purposes of subparagraph (A)(ii), the value of any asset shall be the amount with respect to such asset determined for purposes of allocating and apportioning interest expense under sections 861, 864(e), and 864(f).

''(D) CURRENT INCLUSION RATIO.—The term 'current inclusion ratio' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations for any taxable year, the ratio (expressed as a percentage) of—

''(i) the sum of all dividends received by the domestic corporation from all such section 902 corporations during the taxable year plus amounts includible in gross income under section 951(a) from all such section 902 corporations, in each case computed without regard to section 78, divided by

''(ii) the aggregate amount of post-1986 undistributed earnings.

''(E) AGGREGATE AMOUNT OF POST-1986 UNDISTRIBUTED EARNINGS.—The term 'aggregate amount of post-1986 undistributed earnings' means, with respect to any domestic corporation which meets the ownership requirements of subsection (a) or (b) of section 902 with respect to one or more section 902 corporations, the domestic corporation's pro rata share of the post-1986 undistributed earnings (as defined in section 902(c)(1)) of all such section 902 corporations.

''(F) FOREIGN CURRENCY CONVERSION.—For purposes of determining the current inclusion ratio, and except as otherwise provided by the Secretary, the aggregate amount of post-1986 undistributed earnings for the taxable year shall be determined by translating each section 902 corporation's post-1986 undistributed earnings into dollars using the average exchange rate for such year.

''(G) SECTION 902 CORPORATION.—The term 'section 902 corporation' has the meaning given to such term by section 909(d)(5).

''(4) TREATMENT OF AFFILIATED GROUPS.—The current inclusion ratio of each member of an affiliated group (as defined in section 864(e)(5)(A)) shall be determined as if all members of such group were a single corporation.

''(5) APPLICATION TO SEPARATE CATEGORIES OF INCOME.—This subsection shall be applied separately with respect to the categories of income specified in section 904(d)(1).

''(6) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance providing—

''(A) for the proper application of this subsection with respect to changes in ownership of a section 902 corporation,

''(B) that certain corporations that otherwise would not be members of the affiliated group will be treated as members of the affiliated group for purposes of this subsection,

''(C) for the proper application of this subsection with respect to the taxpayer's share of a deficit in earnings and profits of a section 902 corporation,

''(D) for appropriate adjustments to the determination of the value of stock in any section 902 corporation for purposes of this subsection or to the foreign-related interest expense to account for income that is subject to tax under section 882(a)(1), and

''(E) for the proper application of this subsection with respect to interest expense that is directly allocable to income with respect to certain assets.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

By Ms. HEITKAMP (for herself and Mr. SCHUMER):

S. 2547. A bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. HEITKAMP. Mr. President, on December 30, 2013, outside of Casselton, ND, a train carrying crude oil derailed setting off a series of explosions and fire. The first on the scene that day were our local first responders from the Casselton Fire Department, a small volunteer department.

Whether floods, tornados, accidents, or man-made incidents, our local first responders are on the front line and we need to make sure they are trained and prepared to handle anything that may come their way and that they have the equipment necessary to do their jobs effectively and efficiently. The incident in Casselton and others across the country have shined a bright light on the need to make sure our local first responders are prepared specifically for emerging threats and hazards.

Only a few short years ago, trains carried very little crude. And when crude was carried by rail, it was in relatively small amounts mixed in with a variety of other commodities and container shipments. Since that time, our country has experienced impressive economic growth in the oil industry, but with that important growth we have seen an exponential increase in shipments of crude by rail. According to the Association of American Railroads, the number of carloads carrying crude oil on major freight railroads in the U.S. grew by more than 6,000 percent between 2008 and 2013. Now, we are seeing entire trains of linked tanker cars carrying more than half a million barrels of crude to market.

As we witnessed in Casselton, had the first responders not had the training they did, this disaster could have been much worse. It's important that our local first responders have access to training to prepare them for these emerging threats and hazards. Traffic continues to increase on our rail system, and we must make sure local first responders in our communities are equipped to respond quickly and appropriately.

To improve first responder training, I am introducing the RESPONSE Act to bring together relevant agencies, emergency responders, technical experts and the private sector under FEMA's National Advisory Council to review the training, resources, best practices and unmet needs on emergency response to railroad hazmat incidents, including crude oil transport. This group would be tasked with reviewing current training, funding, existing emergency response plans and providing recommendations on steps to enhance emergency responder training and improve the allocation of resources to meet the needs.

Our local first responders are on the front lines and will be the first to respond in an emergency. We need to make sure they are equipped with the knowledge and training to protect our communities. I hope my colleagues will join me in this effort.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mrs. MCCASKILL, Mr. LEVIN, Mr. CARDIN, Mr. FRANKEN, Mr. BROWN, Ms. BALDWIN, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. MARKEY, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. HIRONO, Mr. MANCHIN, Mr. ROCKEFELLER, Mr. SCHATZ, Ms. WARREN, and Mrs. BOXER):

S. 2548. A bill to require the Commodity Futures Trading commission to take certain emergency action to eliminate excessive speculation in energy markets; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANDERS. Mr. President, as we are about to begin the Fourth of July district work period in my State and throughout this country, many people are going to be getting into their automobiles and they are going to be traveling. In general, people who live in rural States such as Vermont don't have the option of getting on a subway. They don't have the option of getting on a bus to get to work. They use their automobile. In Vermont and all across this country, people who are driving have noticed that the price of gasoline at the pump has soared and is today much higher than it used to be.

According to the Energy Information Administration, the national average retail price for regular unleaded gasoline is $3.70 a gallon—the highest price for this time of year since 2008. According to the AAA, drivers in three States have paid over $4 a gallon at the pump for more than a month, and those States are Hawaii, California, and Alaska. In my home State of Vermont, the current average for a gallon of gas is about $3.73.

When the price of gasoline goes up, a lot of people get hurt and the economy gets impacted. But mostly it affects working people who have no other option but traveling by car, and many of

these workers are making $10, $12, $15 an hour; and many of these workers have seen declines in their wages in recent years. Yet, in order to get to work to make a living, they have to get in the car and they have no choice but to pay soaring gas prices.

While gas prices are soaring, people should not be shocked or will not be shocked to know that the big oil companies, which have racked up $1.2 trillion in profits since 2001, are now telling us that the reason gas prices are going up is because of the volatile situation in Iraq. That is why suddenly gas prices have gone up—because of the conflict in Iraq.

The American people are sick and tired of hearing from the big oil companies using every excuse they possibly can. If it is snowing, the price of gas goes up. If there is conflict in the Middle East, the price of gas goes up. If it is raining, if it is sunny, if it is somebody's birthday, the price of gas goes up. Interestingly enough, we don't see that same logic when the price of gas should be going down, but it always seems to be going up. Meanwhile, the five biggest oil companies in America—again, not too surprisingly—continue to make huge profits. During the first quarter of this year, ExxonMobil made a profit of $9.1 billion—the first quarter; Shell made $7.3 billion, Chevron made $4.5 billion, and ConocoPhillips made $2.1 billion. The price of gas at the pump soars and the major oil companies make huge profits.

Last year, these five major oil companies—ExxonMobil, Shell, Chevron, ConocoPhillips—made $93 billion in profits. ExxonMobil alone made nearly $33 billion in profits in 2013.

So in the State of Vermont and all over this country, working people are seeing, in many cases, declines in their wages. Yet they have to get to work. Meanwhile, the price of oil, the price of gas soars, and the oil companies make out like bandits.

Here is the interesting point: When I was in high school—and I suspect kids all over the country are still being taught this—we learned about a theory called supply and demand. What supply and demand is about is when there is a lot of supply and limited demand, prices go down. When there is limited supply and a lot of demand, prices go up.

Well, guess what. To nobody's surprise, that is not the way it works in the oil industry. Today, there is more supply and less demand for gasoline than there was 5 years ago when the average price of a gallon of gas was just $2.69 a gallon. So let me repeat that. More supply, less demand, and today the price of a gallon of gas is $3.70 a gallon, but 5 years ago it was $2.69 a gallon. Where is the logic of supply and demand? Where is that process?

According to the EIA, there has been a 9 million barrel increase in the supply of gasoline over the past 5 years—a 9 million barrel increase. Since 2009, the United States has increased gasoline supplies by 4.3 percent. Supply has gone up. What about demand? According to the EIA, the United States is consuming 96,000 fewer barrels of gasoline than it did in 2009—a 1-percent drop in demand compared to 5 years ago. If the supply and demand theory were true, gasoline prices would be a bit lower—a bit lower—than they were 5 years ago—somewhere perhaps in the neighborhood of $2.69 a gallon. Instead, despite the increase in supply, despite the lowering of demand, the average price for a gallon of gas in the United States has gone up by nearly 38 percent over the last 5 years, from $2.69 a gallon to $3.70 a gallon. Let me repeat. Since 2009 the supply of gasoline has gone up by more than 4 percent and demand for gasoline has gone down by 1 percent. Yet prices at the pump are up by nearly 38 percent.

People say: We need more oil, we need more gas. It doesn't matter—supply up, demand down, prices of gas at the pump soaring.

The truth is the high gasoline prices have less to do with supply and demand and more to do with Wall Street speculators driving prices up in the energy futures market. Over a decade ago, speculators only controlled about 30 to 40 percent of the oil futures market. Today, Wall Street speculators control about 80 percent of this market. Let me repeat. Wall Street speculators control about 80 percent of the oil futures market, even though many of them will never use a drop of the oil. People think that when people own oil on the oil futures market, they actually own it because they are going to use it. Maybe it is the airline industry; maybe it is the trucking industry; maybe it is oil fuel dealers. Wrong. The oil futures market is controlled by speculators who never use the end product and whose only goal in life is to drive prices up to make a huge profit, and that is exactly what they do.

We, as the elected officials of this country, who are presumably representing working families around America, have a responsibility to do everything we can to make sure the price of gasoline at the pump is based on the fundamentals of supply and demand and not Wall Street greed. That is why I am introducing legislation today to require the Commodity Futures Trading Commission to use all of its authority, including its emergency powers, to eliminate excessive oil speculation.

This bill is cosponsored by Senators LEVIN, NELSON, BLUMENTHAL, MCCASKILL, FRANKEN, BROWN, CARDIN, BALDWIN, WHITEHOUSE, MARKEY, KLOBUCHAR, SHAHEEN, MERKLEY, and HIRONO. Congresswoman ROSA DELAURO is introducing the companion bill in the House. I thank all of these Members for their support.

Our legislation, the Energy Markets Emergency Act, is identical to bipartisan legislation that overwhelmingly passed the House of Representatives by a vote of 402 to 19 during a similar crisis in June of 2008.

Specifically, our bill directs the CFTC to do the following within 14 days of enactment:

No. 1: Immediately curb the role of excessive speculation in any contract market within the jurisdiction and control of the Commodity Futures Trading Commission, on or through which energy futures or swaps are traded.

No. 2: Eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations or unwarranted changes in prices or other unlawful activity that is causing major market disturbances that prevent gasoline and oil prices from accurately reflecting the forces of supply and demand.

There is now a growing consensus—this is not just the opinion of BERNIE SANDERS—there is a growing consensus that excessive speculation on the oil futures market is significantly contributing to the high prices the American people are seeing at the pump.

ExxonMobil, Goldman Sachs, the IMF, the St. Louis Federal Reserve, the American Trucking Association, Delta Airlines, the Petroleum Marketers Association of America, the New England Fuel Institute, the Consumer Federation of America, and many other organizations have all agreed that excessive oil speculation has significantly increased oil and gas prices.

Just a few years ago, Goldman Sachs—perhaps the largest speculator on Wall Street—came out with a report indicating that excessive oil speculation is costing Americans 56 cents a gallon at the pump—56 cents a gallon. I personally think that is a conservative estimate, but it is interesting that it comes from Goldman Sachs itself.

The CEO—and what can we say—the CEO of ExxonMobil has testified in the past that he believes excessive speculation has contributed as much as 40 percent to the price of a barrel of oil.

So what you are hearing is some of the Wall Street people—in a rare moment of honesty—acknowledging the impact of speculation. You are hearing the head of the largest oil company in America acknowledging the impact of speculation on gas prices. I think we do not need a whole lot of evidence to suggest this is a serious problem.

Three years ago my office obtained confidential information about how much Wall Street speculators were trading in the oil futures market on just one day—and that day was June 30, 2008—when the price of oil was over $140 a barrel and gas prices were over $4 a gallon. Here is what some of the biggest oil speculators were doing back then, on just one day of trading: June 30, 2008. This goes on every day. One day: Goldman Sachs bought and sold over 863 million barrels of oil, Morgan Stanley bought and sold over 632 million barrels of oil, Bank of America bought and sold over 112 million barrels of oil, Lehman Brothers—obviously now bankrupt—bought and sold over 300 million barrels of oil, Merrill

Lynch—bought by Bank of America—bought and sold over 240 million barrels of oil.

The only reason these firms were betting on the price of oil was to speculate and to make money. Goldman Sachs, Bank of America, they do not use oil. Their only function in this process is speculation, driving up prices and making huge profits.

The rise in oil and gasoline prices was entirely avoidable. The Dodd-Frank Wall Street Reform and Consumer Protection Act required the CFTC to impose strict limits on the amount of oil that Wall Street speculators could trade in the energy futures market by January 17, 2011—over 3½ years ago.

Unfortunately, the CFTC has been unable to implement position limits due to opposition from Wall Street and a ruling by the DC Circuit Court. This is simply unacceptable. Millions and millions of Americans who are filling up their gas tanks today are disgusted. They know they are being ripped off, and they want us to protect their needs. The time is now to provide the American people relief at the gas pump before the situation gets even worse.

I urge my colleagues to cosponsor this legislation.

By Mr. REED (for himself and Mr. BROWN):

S. 2557. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to introduce the Core Opportunity Resources for Equity and Excellence Act with my colleague Senator BROWN. I would also like to thank Representatives FUDGE, HINOJOSA, and FREDERICA WILSON for introducing companion legislation in the House of Representatives. Our accountability systems in education should help us measure our progress towards equity and excellence. The CORE Act will help advance that goal by requiring States to include fair and equitable access to the core resources for learning in their accountability systems.

Sixty years after the landmark decision of Brown v. Board of Education, one of the great challenges still facing this Nation is stemming the tide of rising inequality. We have seen the rich get richer while middle class and low-income families have lost ground. We see disparities in opportunity starting at birth and growing over a lifetime. With more than one in five school-aged children living in families in poverty, according to Department of Education statistics, we cannot afford nor should we tolerate a public education system that steers resources and opportunities away from the children who need them the most.

We should look to hold our education system accountable for results and resources. We know that resources matter. A recent study by scholars at Northwestern University and UC Berkeley found that increasing per pupil spending by 20 percent for low-income students over the course of their K–12 schooling results in greater high school completion, higher levels of educational attainment, increased lifetime earnings, and reduced adult poverty.

The recent Office of Civil Rights survey points to some gaps that we need to address, including that Black, Latino, American Indian, Native Alaskan students, and English learners attend schools with higher concentrations of inexperienced teachers; nationwide, one in five high schools lacks a school counselor; and between 10 and 25 percent of high schools across the nation do not offer more than one of the core courses in the typical sequence of high school math and science, such as Algebra I and II, geometry, biology, and chemistry.

The CORE Act will require State accountability plans and State and district report cards to include measures on how well the State and districts provide the core resources for learning to their students. These resources include: high quality instructional teams, including licensed and profession-ready teachers, principals, school librarians, counselors, and education support staff;

Rigorous academic standards and curricula that lead to college and career readiness by high school graduation and are accessible to all students, including students with disabilities and English learners; equitable and instructionally appropriate class sizes; up-to-date instructional materials, technology, and supplies; effective school library programs; school facilities and technology, including physically and environmentally sound buildings and well-equipped instructions space, including laboratories and libraries; specialized instructional support teams, such as counselors, social workers, nurses, and other qualified professionals; and effective family and community engagements programs.

These are things that parents in well-resourced communities expect and demand. We should do no less for children in economically disadvantaged communities. We should do no less for minority students or English learners or students with disabilities.

Under the CORE Act, states that fail to make progress on resource equity would not be eligible to apply for competitive grants authorized under the Elementary and Secondary Education Act. For school districts identified for improvement, the state would have to identify gaps in access to the core resources for learning and develop an action plan in partnership with the local school district to address those gaps.

The CORE Act is supported by a diverse group of organizations, including the American Association of Colleges of Teacher Education, American Federation of Teachers, American Library Association, First Focus Campaign for Children, League of United Latin American Citizens, National Education Association, Opportunity Action, and the Coalition for Community Schools. Working with this strong group of advocates and my colleagues in the Senate and in the House, it is my hope that we can build the support to include the CORE Act in the reauthorization of the Elementary and Secondary Education Act. I urge my colleagues to join us by cosponsoring this legislation.

By Mr. CARDIN (by request):

S. 2560. A bill to authorize the United States Fish and Wildlife Service to seek compensation for injuries to trust resources and use those funds to restore, replace, or acquire equivalent resources, and for other purposes; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, I rise today to speak about a bill I am introducing that will provide the Department of Interior the necessary and appropriate authority to seek compensation from responsible parties who cause injury to public resources managed by the United States Fish and Wildlife Service like National Wildlife Refuges, National Fish Hatcheries, and other Service facilities. The proposal would allow the United States Fish and Wildlife Service, USFWS, to recover costs for assessing injury and to restore, replace, or acquire equivalent resources without further Congressional appropriations. The National Park Service, NPS, under the Park System Resource Protection Act PSRPA—16 U.S.C. 19jj, and the National Oceanic and Atmospheric Administration, NOAA, under the National Marine Sanctuaries Act, NMSA—16 U.S.C. 1431, currently have similar authorities and its time USWFS were afforded this authority as well.

The Service Resource Protection Act, RPA, would enhance the protection and restoration of USFWS resources found on National Wildlife Refuges, National Fish Hatcheries and other Service lands, should injury or harm occur. The RPA is a proposed statute that specifically protects all living and non-living resources within Service lands and waters. Any funds collected to compensate for injury or destruction of Service resources would be used to rectify that specific harm without further Congressional appropriation. Under this authority, damages could be used to reimburse assessment costs; prevent or minimize resource loss; abate or minimize the risk of loss; monitor ongoing effects, and/or restore, replace, or acquire resources equivalent to those injured or destroyed.

Currently, USFWS Service manages more than 150 million acres of National Wildlife Refuge lands and 71 National Fish Hatcheries. The sum of USFWS's acres is greater than those lands and water resources managed by the NPS

and NOAA combined. USFWS has significant land based management responsibilities that are quite different from NOAA, in addition to marine and estuarine areas USFWS manages. Compared to National Parks, Refuges allow for a broader range of activities—such as hunting, fishing, and wildlife dependent activities. The large size of the USFWS's resource portfolio and the unique and varied stressors on these resources makes it imperative that the USFWS have the appropriate authority to seek damages from responsible parties who degrade or destroy USFWS resources and property.

Unlike NPS and NOAA, USFWS does not have the authority to recover damages, e.g., monetary compensation, from responsible parties to assess and restore injured resources without prior Congressional appropriation. Today, when Service resources are damaged or destroyed, the costs for repair and restoration of these resources falls upon the appropriated budget for the affected Refuge, often at the expense of other Refuge programs. Competing priorities can leave Service resources languishing until the refuge obtains appropriations from Congress to address the injury. This may result in more intensive injuries, higher costs, and long-term degradation of publicly-owned Service resources.

When bad actors harm public resources managed by USFWS the responsibility for remedying the problems caused by bad actors should not fall to the taxpayer to solve. More over the fact that currently to repair damages to USFWS resources may require earmarks in the budget to ensure these problems are resolved is doubly unfair in that such budget requirements take resources away from other worthwhile projects that are unrelated to fixing the problems caused by irresponsible actors. It is patently unfair for taxpayers to shoulder the burden of solving the mistakes and negligence of others. The public expects that Refuge resources—and the broad range of activities they support—will be available for future generations. Our bill ensures that persons responsible for harm, not taxpayers, should pay for any injury they cause.

While the Natural Resource Damage Assessment and Restoration program established under the Oil Pollution Act and CERCLA establishes a unique process for the USFWS to seek damages in limited circumstances involving oil spills and or the release of hazardous substances. These laws do not apply to situations when toxics materials and regular solid waste are dumped on or near a refuge that are not formally defined as hazardous substances and the USFWS is not authorized to recover funds to address injury from the responsible party in these situations under existing statute. Additionally, for injuries caused by actions or mechanisms other than a 'spill' of oil or release of a hazardous substance, such as illegal cutting of vegetation, destruction or vandalism of real property and facilities, e.g., kiosks, visitor centers, fire and abandoned debris, the USFWS has no statutory mechanism to recover costs for assessing and restoring the public's resources. In contrast, NPS and NOAA have statutory authority to recover civil damages for these types of injuries, and the funds go to the agencies for assessment and restoration.

USFWS manages 556 National Wildlife Refuges and 38 Wetland Management Districts, covering over 150 million acres, and accounting for 25 percent of public lands and waters managed by the Department of the Interior. The agency is also responsible for 71 National Fish Hatcheries and a National Conservation Training Center, which would also be covered by the proposed legislation. Management of the Refuge System prioritizes wildlife conservation and habitat management, but encourages the American public to enjoy the benefits of these lands. In the organic legislation, the National Wildlife Refuge System Improvement Act of 1997, activities such as hunting, fishing, photography, wildlife observation, environmental education and interpretation were identified as priority public uses on Refuges.

Found in every U.S. State and territory, and within an hour's drive of most metropolitan areas, National Wildlife Refuges: attract approximately 45 million visitors each year; protect clean air and safe drinking water for nearby communities; protect more than 700 bird species, 220 mammals, 250 reptiles and amphibians, and 1,000 fish species; offers hunting on 322 refuges and fishing on 272 refuges; and generates more than $1.7 billion for local economies, creates nearly 27,000 U.S. jobs annually, provides $543 million in employment income, and adds more than $185 million in tax revenue.

The fiscal year 2014 appropriated budget for the Refuge System is approximately $72 million dollars, but it is estimated that the current operations and maintenance, O&M, backlog tops $3 billion dollars. The National Fish Hatchery System has a backlog in excess of $300 million. Because the Service does not have statutory authority to pursue recovery of damages from responsible parties, the cost of replacing or restoring injured Refuge or Hatchery resources typically gets included in the O&M project list, and requires tax-payer funding to fix. This legislation would allow the Service to recover damages directly from the person or persons that harmed the resource, thus removing this additional financial burden from taxpayers.

The legislation is not intended to generate revenue for the Service; instead, it aims to be budget neutral. Any funds collected to compensate for resource injuries will be used to rectify that specific injury without the need for Congressional appropriation. Under this authority, damages would be required to reimburse assessment costs; prevent or minimize resource loss; abate or minimize the risk of loss; monitor ongoing effects, and/or restore, replace, or acquire resources equivalent to those injured or destroyed.

By way of example, NPS has recovered damages on cases ranging from $125.00—$10 million dollars for assessment and restoration of injuries to resources on their lands. However, a direct comparison between USFWS and NPS is of limited value, since the two agencies have dissimilar missions and allow for different activities on their lands. The Refuge and Hatchery systems also manage many more individual land units and twice the acreage of the NPS.

USFWS administers several laws, such as the Migratory Bird Treaty Act, that provide for penalties and fees as part of civil or criminal proceedings. The RPA is a civil authority that would allow the Service to recover compensation in the form of monetary damages for costs associated with assessment and restoration of injured resources. It is intended to make the public whole: it is not meant to be punitive towards the person or persons who caused the injury. As part of the Annual Uniform Crime Report, AUCR, Service Law Enforcement has identified several categories of crimes in which they have prosecuted individuals for criminal violations and received associated fines. These fines are remitted to the U.S. Treasury and do not provide any means to assess injury or recover restoration costs associated with repairing or replacing resources. The Service has used Tort law to recover damages on occasion, but many of our cases do not meet the dollar threshold for pursuing a civil lawsuit by the Department of Justice. As a result, even though cases may be criminally prosecuted, most of them are not pursued as a potential civil claim.

However, if the Service had RPA authority, we could use a civil process to recover costs for assessment and restoration. The AUCR provides many examples of areas where the Service could use the civil authority under RPA in conjunction with other criminal procedures. In 2010, 39 arson offenses were reported on Service lands. Monetary loss to the government resulting from these cases totaled almost $850,000, but neither restoration funds, nor repair of the public's resources resulted from these prosecutions. Similarly, over 2,300 vandalism offenses, totaling $314,000 in monetary loss were documented. Other reported offenses number in the thousands and could lead to recovery of damages for many field stations: These include, illegal off-road use (n=2,234), trespass (n = 8,163), and other natural resource violations (n = 4,628). In these instances, the Service must choose between using tax-payer funded, appropriations to pay for assessing, repairing, replacing or restoring structures, habitat and other resources injured by the responsible party or for other important Refuge needs.

It is time to shed taxpayers' cost burden of repairs and restoration due to damage caused by the unlawful behavior of negligent individuals and give the USFWS the authority it need to collect damages from those responsible to do the work to right what's wrong. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Fish and Wildlife Service Resource Protection Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DAMAGES.—The term ''damages'' means—

(A) compensation for—

(i)(I) the cost of replacing, restoring, or acquiring the equivalent of a system resource; and

(II) the value of any significant loss of use of a system resource, pending—

(aa) restoration or replacement of the system resource; or

(bb) the acquisition of an equivalent resource; or

(ii) the value of a system resource, if the system resource cannot be replaced or restored; and

(B) the cost of any relevant damage assessment carried out pursuant to section 4(c).

(2) RESPONSE COST.—The term ''response cost'' means the cost of any action carried out by the Secretary—

(A) to prevent, minimize, or abate destruction or loss of, or injury to, a system resource;

(B) to abate or minimize the imminent risk of such destruction, loss, or injury; or

(C) to monitor the ongoing effects of any incident causing such destruction, loss, or injury.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) SYSTEM RESOURCE.—The term ''system resource'' means any living, nonliving, historical, cultural, or archeological resource that is located within the boundaries of—

(A) a unit of the National Wildlife Refuge System;

(B) a unit of the National Fish Hatchery System; or

(C) any other land managed by the United States Fish and Wildlife Service, including any land managed cooperatively with any other Federal or State agency.

SEC. 3. LIABILITY.

(a) IN GENERAL.—Subject to subsection (c), any individual or entity that destroys, causes the loss of, or injures any system resource, or that causes the Secretary to carry out any action to prevent, minimize, or abate destruction or loss of, or injuries or risk to, any system resource, shall be liable to the United States for any response costs or damages resulting from the destruction, loss, or injury.

(b) LIABILITY IN REM.—Any instrumentality (including a vessel, vehicle, aircraft, or other equipment or mechanism) that destroys, causes the loss of, or injures any system resource, or that causes the Secretary to carry out any action to prevent, minimize, or abate destruction or loss of, or injury or risk to, a system resource shall be liable in rem to the United States for any response costs or damages resulting from the destruction, loss, or injury, to the same extent that an individual or entity is liable under subsection (a).

(c) DEFENSES.—An individual or entity shall not be liable under this section, if the individual or entity can establish that—

(1) the destruction or loss of, or injury to, the system resource was caused solely by an act of God or an act of war; or

(2)(A) the individual or entity exercised due care; and

(B) the destruction or loss of, or injury to, the system resource was caused solely by an act or omission of a third party, other than an employee or agent of the individual or entity.

(d) SCOPE.—The liability established by this section shall be in addition to any other liability arising under Federal or State law.

SEC. 4. ACTIONS.

(a) CIVIL ACTIONS FOR RESPONSE COSTS AND DAMAGES.—The Attorney General, on request of the Secretary, may commence a civil action in the United States district court of appropriate jurisdiction against any individual, entity, or instrumentality that may be liable under section 3 for response costs or damages.

(b) ADMINISTRATIVE ACTIONS FOR RESPONSE COSTS AND DAMAGES.—

(1) ACTION BY SECRETARY.—

(A) IN GENERAL.—Subject to paragraph (2), the Secretary, after making a finding described in subparagraph (B), may consider, compromise, and settle a claim for response costs and damages if the claim has not been referred to the Attorney General under subsection (a).

(B) DESCRIPTION OF FINDINGS.—A finding referred to in subparagraph (A) is a finding that—

(i) destruction or loss of, or injury to, a system resource has occurred; or

(ii) such destruction, loss, or injury would occur absent an action by the Secretary to prevent, minimize, or abate the destruction, loss, or injury.

(2) REQUIREMENT.—In any case in which the total amount to be recovered in a civil action under subsection (a) may exceed $500,000 (excluding interest), a claim may be compromised and settled under paragraph (1) only with the prior written approval of the Attorney General.

(c) RESPONSE ACTIONS, ASSESSMENTS OF DAMAGES, AND INJUNCTIVE RELIEF.—

(1) IN GENERAL.—The Secretary may carry out all necessary actions (including making a request to the Attorney General to seek injunctive relief)—

(A) to prevent, minimize, or abate destruction or loss of, or injury to, a system resource; or

(B) to abate or minimize the imminent risk of such destruction, loss, or injury.

(2) ASSESSMENT AND MONITORING.—

(A) IN GENERAL.—The Secretary may assess and monitor the destruction or loss of, or injury to, any system resource for purposes of paragraph (1).

(B) JUDICIAL REVIEW.—Any determination or assessment of damage to a system resource carried out under subparagraph (A) shall be subject to judicial review under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), on the basis of the administrative record developed by the Secretary.

SEC. 5. USE OF RECOVERED AMOUNTS.

(a) IN GENERAL.—An amount equal to the total amount of the response costs and damages recovered by the Secretary under this Act and any amounts recovered by the Federal Government under any provision of Federal, State, or local law (including regulations) or otherwise as a result of the destruction or loss of, or injury to, any system resource shall be made available to the Secretary, without further appropriation, for use in accordance with subsection (b).

(b) USE.—The Secretary may use amounts made available under subsection (a) only, in accordance with applicable law—

(1) to reimburse response costs and damage assessments carried out pursuant to this Act by the Secretary or such other Federal agency as the Secretary determines to be appropriate;

(2) to restore, replace, or acquire the equivalent of a system resource that was destroyed, lost, or injured; or

(3) to monitor and study system resources.

SEC. 6. DONATIONS.

(a) IN GENERAL.—In addition to any other authority to accept donations, the Secretary may accept donations of money or services for expenditure or use to meet expected, immediate, or ongoing response costs and damages.

(b) TIMING.—A donation described in subsection (a) may be expended or used at any time after acceptance of the donation, without further action by Congress.

SEC. 7. TRANSFER OF FUNDS FROM NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND.

The matter under the heading ''NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND'' under the heading ''UNITED STATES FISH AND WILDLIFE SERVICE'' of title I of the Department of the Interior and Related Agencies Appropriations Act, 1994 (43 U.S.C. 1474b–1), is amended by striking ''*Provided*, That'' and all that follows through ''activities.'' and inserting the following: ''*Provided*, That notwithstanding any other provision of law, any amounts appropriated or credited during fiscal year 1992 or any fiscal year thereafter may be transferred to any account (including through a payment to any Federal or non-Federal trustee) to carry out a negotiated legal settlement or other legal action for a restoration activity under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the Act of July 27, 1990 (16 U.S.C. 19jj et seq.), or the United States Fish and Wildlife Service Resource Protection Act, or for any damage assessment activity: *Provided further*, That sums provided by any individual or entity before or after the date of enactment of this Act shall remain available until expended and shall not be limited to monetary payments, but may include stocks, bonds, or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary for the restoration of injured resources or to conduct any new damage assessment activity.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 486—EXPRESSING THE SENSE OF THE SENATE THAT PRESIDENT OBAMA SHOULD TAKE IMMEDIATE ACTION TO MITIGATE THE HUMANITARIAN CRISIS ALONG THE INTERNATIONAL BORDER BETWEEN THE UNITED STATES AND MEXICO INVOLVING UNACCOMPANIED MIGRANT CHILDREN AND TO PREVENT FUTURE CRISES

Mr. CORNYN (for himself, Mr. RUBIO, Mr. COATS, Mr. BOOZMAN, and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 486

Whereas 1 in 5 children in the United States struggle with hunger;

Whereas research has found that more than 30 percent of low-income families do not have enough food during the summer months;

Whereas the summer food service program for children established under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761) exists to ensure that low-income children have access to adequate nutrition when the school year ends;

Whereas the summer food service program is designed to give hungry children a safe place to participate in fun, educational activities and to receive a meal;

Whereas thousands of schools and nonprofit organizations across the country serve as summer food service program sites;

Whereas summer programs are often under-utilized, as only 1 in 6 eligible children participate in the summer food service program, due in part to families being unaware that the summer food service program exists;

Whereas lack of transportation and other barriers often prevent children from accessing the summer food service program sites, especially in rural areas; and

Whereas almost 1 in 3 low-income children live in communities that are not eligible to participate in the summer food service program, thus reducing their ability to participate in the program: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2014 as ''Summer Meals Awareness Month'';

(2) encourages members of Congress, schools, local businesses, nonprofit institutions, churches, cities, and State governments to assist in efficient use of summer food service program sites by raising awareness of the location and availability of those sites;

(3) encourages members of Congress, schools, local businesses, nonprofit institutions, churches, cities, and State governments to support efforts to increase the participation rate of eligible children who, without the summer food service program for children established under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761), may go without meals; and

(4) encourages members of Congress to visit a summer food service program site to see the importance of the program firsthand.

SENATE RESOLUTION 487—EXPRESSING THE SENSE OF THE SENATE THAT ATTORNEY GENERAL ERIC H. HOLDER, JR. SHOULD APPOINT A SPECIAL COUNSEL OR PROSECUTOR TO INVESTIGATE THE TARGETING OF CONSERVATIVE NONPROFIT GROUPS BY THE INTERNAL REVENUE SERVICE

Mr. CRUZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 487

Whereas, in February 2010, the Internal Revenue Service (IRS) began targeting conservative nonprofit groups for extra scrutiny in connection with applications for tax-exempt status;

Whereas, on May 14, 2013, the Treasury Inspector General for Tax Administration (TIGTA) issued an audit report entitled, ''Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review'';

Whereas the TIGTA audit report found that from 2010 until 2012, the IRS systematically subjected tax-exempt applicants to extra scrutiny based on inappropriate criteria, including use of the phrases ''Tea Party'', ''Patriots'', and ''9/12'';

Whereas the TIGTA audit report found that the groups selected for extra scrutiny based on inappropriate criteria were subjected without cause to delays lasting years;

Whereas the TIGTA audit report found that the groups selected for extra scrutiny based on inappropriate criteria were subjected to unreasonable and burdensome information requests, including requests for information about donors and political beliefs;

Whereas the Exempt Organizations Division within the Tax-Exempt and Government Entities Division of the IRS has jurisdiction over the processing and determination of tax-exempt applications;

Whereas, on September 15, 2010, Lois G. Lerner, former Director of the Exempt Organizations Division, initiated a project to examine political activity of organizations described in section 501(c)(4) of the Internal Revenue Code of 1986, writing to her colleagues, ''[w]e need to be cautious so it isn't a per se political project'';

Whereas, on February 1, 2011, Lois Lerner wrote that the ''Tea Party matter [was] very dangerous'' and ''[t]his could be the vehicle to go to court on the issue of whether Citizen's [sic] United overturning the ban on corporate spending applies to tax exempt rules'';

Whereas Lois Lerner ordered the Tea Party tax-exempt applications to proceed through a ''multi-tier review'' involving her senior technical advisor and the IRS Office of Chief Counsel;

Whereas Carter Hull, an IRS lawyer and a 48-year veteran of the United States Government, testified that the ''multi-tier review'' was unprecedented in his experience;

Whereas, on June 1, 2011, Holly Paz, Director of Rulings and Agreements within the Exempt Organizations Division, requested the tax-exempt application filed by Crossroads Grassroots Policy Strategies for review by Lois Lerner's senior technical advisor;

Whereas, on March 22, 2012, Commissioner of Internal Revenue Douglas Shulman was specifically asked about the targeting of Tea Party groups applying for tax-exempt status during a hearing before the Committee on Ways and Means of the House of Representatives, to which he replied, ''I can give you assurances . . . [t]here is absolutely no targeting'';

Whereas, on April 26, 2012, Lois Lerner informed the Committee on Oversight and Government Reform of the House of Representatives that information requests were done in ''the ordinary course of the application process'';

Whereas prior to the November 2012 election, the IRS provided 31 applications for tax-exempt status to the investigative website ProPublica, all of which were from conservative groups and 9 of which had not yet been approved by the IRS, in spite of a prohibition under Federal law against public disclosure of application materials until after the application has been approved;

Whereas the IRS determined, by way of informal, internal review, that 75 percent of the applications for designation as an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 that were set aside for further review were filed by conservative-oriented organizations;

Whereas, on January 24, 2013, Lois Lerner wrote, in an email to colleagues, regarding Organizing for Action, a tax-exempt organization formed as an offshoot of the election campaign of President Barack Obama: ''Maybe I can get the DC office job!'';

Whereas, on May 8, 2013, Richard Pilger, Director of the Election Crimes Branch of the Public Integrity Section of the Department of Justice, spoke to Lois Lerner about potential prosecution for false statements about political campaign intervention made by tax-exempt applicants;

Whereas, on May 10, 2013, in response to a pre-arranged question, Lois Lerner apologized for the targeting of conservative tax-exempt applicants by the IRS during a speech at an event organized by the American Bar Association;

Whereas the Committee on Ways and Means of the House of Representatives determined that, of the 298 applications delayed and set aside for additional scrutiny by the IRS, 83 percent were from right-leaning organizations;

Whereas the Committee on Ways and Means of the House of Representatives determined that, as of the May 10, 2013, apology from Lois Lerner, only 45 percent of the right-leaning groups set aside for extra scrutiny had been approved, while 70 percent of left-leaning groups and 100 percent of the groups with ''progressive'' names had been approved;

Whereas the Committee on Ways and Means of the House of Representatives determined that, of the groups that were inappropriately subject to demands to divulge confidential donors, 89 percent were right-leaning;

Whereas, on May 15, 2013, Attorney General Eric H. Holder, Jr. testified before the Committee on the Judiciary of the House of Representatives that the Department of Justice would conduct a ''dispassionate'' investigation into the IRS matter, and ''[t]his will not be about parties . . . this will not be about ideological persuasions . . . anybody who has broken the law will be held accountable'';

Whereas, on May 15, 2013, President Barack Obama called the targeting of conservative tax-exempt applicants by the IRS ''inexcusable'' and promised that he would ''not tolerate this kind of behavior in any agency, but especially in the IRS, given the power that it has and the reach that it has into all of our lives'';

Whereas Barbara Bosserman, a trial attorney at the Department of Justice who in the past several years has contributed nearly $7,000 to the Democratic National Committee and political campaigns of President Obama, is playing a leading role in the investigation by the Department of Justice;

Whereas the Public Integrity Section of the Department of Justice communicated

with the IRS about the potential prosecution of tax-exempt applicants;

Whereas, on December 5, 2013, President Obama declared in a national television interview that the targeting of conservative tax-exempt applicants by the IRS was caused by a ''bureaucratic'' ''list'' by employees in ''an office in Cincinnati'';

Whereas, on April 9, 2014, the Committee on Ways and Means of the House of Representatives referred Lois Lerner to the Department of Justice for criminal prosecution;

Whereas the Committee on Ways and Means of the House of Representatives found that Lois Lerner used her position to improperly influence agency action against conservative tax-exempt organizations, denying these groups due process and equal protection rights as guaranteed by the United States Constitution, in apparent violation of section 242 of title 18, United States Code;

Whereas the Committee on Ways and Means of the House of Representatives found that Lois Lerner targeted Crossroads Grassroots Policy Strategies while ignoring similar liberal-leaning tax-exempt applicants;

Whereas the Committee on Ways and Means of the House of Representatives found that Lois Lerner impeded official investigations by knowingly providing misleading statements to TIGTA, in apparent violation of section 1001 of title 18, United States Code;

Whereas the Committee on Ways and Means of the House of Representatives found that Lois Lerner may have disclosed confidential taxpayer information, in apparent violation of section 6103 of the Internal Revenue Code of 1986;

Whereas former Department of Justice officials have testified before a subcommittee of the Committee on Oversight and Government Reform of the House of Representatives that the circumstances of the investigation by the administration of the targeting of conservative tax-exempt applicants by the IRS warrant the appointment of a special counsel;

Whereas Department of Justice regulations counsel attorneys to avoid the ''appearance of a conflict of interest likely to affect the public perception of the integrity of the investigation or prosecution'';

Whereas, on January 13, 2014, unnamed officials in the Department of Justice leaked to the media that no criminal charges would be appropriate for IRS officials who engaged in the targeting activity, which undermined the integrity of the investigation by the Department of Justice;

Whereas, on January 29, 2014, Attorney General Holder told the Senate Committee on the Judiciary, ''I don't think that there is a basis for us to conclude on the information as it presently exists that there is any reason for the appointment of the independent counsel . . . . The notion that somehow this has caused a loss of faith in this Justice Department is inconsistent with the facts'';

Whereas, on February 2, 2014, President Obama stated publicly that there was ''not even a smidgen of corruption'' in connection with the IRS targeting activity;

Whereas, on April 16, 2014, e-mails between the Department of Justice and the IRS were released showing that the Department of Justice considered prosecuting conservative nonprofit groups for engaging in political activity that is legal under Federal law, which damaged the integrity of the Department of Justice and undermined its investigation;

Whereas, on May 8, 2014, the IRS agreed to provide all of Lois Lerner's e-mails to investigators of the Committee on Ways and Means of the House of Representatives;

Whereas, on May 14, 2014, e-mails obtained through a request under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') by the nonprofit group Judicial Watch indicate that the Washington office of the IRS was examining applications for tax-exempt status by Tea Party organizations, which is contrary to claims that the cases were being handled by lower-level workers in Cincinnati;

Whereas, on June 11, 2014, James Comey, Director of the Federal Bureau of Investigation (FBI), testified to the Committee on the Judiciary of the House of Representatives that FBI investigators did not examine the IRS database with taxpayer information, which included private taxpayer information that is prohibited from being shared without an order from a judge, and only looked at the table of contents;

Whereas, on June 13, 2014, IRS Office of Legislative Affairs Director Leonard Ourlser informed the Committee on Finance of the Senate that the IRS could not produce e-mails from January 2009 through April 2011 from Lois Lerner due to a computer crash;

Whereas, on June 17, 2014, the IRS stated that it could not produce e-mails from 6 other IRS employees;

Whereas, on June 23, 2014, it was reported that Commissioner of Internal Revenue John Koskinen has contributed approximately $100,000 to Democratic candidates and organizations, including $7,300 to President Obama;

Whereas, on June 24, 2014, it was reported that the IRS agreed to pay $50,000 in damages to one of the conservative groups, the National Organization for Marriage, as a result of the unlawful release of confidential information to a political rival of that group;

Whereas, on June 25, 2014, according to the Committee on Ways and Means of the House of Representatives, Lois Lerner sought to have Senator Chuck Grassley, a sitting United States Senator and ranking Republican member of the Committee on the Judiciary of the Senate, referred for IRS examination; and

Whereas section 600.1 of title 28, Code of Federal Regulations, promulgated under section 515 of title 28, United States Code, requires the Attorney General to appoint a special counsel or prosecutor when it is determined that—

(1) a criminal investigation of a person or matter is warranted;

(2) investigation or prosecution of that person or matter by a United States Attorney's Office or litigating Division of the Department of Justice would present a conflict of interest for the Department or other extraordinary circumstances; and

(3) under the circumstances, it would be in the public interest to appoint an outside special counsel or prosecutor to assume responsibility for the matter: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the statements and actions of the Internal Revenue Service (IRS), the Department of Justice, and the administration of President Barack Obama in connection with the targeting of conservative tax-exempt applicants by the IRS have served to undermine the investigation by the Department of Justice;

(2) the efforts of the administration to undermine the investigation by the Department of Justice, and the appointment of Barbara Bosserman, who has donated almost $7,000 to President Obama and the Democratic National Committee, to a lead investigative role, have created a conflict of interest that warrants removal of the investigation from the normal processes of the Department of Justice;

(3) further investigation of the matter is warranted due to the apparent criminal activity by Lois Lerner, former Director of the Exempt Organizations Division within the Tax-Exempt and Government Entities Division of the IRS, and the ongoing disclosure of internal communications showing potentially unlawful conduct by executive branch personnel;

(4) appointment of a special counsel or prosecutor would be in the public interest, given the conflict of interest for the Department of Justice and the strong public interest in ensuring that public officials who inappropriately target individuals for exercising their right to free expression are held accountable; and

(5) Attorney General Eric H. Holder, Jr. should appoint a special counsel or prosecutor, with meaningful independence, to investigate the targeting of conservative nonprofit advocacy groups by the IRS.

SENATE RESOLUTION 488—DESIGNATING JULY 26, 2014, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Ms. HEITKAMP, Mr. HOEVEN, Mr. INHOFE, Mr. JOHANNS, Mr. JOHNSON of South Dakota, Mr. MERKLEY, Mr. RISCH, Mr. TESTER, and Mr. WALSH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 488

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 26, 2014, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. ENZI. Mr. President, I am proud to introduce a resolution today to designate Saturday, July 26, 2014 as National Day of the American Cowboy.

My late colleague, Senator Craig Thomas, began the tradition of honoring the men and women known as cowboys 10 years ago when he introduced the first resolution to designate the fourth Saturday of July as National Day of the American Cowboy. I am proud to carry on Senator Thomas's tradition.

The national day celebrates the history of cowboys in America and recognizes the important work today's cowboys are doing in the United States. The cowboy spirit is about honesty, integrity, courage, and patriotism, and cowboys are models of strong character, sound family values, and good common sense.

Cowboys were some of the first men and women to settle in the American West, and they continue to make important contributions to our economy, Western culture, and my home State of Wyoming today. This year's resolution designates July 26, 2014, as the National Day of the American Cowboy. I hope my colleagues will join me in recognizing the important role cowboys play in our country.

SENATE RESOLUTION 489—SUPPORTING THE GOALS AND IDEALS OF ''GROWTH AWARENESS WEEK''

Mr. KIRK submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 489

Whereas, according to the Pictures of Standard Syndromes and Undiagnosed Malformations database (commonly known as the ''POSSUM'' database), more than 600 serious diseases and health conditions cause growth failure;

Whereas health conditions that cause growth failure may affect the overall health of a child;

Whereas short stature may be a symptom of a serious underlying health condition;

Whereas children with growth failure are often undiagnosed;

Whereas, according to the MAGIC Foundation for children's growth, 48 percent of children in the United States who were evaluated for the 2 most common causes of growth failure were undiagnosed with growth failure;

Whereas the longer a child with growth failure goes undiagnosed, the greater the potential for damage and higher costs of care;

Whereas early detection and a diagnosis of growth failure are crucial to ensure a healthy future for a child with growth failure;

Whereas raising public awareness of, and educating the public about, growth failure is a vital public service;

Whereas providing resources for identification of growth failure will allow for early detection; and

Whereas the MAGIC Foundation for children's growth has designated the third week of September as ''Growth Awareness Week'': Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of September 2014 as ''Growth Awareness Week''; and

(2) supports the goals and ideals of ''Growth Awareness Week''.

SENATE RESOLUTION 490—COMMEMORATING THE 50TH ANNIVERSARY OF THE CAPE MAY-LEWES FERRY

Mr. COONS (for himself, Mr. BOOKER, Mr. CARDIN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 490

Whereas, on September 20, 1962, the 87th Congress granted consent to the State of Delaware and the State of New Jersey to enter into a compact to establish the Delaware River and Bay Authority (referred to in this preamble as the ''DRBA'') for the development of the area in both States bordering the Delaware River and Bay;

Whereas the pressures of increasing amounts of traffic, a growing population, and greater industrialization indicated the need for closer cooperation between the 2 States in order to advance their economic development and to improve crossings and transportation between the 2 States;

Whereas the Delaware River and Bay Authority was organized on February 6, 1963, to construct and operate transportation crossings between the 2 States and its first line of business was to update earlier feasibility studies for a ferry service connecting southern New Jersey and southern Delaware;

Whereas DRBA Commissioners immediately resolved, in April 1963, to establish the Cape May-Lewes Ferry at the earliest possible date following the release of the updated feasibility study;

Whereas, on July 1, 1964, the very first vessel departed the Lewes, Delaware terminal at 6:47 a.m., carrying 8 vehicles and 15 passengers;

Whereas the Cape May-Lewes Ferry has served as a major transportation link in the crowded Northeast corridor, connecting north-south traffic from Boston and New York City to Washington, D.C. and Florida;

Whereas the 85 minute, 17 mile journey across the Delaware Bay offers an efficient way to cut miles off a road trip;

Whereas the Cape May-Lewes Ferry has evolved over the past 50 years from strictly a mode of transportation to one that includes tourism and recreational opportunities;

Whereas the Cape May-Lewes Ferry offers foot passenger shuttle service to destinations in Delaware and New Jersey for a variety of commercial and recreational activities on the other side of the Delaware Bay;

Whereas both bird watchers and bicyclists use the Cape May-Lewes Ferry to access the various and numerous trails on both sides of the Delaware Bay;

Whereas the Cape May-Lewes Ferry terminals will host festivals to celebrate the highly anticipated 50th Anniversary of the Cape May-Lewes Ferry on June 28, 2014, in Cape May and June 29, 2014, in Lewes;

Whereas the Cape May-Lewes Ferry employs more than 130 full-time personnel and an additional 330 seasonal workers, adding significantly to the economies on both sides of the Delaware Bay;

Whereas the Cape May-Lewes Ferry operates year-round and has carried more than 43 million passengers and 14 million vehicles since the inception of the Cape May-Lewes Ferry in 1964;

Whereas the DRBA continues to invest its resources to improve the services and infrastructure of the Cape May-Lewes Ferry, including a renovated ferry fleet and new passenger terminal facilities; and

Whereas the Cape May-Lewes Ferry remains an important transportation link, as a waterway continuation of United States Route 9 between the State of Delaware and the State of New Jersey: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th Anniversary of the Cape MayLewes Ferry, connecting the communities of Lewes, Delaware and Cape May, New Jersey;

(2) celebrates the history of the Cape May-Lewes Ferry as an important transportation and tourism link between the State of Delaware and the State of New Jersey;

(3) honors the ongoing role that the Cape May-Lewes Ferry plays in bringing people together through interstate commerce, tourism, and recreation all along the eastern seaboard; and

(4) recognizes the positive contributions that the Cape May-Lewes Ferry has on the development and growth of the Twin Capes region of Cape Henlopen, Delaware and Cape May, New Jersey.

SENATE RESOLUTION 491—CONGRATULATING THE LOS ANGELES KINGS ON WINNING THE 2014 STANLEY CUP CHAMPIONSHIP

Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 491

Whereas, on June 13, 2014, the Los Angeles Kings (referred to in this preamble as the ''Kings'') defeated the New York Rangers by a score of 3 to 2 in game 5 to win the 2014 Stanley Cup and be crowned champions of the National Hockey League (referred to in this preamble as the ''NHL'');

Whereas defenseman Alex Martinez scored the Stanley Cup winning goal 14 minutes and 43 seconds into double overtime in game 5;

Whereas the Kings are the first team to win the Stanley Cup twice in 3 seasons since the Detroit Red Wings consecutively won the Stanley Cup in the 1997 and 1998 seasons;

Whereas the Kings became the first team in NHL history to win 3 series in the seventh game on the road during the postseason;

Whereas the Kings have played 64 playoff games since 2012, the most in a 3 year span in NHL history;

Whereas the Kings allowed only 168 goals during the regular 2013-2014 season, the fewest of any NHL team, thus earning goaltender Jonathan Quick the William M. Jennings trophy;

Whereas the Kings also survived 7 playoff games in which they could have been eliminated but instead rallied from 2 goal deficits 4 times, including the first 2 games of the Stanley Cup Finals against the New York Rangers;

Whereas all players on the 2013-2014 Kings roster should be congratulated, including Playoff Most Valuable Player Justin Williams and Team Captain Dustin Brown, as well as, Jeff Carter, Kyle Clifford, Drew Doughty, Marian Gaborik, Matt Greene, Martin Jones, Dwight King, Anze Kopitar, Trevor Lewis, Alec Martinez, Brayden McNabb, Willie Mitchell, Jake Muzzin, Jordan Nolan, Tanner Pearson, Jonathan Quick, Robyn Regehr, Mike Richards, Jarret Stoll, Tyler Toffoli, and Slava Voynov; and

Whereas Team Owners Philip Anschutz and Edward Roski, General Manager Dean Lombardi, and Head Coach Darryl Sutter assembled the powerful team that comprises the 2014 Los Angeles Kings and led the team through a strong season that culminated in the winning of the Stanley Cup Championship: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Los Angeles Kings on winning the 2014 Stanley Cup Championship; and

(2) commends Los Angeles Kings fans in not only California, but all across the United States for cheering the team to victory.

SENATE RESOLUTION 492—CONGRATULATING ''A PRAIRIE HOME COMPANION'' ON ITS 40 YEARS OF ENGAGING, HUMOROUS, AND QUALITY RADIO PROGRAMMING

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 492

Whereas, for 40 years, ''A Prairie Home Companion'' has brought listeners from around the country to the fantastic town of Lake Wobegon, Minnesota;

Whereas, in 2014, ''A Prairie Home Companion'' is a 2 hour radio variety program performed live that airs on Saturday afternoons ;

Whereas over 600 radio stations carry ''A Prairie Home Companion'' to 4,000,000 listeners each week;

Whereas ''A Prairie Home Companion'' was created by and is hosted by a Grammy Award winner who received the award in 1998 for ''Lake Wobegon Days'';

Whereas 12 people were in the audience for the first broadcast of ''A Prairie Home Companion'' on July 6, 1974, at the Janet Wallace Auditorium at Macalester College in Saint Paul, Minnesota;

Whereas, in 2014, ''A Prairie Home Companion'' is broadcast from the Fitzgerald Theater in Saint Paul, Minnesota, a historic building that is over 100 years old and was named after United States citizen and author F. Scott Fitzgerald;

Whereas ''A Prairie Home Companion'' has won a Peabody Award;

Whereas ''A Prairie Home Companion'' has broadcast from Canada, Ireland, Scotland, England, Germany, Iceland, and nearly every State in the United States;

Whereas ''A Prairie Home Companion'' inspired a movie by the same name, which itself won 4 international awards; and

Whereas in Lake Wobegon all the women are strong, all the men are good looking, and all the children are above average: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the cast and crew of ''A Prairie Home Companion'' for 40 years of engaging, humorous, and quality radio programming; and

(B) Minnesota Public Radio and American Public Media for bringing ''A Prairie Home Companion'' into the homes of millions for 40 years; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the creator and host of ''A Prairie Home Companion''.

SENATE RESOLUTION 493—DESIGNATING JULY 11, 2014, AS ''COLLECTOR CAR APPRECIATION DAY'' AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself, Mr. BURR, and Mr. BEGICH) submitted the following resolution; which was considered and agreed to:

S. RES. 493

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 11, 2014, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 494—RELATIVE TO THE DEATH OF HOWARD H. BAKER, JR., FORMER UNITED STATES SENATOR FOR THE STATE OF TENNESSEE

Mr. MCCONNELL (for himself, Mr. REID, Mr. ALEXANDER, Mr. CORKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 494

Whereas Howard H. Baker, Jr. was born in Tennessee in 1925, graduated from the University of Tennessee Law College in 1949, and was admitted to the Tennessee bar after which he commenced practice in his beloved state;

Whereas Howard H. Baker, Jr. served in the United States Navy during World War II from 1943–1946;

Whereas Howard H. Baker, Jr. was first elected to the United States Senate in 1966 and served three terms as a Senator from the State of Tennessee;

Whereas Howard H. Baker, Jr. served the Senate as the Republican Leader from 1977–1981 and as the Majority Leader from 1981–1985;

Whereas Howard H. Baker, Jr. was awarded the Presidential Medal of Freedom on March 26, 1984;

Whereas following his service as Senator, Howard H. Baker, Jr. continued to serve his country as chief of staff to President Ronald Reagan from 1987–1988 and as United States Ambassador to Japan from 2001–2005;

Whereas Howard H. Baker, Jr. was known for his commitment to civility in public life, admonishing his fellow citizens to accord ''a decent respect for differing points of view'': Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Howard H. Baker, Jr., former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Howard H. Baker, Jr.

SENATE CONCURRENT RESOLUTION 38—EXPRESSING THE SENSE OF CONGRESS THAT WARREN WEINSTEIN SHOULD BE RETURNED HOME TO HIS FAMILY

Ms. MIKULSKI (for herself and Mr. CARDIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 38

Whereas Warren Weinstein was abducted in Pakistan in 2011 and is currently being held captive by al Qaeda;

Whereas Warren Weinstein is a former official of the Peace Corps and the United States Agency for International Development;

Whereas Warren Weinstein is widely recognized as a scholar and humanitarian who has spent his career working to improve the lives of men, women, and children around the world; and

Whereas video released of Warren Weinstein by his captors confirms that he is in poor health: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense

of Congress that the United States Government should—

(1) use all of the lawful tools at its disposal to bring Warren Weinstein home to his family;

(2) make the return of all United States citizens held captive abroad, regardless of their different circumstances, a top priority; and

(3) keep Congress apprised of actions to achieve these goals as new information is available, or quarterly if no new information is available.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3388. Mr. REED (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 3389. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3390. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3391. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3392. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3393. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3394. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3395. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3396. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3397. Mr. CARDIN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

SA 3398. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 3399. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3400. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3401. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3402. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3403. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3404. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3405. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3406. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3407. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3408. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3409. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3410. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3411. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3412. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. UDALL of New Mexico, Mr. PAUL, Mr. WHITEHOUSE, Mr. CRUZ, Mr. COONS, Ms. COLLINS, Mr. FRANKEN, Mr. ROBERTS, Mr. HEINRICH, Mr. ENZI, Mr. ROCKEFELLER, Mr. KIRK, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3413. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3414. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3415. Ms. KLOBUCHAR (for herself and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3416. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3417. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3418. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3419. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3420. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3421. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3422. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3423. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3424. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3425. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3426. Mr. KING (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3427. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3428. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3429. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3430. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3431. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3432. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3433. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3434. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3435. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3436. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3437. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3438. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3439. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3440. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3441. Mr. CASEY (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table.

SA 3442. Mr. REID (for Mr. BOOZMAN) proposed an amendment to the bill S. 2076, to

amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

SA 3443. Mr. REID (for Mr. COONS) proposed an amendment to the bill S. 1799, to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

TEXT OF AMENDMENTS

SA 3388. Mr. REED (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. RESOLUTION OF CONTROVERSIES UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) ELECTION OF ARBITRATION.—

(1) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. App. 512) is amended by adding at the end the following new subsection:

''(d) WRITTEN CONSENT REQUIRED FOR ARBITRATION.—Notwithstanding any other provision of law, whenever a contract with a servicemember, or a servicemember and the servicemember's spouse jointly, provides for the use of arbitration to resolve a controversy subject to a provision of this Act and arising out of or relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.''.

(2) APPLICABILITY.—Subsection (d) of such section, as added by paragraph (1), shall apply with respect to contracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

(b) LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS.—

(1) IN GENERAL.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 517(a)) is amended—

(A) in the second sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''to which it applies''; and

(B) in the third sentence, by inserting ''and if it is made after a specific dispute has arisen and the dispute is identified in the waiver'' after ''period of military service''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply with respect to waivers made on or after the date of the enactment of this Act.

(c) PRESERVATION OF RIGHT TO BRING CLASS ACTION.—

(1) IN GENERAL.—Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a)) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(3) be a representative party on behalf of members of a class or be a member of a class, in accordance with the Federal Rules of Civil Procedure, notwithstanding any previous agreement to the contrary.''.

(2) CONSTRUCTION.—The amendments made by paragraph (1) shall not be construed to imply that a person aggrieved by a violation of such Act did not have a right to bring a civil action as a representative party on behalf of members of a class or be a member of a class in a civil action before the date of the enactment of this Act.

SA 3389. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 A of title VI, add the following:

SEC. 605. ROLE FOR DEPARTMENT OF JUSTICE UNDER MILITARY LENDING ACT.

(a) ENFORCEMENT BY THE ATTORNEY GENERAL.—Subsection (f) of section 987 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) ENFORCEMENT BY THE ATTORNEY GENERAL.—

''(A) IN GENERAL.—The Attorney General may commence a civil action in any appropriate district court of the United States against any person who—

''(i) engages in a pattern or practice of violating this section; or

''(ii) engages in a violation of this section that raises an issue of general public importance.

''(B) RELIEF.—In a civil action commenced under subparagraph (A), the court—

''(i) may grant any appropriate equitable or declaratory relief with respect to the violation of this section;

''(ii) may award all other appropriate relief, including monetary damages, to any person aggrieved by the violation; and

''(iii) may, to vindicate the public interest, assess a civil penalty—

''(I) in an amount not exceeding $110,000 for a first violation; and

''(II) in an amount not exceeding $220,000 for any subsequent violation.

''(C) INTERVENTION.—Upon timely application, a person aggrieved by a violation of this section with respect to which the civil action is commenced may intervene in such action, and may obtain such appropriate relief as the person could obtain in a civil action under paragraph (5) with respect to that violation, along with costs and a reasonable attorney fee.

''(D) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—Whenever the Attorney General, or a designee, has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this section, the Attorney General, or a designee, may, before commencing a civil action under subparagraph (A), issue in writing and cause to be served upon such person, a civil investigative demand requiring—

''(i) the production of such documentary material for inspection and copying;

''(ii) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

''(iii) the production of any combination of such documentary material or answers.

''(E) RELATIONSHIP TO FALSE CLAIMS ACT.—The statutory provisions governing the authority to issue, use, and enforce civil investigative demands under section 3733 of title 31 (known as the 'False Claims Act') shall govern the authority to issue, use, and enforce civil investigative demands under subparagraph (D), except that—

''(i) any reference in that section to false claims law investigators or investigations shall be applied for purposes of subparagraph (D) as referring to investigators or investigations under this section;

''(ii) any reference in that section to interrogatories shall be applied for purposes of subparagraph (D) as referring to written questions, and answers to such need not be under oath;

''(iii) the statutory definitions for purposes of that section relating to 'false claims law' shall not apply; and

''(iv) provisions of that section relating to qui tam relators shall not apply.''.

(b) CONSULTATION WITH DEPARTMENT OF JUSTICE IN PRESCRIPTION OF REGULATIONS.—Subsection (h)(3) of such section is amended by adding at the end the following new subparagraph:

''(H) The Department of Justice.''.

SA 3390. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 title X, add the following:

Subtitle I—Matters Relating to the Servicemembers Civil Relief Act

SEC. 1091. TERMINATION OF RESIDENTIAL LEASES AFTER ASSIGNMENT OR RELOCATION TO QUARTERS OF UNITED STATES OR HOUSING FACILITY UNDER JURISDICTION OF UNIFORMED SERVICE.

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.''; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.''.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting ''in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,'' before ''by delivery''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery by the lessee of written notice of such termination, and a letter from the servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and''.

(b) DEFINITION OF MILITARY ORDERS AND CONTINENTAL UNITED STATES FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1) and (2) of section 305(i) (50 U.S.C. App. 535(i)) to the end of section 101 (50 U.S.C. App. 511) and redesignating such paragraphs, as so transferred, as paragraphs (10) and (11).

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 305 (50 U.S.C. App. 535), as amended by paragraph (1), by striking subsection (i); and

(B) in section 705 (50 U.S.C. App. 595), by striking ''or naval'' both places it appears.

SEC. 1092. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

''SEC. 303A. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

''(a) IN GENERAL.—Subject to subsection (b), with respect to a servicemember who dies while in military service and who has a surviving spouse who is the servicemember's successor in interest to property covered under section 303(a), section 303 shall apply to the surviving spouse with respect to that property during the one-year period beginning on the date of such death in the same manner as if the servicemember had not died.

''(b) NOTICE REQUIRED.—

''(1) IN GENERAL.—To be covered under this section with respect to property, a surviving spouse shall submit written notice that such surviving spouse is so covered to the mortgagee, trustee, or other creditor of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(2) TIME.—Notice provided under paragraph (1) shall be provided with respect to a surviving spouse anytime during the one-year period beginning on the date of death of the servicemember with respect to whom the surviving spouse is to receive coverage under this section.

''(3) ADDRESS.—Notice provided under paragraph (1) with respect to property shall be provided via e-mail, facsimile, standard post, or express mail to facsimile numbers and addresses, as the case may be, designated by the servicer of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(4) MANNER.—Notice provided under paragraph (1) shall be provided in writing by using a form designed under paragraph (5) or submitting a copy of a Department of Defense or Department of Veterans Affairs document evidencing the military service-related death of a spouse while in military service.

''(5) OFFICIAL FORMS.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).''.

(b) EFFECTIVE DATE.—Section 303A of such Act, as added by subsection (a), shall apply with respect to deaths that occur on or after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501) is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Protection of surviving spouse with respect to mortgage foreclosure.''.

SA 3391. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, insert the following:

SEC. 1087. TRANSNATIONAL DRUG TRAFFICKING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Transnational Drug Trafficking Act of 2014''.

(b) POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

(c) TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.—Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking ''section 2320(e)'' and inserting ''section 2320(f)''; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug,'';

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking ''counterfeit drug'' and inserting ''drug that uses a counterfeit mark on or in connection with the drug''; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

''(6) the term 'drug' means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

SA 3392. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title VII, add the following:

SEC. 737. ANTIMICROBIAL STEWARDSHIP PROGRAM AT MEDICAL FACILITIES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall carry out an antimicrobial stewardship program at medical facilities of the Department of Defense.

(b) COLLECTION AND USE OF DATA.—In carrying out the antimicrobial stewardship program required by subsection (a), the Secretary shall—

(1) develop a consistent manner in which to collect and analyze data on antibiotic usage, health issues related to antibiotic usage (such as Clostridium difficile infections), and antimicrobial resistance trends at medical facilities of the Department in order to evaluate how well the program is improving health care provided to members of the Armed Forces and reducing the inappropriate use of antibiotics at such facilities; and

(2) provide data on antibiotic usage and antimicrobial resistance trends at facilities of the Department to the National Healthcare Safety Network of the Centers for Disease Control and Prevention.

(c) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a strategy for carrying out the antimicrobial stewardship program required by subsection (a).

SA 3393. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X of division A, add the following:

SEC. 1087. TRANSFER OF ADMINISTRATIVE JURISDICTION, BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITIONS.—In this section:

(1) PLANT.—The term ''plant'' means the former Badger Army Ammunition Plant near Baraboo, Wisconsin.

(2) PROPERTY.—The term ''Property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—The Secretary of Defense shall transfer to the Secretary of the Interior administrative jurisdiction over the approximately 1,553 acres of land located within the boundary of the Property, to be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation.

(2) DATE OF TRANSFER.—

(A) IN GENERAL.—The transfer of all land described in paragraph (1) shall be carried out not later than 1 year after the latter of—

(i) the date on which environmental remediation activities on the land described in that paragraph are finalized; and

(ii) the date of enactment of this Act.

(B) FINALIZATION OF ENVIRONMENTAL REMEDIATION ACTIVITIES.—For purposes of this paragraph, environmental remediation activities on a parcel of land to be transferred under paragraph (1) are considered to be finalized on the date on which the Department of Natural Resources of the State of Wisconsin makes a final case closure and no-action-required determination for that parcel of land.

(3) TRANSFER OF PARCELS.—The Secretary of the Army may transfer the land described in paragraph (1) in parcels.

(4) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of Defense shall publish in the Federal Register a legal description of the land to be transferred under paragraph (1).

(c) RETENTION OF ENVIRONMENTAL RESPONSIBILITIES BY THE ARMY.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding the transfer of administrative jurisdiction over the Property to the Secretary of the Interior under subsection (b)(1), the Secretary of the Army shall retain sole Federal responsibility and liability to fund and implement actions necessary for compliance with all environmental remediation activities required to support the land reuse identified in the final case closure and no-action-required determination of the Department of Natural Resources of the State of Wisconsin for any transferred parcel of the Property.

(2) LIMITATION.—The responsibility and liability of the Secretary of the Army described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that occurred before the date on which administrative jurisdiction over the land is transferred under this section.

SA 3394. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 E of title XXVIII, add the following:

SEC. 2842. WITHDRAWAL AND RESERVATION OF ADDITIONAL PUBLIC LAND FOR NAVAL AIR WEAPONS STATION, CHINA LAKE, CALIFORNIA.

(a) IN GENERAL.—Section 2971(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1044) is amended—

(1) by striking ''subsection (a) is the Federal land'' and inserting the following: ''subsection (a) is—

''(1) the Federal land''; and

(2) by striking ''section 2912.'' and inserting the following: ''section 2912;

''(2) approximately 7,556 acres of public land described at Public Law 88–46 and commonly known as the Cuddeback Lake Air Force Range; and

''(3) approximately 4,480 acres comprised of all the public lands within: Sections 31 and 32 of Township 29S, Range 43E; Sections 12, 13, 24, and 25 of Township 30S, Range 42E; and Section 5 and the northern half of Section 6 of Township 31S, Range 43E, Mount Diablo Meridian, in the county of San Bernardino in the State of California, (but excluding the parcel identified as 'AF Fee Simple') as depicted on the map entitled: 'Cuddeback Area of the Golden Valley Proposed Wilderness Additions, June 2014'.''.

(b) EXPIRATIONAL REPEAL.—The Act entitled ''An Act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, California, for defense purposes'', as approved June 21, 1963 (Public Law 88–46; 77 Stat. 69), is repealed.

SA 3395. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 E of title V, add the following:

SEC. 557. REPORT ON FEASIBILITY OF ASSESSMENT OF SEXUAL VIOLENCE INVOLVING RESERVE OFFICERS' TRAINING CORPS CADETS.

(a) REPORT.—Not later than June 30, 2015, the Secretary of Defense shall, in consultation with the Secretary of Education, submit to the congressional defense committees a report setting forth an assessment of the feasibility of conducting a study of sexual violence involving cadets in the Reserve Officers' Training Corps (ROTC) programs during fiscal years 2009 through 2014 in order to determine the extent of sexual violence in the Reserve Officers' Training Corps programs and the need for reform of such programs in connection with such violence.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and prioritization of the quantitative and qualitative data, including collection and assessment methodologies in compliance with applicable privacy laws, that should be used to assess the extent of sexual violence involving Reserve Officers' Training Corps cadets for each Armed Forces and across the Armed Forces in general, including data on—

(A) alleged and proven incidents of sexual violence by Reserve Officers' Training Corps cadets as reported to the Reserve Officers' Training Corps programs, institutions of higher education, and law enforcement officials;

(B) alleged and proven incidents of sexual violence by students of institutions of higher education of demographics similar to the demographics of Reserve Officers' Training Corps cadets as reported to institutions of higher education and law enforcement officials; and

(C) actions officially and unofficially taken by Reserve Officers' Training Corps programs, institutions of higher education, and law enforcement officials in response to such alleged and proven incidents of sexual violence.

(2) An assessment of the feasibility of the collection and analysis of the data provided for in paragraph (1), including the methods and resources that would be necessary to collect, for sample sizes of sufficient size as to provide significant evidence for determining the extent, if any, of sexual violence involving Reserve Officers' Training Corps cadets.

(3) A description of Reserve Officers' Training Corps classroom information materials, course materials, and lesson plans related to education and training for prevention of sexual violence, and the process for developing such materials and lesson plans.

(4) A description of the processes of communication among Reserve Officers' Training Corps program officials, institutions of higher education, and law enforcement officials about alleged and proven sexual violence incidents involving Reserve Officers' Training Corps cadets.

(5) A description of the process to review the records of Reserve Officers' Training Corps cadets, including disciplinary records, are evaluated prior to commissioning.

(6) Such other matters and recommendations with respect to the study required by subsection (a) as the Secretary considers appropriate.

SA 3396. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

On page 738, in the table relating to Other Procurement, Army, insert after the item relating to Joint Light Tactical Vehicle an item relating to Family Medium Tactical Vehicles (FMTV), with a FY 2015 Request amount of ''0'' and a Senate Authorized amount of ''50,000''.

On page 738, in the table relating to Other Procurement, Army, insert after the item relating to Family of Heavy Tactical Vehicles (FHTV) an item relating to Additional HEMTT ESP Vehicles, with a FY 2015 Request amount of ''0'' and a Senate Authorized amount of ''50,000''.

SA 3397. Mr. CARDIN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, after line 11, add the following:

TITLE III—FISH HABITAT CONSERVATION

SEC. 301. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) healthy populations of fish depend on the conservation, protection, restoration, and enhancement of fish habitats in the United States;

(2) fish habitats (including wetlands, streams, rivers, lakes, estuaries, and coastal and marine habitats) perform numerous valuable environmental functions that sustain environmental, social, and cultural values, including recycling nutrients, purifying water, attenuating floods, augmenting and maintaining stream flows, recharging ground water, acting as primary producers in the food chain, and providing essential and significant habitat for plants, fish, wildlife, and other dependent species;

(3) the extensive and diverse fish habitat resources of the United States are of enormous significance to the economy of the United States, providing—

(A) recreation for 60,000,000 anglers;

(B) more than 828,000 jobs and approximately $115,000,000,000 in economic impact each year relating to recreational fishing; and

(C) approximately 575,000 jobs and an additional $36,000,000,000 in economic impact each year relating to commercial fishing;

(4) at least 40 percent of all threatened species and endangered species in the United States are directly dependent on fish habitats;

(5) certain fish species are considered to be ecological indicators of fish habitat quality, such that the presence of those species reflects high-quality habitat for fish species;

(6) loss and degradation of fish habitat, riparian habitat, water quality, and water volume caused by activities such as alteration of watercourses, stream blockages, water withdrawals and diversions, erosion, pollution, sedimentation, and destruction or modification of wetlands have—

(A) caused significant declines in fish populations throughout the United States, especially declines in native fish populations; and

(B) resulted in economic losses to the United States;

(7)(A) providing for the conservation and sustainability of fish populations has not been fully realized, despite federally funded fish and wildlife restoration programs and other activities intended to conserve fish habitat; and

(B) conservation and sustainability may be significantly advanced through a renewed commitment and sustained, cooperative efforts that are complementary to existing fish and wildlife restoration programs and clean water programs;

(8) the National Fish Habitat Action Plan provides a framework for maintaining and restoring fish habitats to perpetuate populations of fish species;

(9) the United States can achieve significant progress toward providing fish habitats for the conservation and restoration of fish species through a voluntary, nonregulatory incentive program that is based on technical and financial assistance provided by the Federal Government;

(10) the creation of partnerships between local citizens, Indian tribes, Alaska Native organizations, corporations, nongovernmental organizations, and Federal, State, and tribal agencies is critical to the success of activities to restore fish habitats;

(11) the Federal Government has numerous land and water management agencies that are critical to the implementation of the National Fish Habitat Action Plan, including—

(A) the United States Fish and Wildlife Service;

(B) the Bureau of Land Management;

(C) the National Park Service;

(D) the Bureau of Reclamation;

(E) the Bureau of Indian Affairs;

(F) the National Marine Fisheries Service;

(G) the Forest Service;

(H) the Natural Resources Conservation Service; and

(I) the Environmental Protection Agency;

(12) the United States Fish and Wildlife Service, the Forest Service, the Bureau of Land Management, and the National Marine Fisheries Service each play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and fish habitats in the United States; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation;

(13) the United States Geological Survey, the United States Fish and Wildlife Service, and the National Marine Fisheries Service each play a vital role in scientific evaluation, data collection, and mapping for fishery resources in the United States;

(14) the State and Territorial fish and wildlife agencies play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and fish habitats in their respective States and territories; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation; and

(15) many of the programs for conservation on private farmland, ranchland, and forestland that are carried out by the Secretary of Agriculture, including the Natural Resources Conservation Service and the State and Private Forestry programs of the Forest Service, are able to significantly contribute to the implementation of the National Fish Habitat Action Plan through the engagement of private landowners.

(b) PURPOSE.—The purpose of this title is to encourage partnerships among public agencies and other interested parties consistent with the mission and goals of the National Fish Habitat Action Plan—

(1) to promote intact and healthy fish habitats;

(2) to improve the quality and quantity of fish habitats and overall health of fish species;

(3) to increase the quality and quantity of fish habitats that support a broad natural diversity of fish and other aquatic species;

(4) to improve fish habitats in a manner that leads to improvement of the annual economic output from recreational, subsistence, and commercial fishing;

(5) to enhance fish and wildlife-dependent recreation;

(6) to coordinate and facilitate activities carried out by Federal departments and agencies under the leadership of—

(A) the Director of the United States Fish and Wildlife Service;

(B) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration; and

(C) the Director of the United States Geological Survey; and

(7) to achieve other purposes in accordance with the mission and goals of the National Fish Habitat Action Plan.

SEC. 302. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(3) BOARD.—The term ''Board'' means the National Fish Habitat Board established by section 303(a)(1).

(4) CONSERVATION; CONSERVE; MANAGE; MANAGEMENT.—The terms ''conservation'', ''conserve'', ''manage'', and ''management'' mean to maintain, sustain, and, where practicable, restore and enhance, using methods and procedures associated with modern scientific resource programs (including protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and the regulated harvesting of fish)—

(A) a healthy population of fish;

(B) a habitat required to sustain fish and fish populations; or

(C) a habitat required to sustain fish productivity.

(5) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(6) FISH.—

(A) IN GENERAL.—The term ''fish'' means any freshwater, diadromous, estuarine, or marine finfish or shellfish.

(B) INCLUSIONS.—The term ''fish'' includes the egg, spawn, spat, larval, and other juvenile stages of an organism described in subparagraph (A).

(7) FISH AND WILDLIFE-DEPENDENT RECREATION.—The term ''fish and wildlife-dependent recreation'' means a use involving hunting, fishing, wildlife observation and photography, or conservation education and interpretation.

(8) FISH HABITAT.—

(A) IN GENERAL.—The term ''fish habitat'' means an area on which fish depend to carry out the life processes of the fish, including an area used by the fish for spawning, incubation, nursery, rearing, growth to maturity, food supply, or migration.

(B) INCLUSIONS.—The term ''fish habitat'' may include—

(i) an area immediately adjacent to an aquatic environment, if the immediately adjacent area—

(I) contributes to the quality and quantity of water sources; or

(II) provides public access for the use of fishery resources; and

(ii) an area inhabited by saltwater and brackish fish, including an offshore artificial marine reef in the Gulf of Mexico.

(9) FISH HABITAT CONSERVATION PROJECT.—

(A) IN GENERAL.—The term ''fish habitat conservation project'' means a project that—

(i) is submitted to the Board by a Partnership and approved by the Secretary under section 305; and

(ii) provides for the conservation or management of a fish habitat.

(B) INCLUSIONS.—The term ''fish habitat conservation project'' includes—

(i) the provision of technical assistance to a State, Indian tribe, or local community by the National Fish Habitat Conservation Partnership Program or any other agency to facilitate the development of strategies and priorities for the conservation of fish habitats; or

(ii) the voluntary obtaining of a real property interest in land or water, by a State, local government, or other non-Federal entity, including water rights, in accordance with terms and conditions that ensure that the real property will be administered for the long-term conservation of—

(I) the land or water; and

(II) the fish dependent on the land or water.

(10) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(11) NATIONAL FISH HABITAT ACTION PLAN.—The term ''National Fish Habitat Action Plan'' means the National Fish Habitat Action Plan dated April 24, 2006, and any subsequent revisions or amendments to that plan.

(12) PARTNERSHIP.—The term ''Partnership'' means an entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to section 304(a).

(13) REAL PROPERTY INTEREST.—The term ''real property interest'' means an ownership interest in—

(A) land;

(B) water (including water rights); or

(C) a building or object that is permanently affixed to land.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(15) STATE.—The term ''State'' means—

(A) each of the several States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) the Virgin Islands; and

(F) any other territory or possession of the United States.

(16) STATE AGENCY.—The term ''State agency'' means—

(A) the fish and wildlife agency of a State;

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or sustains the habitat for those fishery resources of the State pursuant to State law or the constitution of the State; or

(C) the fish and wildlife agency of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States.

SEC. 303. NATIONAL FISH HABITAT BOARD.

(a) ESTABLISHMENT.—

(1) FISH HABITAT BOARD.—There is established a board, to be known as the ''National Fish Habitat Board'', whose duties are—

(A) to promote, oversee, and coordinate the implementation of this title and the National Fish Habitat Action Plan;

(B) to establish national goals and priorities for fish habitat conservation;

(C) to approve Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 28 members, of whom—

(A) 1 shall be the Director;

(B) 1 shall be the Assistant Administrator;

(C) 1 shall be the Chief of the Natural Resources Conservation Service;

(D) 1 shall be the Chief of the Forest Service;

(E) 1 shall be the Assistant Administrator for Water of the Environmental Protection Agency;

(F) 1 shall be the President of the Association of Fish and Wildlife Agencies;

(G) 1 shall be the Secretary of the Board of Directors of the National Fish and Wildlife Foundation appointed pursuant to section 3(g)(2)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(g)(2)(B));

(H) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(I) 1 shall be a representative of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States;

(J) 1 shall be a representative of the American Fisheries Society;

(K) 2 shall be representatives of Indian tribes, of whom—

(i) 1 shall represent Indian tribes from the State of Alaska; and

(ii) 1 shall represent Indian tribes from the other States;

(L) 1 shall be a representative of the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852);

(M) 1 shall be a representative of the Marine Fisheries Commissions, which is composed of—

(i) the Atlantic States Marine Fisheries Commission;

(ii) the Gulf States Marine Fisheries Commission; and

(iii) the Pacific States Marine Fisheries Commission;

(N) 1 shall be a representative of the Sportfishing and Boating Partnership Council; and

(O) 10 shall be representatives selected from each of the following groups:

(i) The recreational sportfishing industry.

(ii) The commercial fishing industry.

(iii) Marine recreational anglers.

(iv) Freshwater recreational anglers.

(v) Terrestrial resource conservation organizations.

(vi) Aquatic resource conservation organizations.

(vii) The livestock and poultry production industry.

(viii) The land development industry.

(ix) The row crop industry.

(x) Natural resource commodity interests, such as petroleum or mineral extraction.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of subparagraphs (H) through (O) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the representatives of the board established by the National Fish Habitat Action Plan shall appoint the initial members of the Board described in subparagraphs (H), (I), (J), (L), (M), (N), and (O) of subsection (a)(2).

(B) TRIBAL REPRESENTATIVES.—Not later than 180 days after the enactment of this Act, the Secretary shall provide to the board established by the National Fish Habitat Action Plan a recommendation of not less than 4 tribal representatives, from which that board shall appoint 2 representatives pursuant to subparagraph (K) of subsection (a)(2).

(3) TRANSITIONAL TERMS.—Of the members described in subsection (a)(2)(O) initially appointed to the Board—

(A) 4 shall be appointed for a term of 1 year;

(B) 4 shall be appointed for a term of 2 years; and

(C) 3 shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in subparagraphs (H), (I), (J), (L), (M), (N), and (O) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (K) of subsection (a)(2), the Secretary shall recommend to the Board a list of not less than 4 tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) REMOVAL.—If a member of the Board described in any of subparagraphs (H) through (O) of subsection (a)(2) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) CHAIRPERSON.—

(1) IN GENERAL.—The Board shall elect a member of the Board to serve as Chairperson of the Board.

(2) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of ⅔ of all members;

(C) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this title;

(D) procedures for designating Partnerships under section 304; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

SEC. 304. FISH HABITAT PARTNERSHIPS.

(a) AUTHORITY TO APPROVE.—The Board may approve and designate Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to coordinate the implementation of the National Fish Habitat Action Plan at a regional level;

(2) to identify strategic priorities for fish habitat conservation;

(3) to recommend to the Board fish habitat conservation projects that address a strategic priority of the Board; and

(4) to develop and carry out fish habitat conservation projects.

(c) APPLICATIONS.—An entity seeking to be designated as a Partnership shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(d) APPROVAL.—The Board may approve an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include Federal, State, or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(2) is organized to promote the health of important fish habitats and distinct geographical areas, important fish species, or system types, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(3) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(4) is able to address issues and priorities on a nationally significant scale;

(5) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decisionmaking by the applicant;

(6) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the decline in fish populations, rather than simply treating symptoms in accordance with the National Fish Habitat Action Plan; and

(7) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

SEC. 305. FISH HABITAT CONSERVATION PROJECTS.

(a) SUBMISSION TO BOARD.—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of fish habitat conservation projects recommended by the Partnership for annual funding under this title.

(b) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a description, including estimated costs, of each fish habitat conservation project that the Board recommends that the Secretary approve and fund under this title, in order of priority, for the following fiscal year.

(c) CONSIDERATIONS.—The Board shall select each fish habitat conservation project to be recommended to the Secretary under subsection (b)—

(1) based on a recommendation of the Partnership that is, or will be, participating actively in carrying out the fish habitat conservation project; and

(2) after taking into consideration—

(A) the extent to which the fish habitat conservation project fulfills a purpose of this title or a goal of the National Fish Habitat Action Plan;

(B) the extent to which the fish habitat conservation project addresses the national priorities established by the Board;

(C) the availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e);

(D) the extent to which the fish habitat conservation project—

(i) increases recreational fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(iv) advances the conservation of fish and wildlife species that have been identified by the States as species in greatest need of conservation;

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), other relevant Federal law, and State wildlife action plans; and

(vi) promotes strong and healthy fish habitats such that desired biological communities are able to persist and adapt; and

(E) the substantiality of the character and design of the fish habitat conservation project.

(d) LIMITATIONS.—

(1) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless the fish habitat conservation project includes an evaluation plan designed—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(C) to identify improvements to existing recreational fishing opportunities and the overall economic benefits for the local community of the fish habitat conservation project; and

(D) to require the submission to the Board of a report describing the findings of the assessment.

(2) ACQUISITION OF REAL PROPERTY INTERESTS.—

(A) ACQUISITION OF REAL PROPERTY INTERESTS.—

(i) IN GENERAL.—Subject to clause (ii), a State, local government, or other non-Federal entity shall be eligible to receive funds under this title for the acquisition of real property.

(ii) RESTRICTION.—No fish habitat conservation project that will result in the acquisition by a State, local government, or other non-Federal entity, in whole or in part, of any real property interest may be recommended by the Board under subsection (b) or provided financial assistance under this title unless the project meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—

(i) IN GENERAL.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity unless—

(I) the Secretary determines that the State, local government, or other non-Federal entity is obligated to undertake the management of the real property being acquired in accordance with the purposes of this title; and

(II) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property.

(ii) ADDITIONAL CONDITIONS.—Any real property interest acquired by a State, local government, or other non-Federal entity pursuant to a fish habitat conservation project shall be subject to terms and conditions established by the Secretary providing for the long-term conservation and management of the fish habitat and the fish and wildlife dependent on that habitat.

(iii) PUBLIC ACCESS.—

(I) IN GENERAL.—Any acquisition of fee title to real property by a State, local government, or non-Federal entity pursuant to this title shall, where applicable and consistent with State laws and regulations, provide public access to that real property for compatible fish and wildlife-dependent recreation.

(II) PUBLIC ACCESS.—Public access to real property described in subclause (I) shall be closed only for purposes of protecting public safety, the property, or habitat.

(iv) STATE AGENCY APPROVAL.—

(I) IN GENERAL.—Any real property interest acquired by a State, local government, or other non-Federal entity under this title shall be approved by the applicable State agency in the State in which the fish habitat conservation project is carried out.

(II) ADMINISTRATION.—The Board shall not recommend, and the Secretary shall not provide any funding under this title for, the acquisition of any real property interest described in subclause (I) that has not been approved by the applicable State agency.

(v) VIOLATION.—If the State, local government, or other non-Federal entity violates any term or condition established by the Secretary under clause (ii), the Secretary may require the State, local government, or other non-Federal entity to refund all or part of any payments received under this title, with interest on the payments as determined appropriate by the Secretary.

(e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) PROJECTS ON FEDERAL LAND OR WATER.—Notwithstanding paragraph (1), Federal funds may be used for payment of 100 percent of the costs of a fish habitat conservation project located on Federal land or water.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from a Federal grant program; but

(B) may include in-kind contributions and cash.

(4) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian tribe pursuant to this title may be considered to be non-Federal funds for the purpose of paragraph (1).

(f) APPROVAL.—

(1) IN GENERAL.—Not later than 180 days after the date of receipt of the recommendations of the Board for fish habitat conservation projects under subsection (b), subject to the limitations under subsection (d), and based, to the maximum extent practicable, on the criteria described in subsection (c)—

(A) the Secretary shall approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is not within a marine or estuarine habitat; and

(B) the Secretary and the Secretary of Commerce shall jointly approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is within a marine or estuarine habitat.

(2) FUNDING.—If a fish habitat conservation project under paragraph (1) is approved by the Secretary, or the Secretary and the Secretary of Commerce jointly, the Secretary, or the Secretary and the Secretary of Commerce jointly, as applicable, shall use amounts made available to carry out this title to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the priority of any fish habitat conservation project recommended by the Board under subsection (b) is rejected or reordered by the Secretary, or the Secretary and the Secretary of Commerce jointly, the Secretary, or the Secretary and the Secretary of Commerce jointly, shall, not later than 180 days after the date of receipt of the recommendations, provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the Secretary, or the Secretary and the Secretary of Commerce jointly, as applicable, detailing the reasons why the Secretary or the Secretary and the Secretary of Commerce jointly rejected or reordered the priority of the fish habitat conservation project.

SEC. 306. NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall establish a program, to be known as the ''National Fish Habitat Conservation Partnership Program'', within the Division of Fish and Aquatic Conservation of the United States Fish and Wildlife Service.

(b) FUNCTIONS.—The National Fish Habitat Conservation Partnership Program shall—

(1) provide funding for the operational needs of the Partnerships, including funding for activities such as planning, project development and implementation, coordination, monitoring, evaluation, communication, and outreach;

(2) provide funding to support the detail of State and tribal fish and wildlife staff to the Program;

(3) facilitate the cooperative development and approval of Partnerships;

(4) assist the Secretary and the Board in carrying out this title;

(5) assist the Secretary in carrying out the requirements of sections 307 and 309;

(6) facilitate communication, cohesiveness, and efficient operations for the benefit of Partnerships and the Board;

(7) facilitate, with assistance from the Director, the Assistant Administrator, and the President of the Association of Fish and Wildlife Agencies, the consideration of fish habitat conservation projects by the Board;

(8) provide support to the Director regarding the development and implementation of the interagency operational plan under subsection (c);

(9) coordinate technical and scientific reporting as required by section 310;

(10) facilitate the efficient use of resources and activities of Federal departments and agencies to carry out this title in an efficient manner; and

(11) provide support to the Board for national communication and outreach efforts that promote public awareness of fish habitat conservation.

(c) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the Assistant Administrator and the heads of other appropriate Federal departments and agencies, shall develop an interagency operational plan for the National Fish Habitat Conservation Partnership Program that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs of the Program; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(d) STAFF AND SUPPORT.—

(1) DEPARTMENTS OF INTERIOR AND COMMERCE.—The Director and the Assistant Administrator shall each provide appropriate staff to support the National Fish Habitat Conservation Partnership Program, subject to the availability of funds under section 313.

(2) STATES AND INDIAN TRIBES.—Each State and Indian tribe is encouraged to provide staff to support the National Fish Habitat Conservation Partnership Program.

(3) DETAILEES AND CONTRACTORS.—The National Fish Habitat Conservation Partnership Program may accept staff or other administrative support from other entities—

(A) through interagency details; or

(B) as contractors.

(4) QUALIFICATIONS.—The staff of the National Fish Habitat Conservation Partnership Program shall include members with education and experience relating to the principles of fish, wildlife, and habitat conservation.

(e) REPORTS.—Not less frequently than once each year, the Director shall provide to the Board a report describing the activities of the National Fish Habitat Conservation Partnership Program.

SEC. 307. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) IN GENERAL.—The Director, the Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, shall provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided pursuant to subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment;

(6) ensuring the availability of experts to conduct scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(7) providing resources to secure State agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

SEC. 308. CONSERVATION OF FISH HABITAT ON FEDERAL LAND.

To the extent consistent with the mission and authority of the applicable department or agency, the head of each Federal department and agency may coordinate with the Assistant Administrator and the Director to promote healthy fish populations and fish habitats.

SEC. 309. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this title, including notification, by not later than 30 days before the date on which the activity is implemented.

SEC. 310. ACCOUNTABILITY AND REPORTING.

(a) REPORTING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of—

(A) this title; and

(B) the National Fish Habitat Action Plan.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet (or other suitable measure) of fish habitat that was maintained or improved under the National Fish Habitat Action Plan by Federal, State, or local governments, Indian tribes, or other entities in the United States during the 2-year period ending on the date of submission of the report;

(B) a description of the public access to fish habitats established or improved under the National Fish Habitat Action Plan during that 2-year period;

(C) a description of the opportunities for public recreational fishing established under the National Fish Habitat Action Plan during that period; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this title during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 305(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 305(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection or reordering of the priority of each fish habitat conservation project recommended by the Board under section 305(b) that was based on a factor other than the criteria described in section 305(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2015, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the status of fish habitats in the United States.

(c) REVISIONS.—Not later than December 31, 2015, and every 5 years thereafter, the Board shall revise the goals and other elements of the National Fish Habitat Action Plan, after consideration of each report required by subsection (b).

SEC. 311. EFFECT OF TITLE.

(a) WATER RIGHTS.—Nothing in this title—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of this Act regarding water quality or water quantity.

(b) AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.—In carrying out section 305(d)(2), only a State, local government, or other non-Federal entity may acquire, in accordance with applicable State law, water rights or rights to property pursuant to a fish habitat conservation projected funded under this title.

(c) STATE AUTHORITY.—Nothing in this title—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(d) EFFECT ON INDIAN TRIBES.—Nothing in this title abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(e) ADJUDICATION OF WATER RIGHTS.—Nothing in this title diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(f) DEPARTMENT OF COMMERCE AUTHORITY.—Nothing in this title affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(g) EFFECT ON OTHER AUTHORITIES.—

(1) PRIVATE PROPERTY PROTECTION.—Nothing in this title permits the use of funds made available to carry out this title to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(2) MITIGATION.—Nothing in this title permits the use of funds made available to carry out this title for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

(3) CLEAN WATER ACT.—Nothing in this title affects or alters any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

SEC. 312. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

SEC. 313. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary $7,200,000 for each of fiscal years 2014 through 2018 to provide funds for fish habitat conservation projects approved under section 305(f), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes.

(2) NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP PROGRAM.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary for each of fiscal years 2014 through 2018 for the National Fish Habitat Conservation Partnership Program, and to carry out section 310, an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(B) REQUIRED TRANSFERS.—The Secretary shall annually transfer to other Federal departments and agencies such percentage of the amounts made available pursuant to subparagraph (A) as is required to support participation by those departments and agencies in the National Fish Habitat Conservation Partnership Program pursuant to the interagency operational plan under section 306(c).

(3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There are authorized to be appropriated for each of fiscal years 2014 through 2018 to carry out, and provide technical and scientific assistance under, section 307—

(A) $500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) $500,000 to the Assistant Administrator for use by the National Oceanic and Atmospheric Administration; and

(C) $500,000 to the Secretary for use by the United States Geological Survey.

(4) PLANNING AND ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2014 through 2018 for use by the Board, the Director, and the Assistant Administrator for planning and administrative expenses an amount equal to 3 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(b) AGREEMENTS AND GRANTS.—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this title; and

(3) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this title.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this title; and

(B) accept donations of funds, property, and services to carry out the purposes of this title.

(2) TREATMENT.—A donation accepted under this section—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

SA 3398. Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, insert the following:

SEC. 1087. SAVING KIDS FROM DANGEROUS DRUGS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Saving Kids From Dangerous Drugs Act of 2014''.

(b) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

''(i) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—

''(1) UNLAWFUL ACT.—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to—

''(A) knowingly or intentionally manufacture or create a controlled substance listed in schedule I or II that is—

''(i) combined with a beverage or candy product;

''(ii) marketed or packaged to appear similar to a beverage or candy product; or

''(iii) modified by flavoring or coloring; and

''(B) know, or have reasonable cause to believe, that the combined, marketed, packaged, or modified controlled substance will be distributed, dispensed, or sold to a person under 18 years of age.

''(2) PENALTIES.—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

''(A) an additional term of imprisonment of not more than 10 years for a first offense involving the same controlled substance and schedule; and

''(B) an additional term of imprisonment of not more than 20 years for a second or subsequent offense involving the same controlled substance and schedule.

''(3) EXCEPTIONS.—Paragraph (1) shall not apply to any controlled substance that—

''(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

''(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice.''.

(c) SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this subsection, the United States Sentencing Commission shall review its guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase to the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(i) of the Controlled Substances Act, as added by subsection (b) of this section.

SA 3399. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VIII, add the following:

SEC. 830. INCREASED MICRO-PURCHASE THRESHOLD FOR PURCHASES BY COMBATANT COMMANDS IN SUPPORT OF OPERATIONS OVERSEAS.

(a) INCREASED MICRO-PURCHASE THRESHOLD.—In the case of any purchase by a combatant command in support of an operation overseas, the micro-purchase threshold for purposes of section 1902 of title 41, United States Code, shall be deemed to be $10,000 rather than the amount otherwise provided for in subsection (a) of such section.

(b) OTHER REQUIREMENTS.—In applying subsections (d) and (e) of section 1902 of title 41, United States Code, to purchases described in subsection (a), the purchases covered by such subsection (d) or (e) shall be deemed to be purchases not greater than $10,000 rather than the amount otherwise provided for in such subsection (d) or (e).

SA 3400. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title XII, add the following:

SEC. 1268. AUTHORITY FOR TAIWAN C–130 FLIGHTS BETWEEN GUAM AND TAIWAN.

Notwithstanding any other provision of law, Taiwan C–130 aircraft are authorized to fly between Taiwan and Guam.

SA 3401. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 A of title XII, add the following:

SEC. 1213. AUTHORITY TO TRANSFER VESSELS TO TAIWAN.

Notwithstanding subsection (a) of section 7307 of title 10, United States Code, vessels otherwise subject to restrictions under such subsection may be disposed of to Taiwan without regard to such restrictions on or before December 31, 2019.

SA 3402. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title XVI, add the following:

SEC. 1647. PLAN FOR CONTINUING EDUCATION ON CYBER MATTERS.

(a) PLAN REQUIRED.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Defense, in cooperation with the Secretaries of the military departments, shall submit to the congressional defense committees a plan for the continuing education of officers and enlisted members of the Armed Forces relating to cyber security and cyber activities of the Department of Defense.

(b) ELEMENTS.—The plan submitted under subsection (a) shall include the following:

(1) Requirements for provision of basic cyber threat education for all members of the Armed Forces.

(2) Requirements for postgraduate education, joint professional military education, and strategic war gaming for cyber strategic and operational leadership.

(3) Definitions of military occupational specialties and rating specialties for each military department along with the corresponding level of cyber training, education, qualifications, or certifications required for each specialty.

SA 3403. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. MAKING PERMANENT EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 126 Stat. 1208) is amended by striking paragraphs (1) and (3).

SA 3404. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 F of title III, add the following:

SEC. 854. MANAGEMENT OF MILITARY AIRSPACE.

(a) INFORMATION ON MILITARY AIRSPACE.—

(1) IN GENERAL.—The Secretary of Defense shall, to the maximum extent possible, work to ensure that publicly available Internet websites or other information sources that enable members of the public to monitor the use by the Department of Defense of new military airspace include sufficient information to allow the public to obtain reasonable information regarding Department use of the airspace.

(2) REASONABLE INFORMATION.—For purposes of paragraph (1), the term ''reasonable information'' means, at a minimum—

(A) a schedule of current and future planned uses of new military airspace;

(B) a list of restrictions corresponding to different uses of the airspace, including a clear representation of what specific segments of new military airspace are scheduled to be used on specific dates; and

(C) contact information and procedures for interested parties to inquire about scheduled uses of new military airspace, receive general information about new military airspace, and request, including by electronic means, modifications to military use related to economic activity or other priorities.

(3) CREATION OF DOD MANAGED INTERNET WEBSITE APPLICATION.—Nothing in this subsection shall be construed as precluding the Department from creating its own Internet website application to improve communication with the general public over the use of new military airspace.

(b) MEMORANDA OF UNDERSTANDING.—The Secretary of Defense shall prioritize reaching memoranda of understanding with private enterprises that utilize new military airspace as part of their regular business model, with the goal of minimizing disruption to affected enterprises while also protecting the national security needs of the Department.

(c) PERIODIC REVIEW OF MILITARY AIRSPACE.—

(1) IN GENERAL.—Every five years after the creation of new military airspace or the changing of current military airspace, the Department of Defense shall conduct a review of the airspace to determine if the amount of military airspace is still in the interests of national security.

(2) SCOPE.—The review conducted under paragraph (1) shall include—

(A) an examination of what units use the space for operations or training;

(B) an assessment of how the number and type of those units has changed in the previous five years; and

(C) a review of changes in military installations that use the airspace and how those changes impact the use of the airspace.

(d) NEW MILITARY AIRSPACE DEFINED.—In this section, the term ''new military airspace'' means—

(1) military airspace designated after the date of the enactment of this Act; and

(2) military airspace the boundaries of which are modified after the date of the enactment of this Act.

SA 3405. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title VII, add the following:

SEC. 737. STUDY ON REDUCING STIGMA AND IMPROVING TREATMENT OF POST-TRAUMATIC STRESS DISORDER AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on reducing the stigma and improving the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(2) CONSULTATION.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall consult with individuals with relevant experience relating to post-traumatic stress disorder, the treatment of post-traumatic stress disorder, and the impact of post-traumatic stress disorder on members of the Armed Forces, veterans, and their families, including the following:

(A) Representatives of military service organizations.

(B) Representatives of veterans service organizations.

(C) Health professionals with experience in treating members of the Armed Forces and veterans with mental illness, including those health professionals who work for the Federal Government and those who do not.

(3) ELEMENTS.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall assess the following:

(A) The feasibility and advisability of strategies to improve the treatment of the full spectrum of post-traumatic stress disorder among members of the Armed Forces and veterans.

(B) The feasibility and advisability of strategies to diminish the stigma attached to post-traumatic stress disorder among members of the Armed Forces and veterans.

(C) The impact of the term ''disorder'' on the stigma attached to post-traumatic stress disorder among members of the Armed Forces and veterans, including the impact of dropping the term ''disorder'', when medically appropriate, when referring to post-traumatic stress.

(D) Whether using the term ''disorder'' is the most accurate way to describe post-traumatic stress disorder in instances in which members of the Armed Forces and veterans have experienced traumatic events but have not been formally diagnosed with post-traumatic stress disorder.

(E) Whether there is a need to update the next version of the ''VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress'', published by the Department of Defense and the Department of Veterans Affairs after the date of the enactment of this Act.

(F) Whether there is a need to update information provided to members of the Armed Forces and veterans, including information on Internet websites of the Department of Defense or the Department of Veterans Affairs, on post-traumatic stress disorder to reduce the stigma and more accurately describe the medical conditions for which members of the Armed Forces and veterans are receiving treatment.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report

on the results of the study required by subsection (a), including recommendations for any actions that the Department of Defense and the Department of Veterans Affairs can take to reduce the stigma and improve the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 3406. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

On page 607, strike line 21 and all that follows through ''Not later than'' on line 24, and insert the following:

SEC. 1625. SELECTION OF CONTRACTORS FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) REQUIREMENT TO CONSIDER GOVERNMENT-PROVIDED COMPETITIVE ADVANTAGE.—In evaluating any offers submitted to the Department of Defense in response to a solicitation for offers for the Evolved Expendable Launch Vehicle program (or any successor to that program), the Secretary of Defense shall consider any situation in which the cost of production or manufacturing operations, including systems and factory engineering, program management, standard integration and testing, launch and range activities, infrastructure, and parts obsolescence mitigation, or certification-related activities, is not fully borne by the offeror for such contract because of government-provided funds.

(b) REPORT ON RELIANCE OF EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM ON FOREIGN MANUFACTURERS.—Not later than

---

SA 3407. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title XXVIII, add the following:

SEC. 2835. LAND CONVEYANCE, FORMER AIR FORCE NORWALK DEFENSE FUEL SUPPLY POINT, NORWALK, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Norwalk, California (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of approximately 15 acres at the former Norwalk Defense Fuel Supply Point for public purposes.

(b) APPLICATION OF ENVIRONMENTAL LAWS.—Nothing in this section shall affect the applicability to the Department of the Air Force of Federal, State, or local environmental laws and regulations, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) PAYMENT OF COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the actual costs incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(e) ADDITIONAL TERMS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 3408. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

Strike section 601.

Strike section 603.

Strike section 702.

At the end of subtitle A of title VI, add the following:

SEC. 605. PROHIBITION ON CHANGES TO MILITARY COMPENSATION AND BENEFITS IN FISCAL YEAR 2015 PENDING THE REPORT OF THE MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION. .

(a) PROHIBITION.—Notwithstanding any other provision of law, the Department of Defense is prohibited from making any changes to military compensation and benefits during fiscal year 2015 until after the date of the report of the Military Compensation and Retirement Modernization Commission under section 674(f) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1792).

(b) DEFINITIONS.—In this section:

(1) The term ''benefits'' means provisions of law providing eligibility for benefits, including medical and dental care, cost-sharing for prescription drug copayments under the TRICARE program, educational assistance and related benefits, and commissary and exchange benefits and related benefits and activities.

(2) The term ''compensation'' means provisions of law providing eligibility for and the computation of military compensation, including basic pay, special and incentive pays and allowances, basic allowance for housing, and basic allowance for subsistence.

SA 3409. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 III, add the following:

SEC. 317. REDESIGNATION OF THE PU'U PA LOCAL TRAINING AREA, HAWAII.

(a) ENVIRONMENTAL RESTORATION PROJECT.—To provide necessary response actions in a fiscally responsible manner that strengthens environmental and cultural protections, the environmental restoration project at the Pu'u Pa Local Training Area, Hawaii, shall be redesignated from the Military Munitions Response Program to the Formerly Used Defense Sites Program.

(b) TRANSFER OF FUNDS.—Funds authorized for the environment restoration project at the Pu'u Pa Local Training Area may be transferred to the Environmental Restoration Account, Formerly Used Defense Sites account in order to carry out the environmental restoration functions of the Secretary of Defense and the Secretaries of the military departments. Any funds so transferred shall remain available until expended.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made between accounts under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) SOURCE OF DEPARTMENT OF DEFENSE FUNDS.—Pursuant to section 2703(c) of title 10, United States Code, the Secretary may use funds available in the Environmental Restoration, Formerly Used Defense Sites account of the Department of Defense for environmental restoration projects conducted for or by the Secretary under subsection (a).

(e) NO EFFECT ON COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section affects or limits the application of or obligation to comply with any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et. seq) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SA 3410. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title V, add the following:

SEC. 582. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this Act referred to as ''DADT'') or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member's representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD–214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member's representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request has been made under subsection (c), the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD–214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD–214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD–214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under this section.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(i) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(j) DEFINITIONS.—In this section:

(1) The term ''appropriate discharge board'' means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term ''covered member'' means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term ''discharge characterization'' means the characterization under which a member of the Armed Forces is discharged or released, including ''dishonorable'', ''general'', ''other than honorable'', and ''honorable''.

(4) The term ''Don't Ask Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

(5) The term ''representative'' means the surviving spouse, next of kin, or legal representative of a covered member.

SA 3411. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 III, add the following:

SEC. 317. REPORT ON CLIMATE CHANGE ADAPTATION PLANNING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the congressional defense committees a report on the progress of the Department of Defense in developing a project plan and milestones for climate change adaption.

(b) ELEMENTS.—The report required by subsection (a) shall address the following:

(1) Completion of climate change vulnerability assessments at military installations.

(2) Completion of data analysis and collection through site surveys.

(3) Measures the Department has taken to review and clarify relevant processes and criteria for construction project approval to ensure that climate change adaptation is considered as beneficial to the mission and readiness of the Department and for the protection of infrastructure and facilities.

SA 3412. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. UDALL of New Mexico, Mr. PAUL, Mr. WHITEHOUSE, Mr. CRUZ, Mr. COONS, Ms. COLLINS, Mr. FRANKEN, Mr. ROBERTS, Mr. HEINRICH, Mr. ENZI, Mr. ROCKEFELLER, Mr. KIRK, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title X, add the following:

SEC. ___. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

''(a) No citizen shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an act of Congress that expressly authorizes such detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Carl Levin National Defense Authorization Act for Fiscal Year 2015.

''(3) This section shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 3413. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

Strike section 1034.

SA 3414. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 title XII, add the following:

Subtitle E—Matters Relating to the Asia Pacific

SEC. 1271. SENSE OF CONGRESS ON THE ASIA-PACIFIC REBALANCE.

It is the sense of Congress that—

(1) the Asia-Pacific region has nearly a third of the world's population and over one-quarter of global gross domestic product, and its future prosperity and security are intertwined with the United States;

(2) In addition to long-standing historic ties with Asia-Pacific countries, such as Japan, the Republic of Korea, Australia and New Zealand, the United States welcomes its growing partnerships and collaboration with member states of the Association of Southeast Asian Nations and with governments across the Pacific Islands;

(3) throughout the Asia-Pacific, a strong defense posture provides the foundation for United States national security as well as for United States diplomatic, economic, humanitarian, and people-to-people engagement in the region;

(4) a regional defense posture must therefore include a balance of traditional and nontraditional military engagement in order to make use of the capabilities and capacities of United States partners and allies in the region with fewer resources;

(5) traditional military engagement is especially important in areas such as nonproliferation, ballistic and cruise missile defense, maritime security assistance, and combined military exercises;

(6) nontraditional defense engagement should include collaboration on combating emerging infectious diseases, responding to humanitarian disasters and extreme weather events, effectively addressing the security challenges posed by human and drug trafficking, civilian educational partnerships and foreign language learning, and joint research endeavors devoted to meeting the region's energy needs;

(7) while the Department of Defense is traditionally the United States Government agency with the resources and capacity to lead engagement throughout the region, whenever and wherever possible it should work closely with interagency partners to accomplish shared foreign policy objectives and should encourage those interagency partners to lead when appropriate in order to better achieve United States objectives in the Asia Pacific;

(8) regionally-focused security studies organizations managed by the Defense Security Cooperation Agency, such as the Asia-Pacific Center for Security Studies established with the support of the late Senator Daniel K. Inouye, are critical to building broad, multilateral approaches to regional security concerns; and

(9) to support the rebalance to the Asia Pacific, the Department of Defense is encouraged to—

(A) enhance the use of the National Guard State Partnership Program to broaden and deepen mutually beneficial relationships with partner militaries and facilitate interoperability across a range of issues, such as humanitarian assistance and disaster relief;

(B) advance shared goals in the area of global health, including through biosurveillance and disease monitoring, as well as collaboration between partner governments and the United States Army Research Institute of Infectious Disease to protect military and civilian interests from all biological threats;

(C) improve resilience to extreme weather and other natural disasters through humanitarian assistance and disaster relief exercises that build the capacities and capabilities of partners and allies in the Pacific;

(D) reduce the strategic vulnerability of fossil fuel consumption through science and technology agreements that help the Department and partner governments improve energy efficiency of military platforms and conservation at bases, and engineer nonpetroleum alternative fuels that can be dropped into existing military platforms;

(E) utilize to the fullest extent possible the National Security Education Program to continue to build a broader and more qualified pool of United States citizens with critical-need foreign language and cultural competency skills relevant to the Asia-Pacific, and increase collaboration with appropriate interagency partners, such as the Department of State, that sponsor similar language training and other scholarship programs with an Asia-Pacific focus; and

(F) explore additional ways to leverage the highly-effective nontraditional military and civilian academic partnership and capacity-building programs at the Asia-Pacific Center for Strategic Studies and further develop the Center's alliances with its Defense Security Cooperation Agency sister organizations, the George C. Marshall European Center for Security Studies, the Africa Center for Strategic Studies, the William J. Perry Center for Hemispheric Defense Studies, and the Near East South Asia Center for Strategic Studies.

SA 3415. Ms. KLOBUCHAR (for herself and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 appropriate place, insert the following:

SEC. ___. GRANTS FOR EMERGENCY MEDICAL SERVICES PERSONNEL TRAINING FOR VETERANS.

Section 330J(c) of the Public Health Service Act (42 U.S.C. 254c–15(c)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(9) furnish coursework and training to veterans to enable such veterans to satisfy emergency medical services personnel certification requirements, as determined by the appropriate State regulatory entity, except that in providing such coursework and training, such entity shall take into account previous medical coursework and training received when such veterans were members of the Armed Forces on active duty.''.

SA 3416. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

On page 120, line 17, insert ''during any period, regardless of the duty status of the individual at the time of the alleged offense,'' after ''sex-related offense''.

SA 3417. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

Strike section 544 and insert the following:

SEC. 544. ACCESS TO SPECIAL VICTIMS' COUNSEL.

(a) IN GENERAL.—Subsection (a) of section 1044e of title 10, United States Code, is amended to read as follows:

''(a) DESIGNATION; PURPOSES.—(1) The Secretary concerned shall designate legal counsel (to be known as 'Special Victims' Counsel') for the purpose of providing legal assistance to an individual described in paragraph (2) who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

''(2) An individual described in this paragraph is any of the following:

''(A) An individual eligible for military legal assistance under section 1044 of this title.

''(B) An individual who is—

''(i) not covered under subparagraph (A);

''(ii) a member of a reserve component of the armed forces; and

''(iii) a victim of an alleged sex-related offense as described in paragraph (1)—

''(I) during a period in which the individual served on active duty, full-time National Guard duty, or inactive-duty training; or

''(II) during any period, regardless of the duty status of the individual, if the circumstances of the alleged sex-related offense have a nexus to the military service of the victim.''.

(b) CONFORMING AMENDMENT.—Subsection (f) of such section is amended by striking ''eligible for military legal assistance under section 1044 of this title'' each place it appears and inserting ''described in subsection (a)(2)''.

SA 3418. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D, of title VIII, add the following:

SEC. 864. REPORTING ON USE OF SERVICE CONTRACTS BY INTELLIGENCE COMMUNITY.

(a) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the congressional defense committees and the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report with an inventory of service contractors used by each element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), including, for each such contract, the contractor, a description of the service provided, and the amount obligated or expended.

(b) FORM.—The report required under subsection (a) may be submitted in classified form, but shall contain an unclassified summary including the total amount expended by each element of the intelligence community on service contracts.

SA 3419. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VIII, add the following:

SEC. 830. REQUIREMENT FOR POLICIES AND STANDARD CHECKLIST IN PROCUREMENT OF SERVICES.

(a) REQUIREMENT.—Section 2330a of title 10, United States Code, is amended—

(1) by redesignating subsections (g), (h), (i), and (j) as subsections (h), (i), (j), and (k), respectively; and

(2) by inserting after subsection (f) the following new subsection:

''(g) REQUEST FOR SERVICE CONTRACT APPROVAL.—The Under Secretary of Defense for Personnel and Readiness shall—

''(1) establish a standard checklist to be completed before the issuance of a solicitation for any new contract for services or exercising an option under an existing contract for services, including services provided under a contract for goods;

''(2) issue policies implementing the standard checklist;

''(3) draft guidelines regulating the checklist; and

''(4) ensure such policies and checklist are incorporated into the Department of Defense Supplement to the Federal Acquisition Regulation.''.

(b) ARMY MODEL.—In implementing section 2330a(g) of title 10, United States Code, as added by subsection (a), the Under Secretary of Defense for Personnel and Readiness shall model, to the maximum extent practicable, its policies and checklist on the policies and checklist relating to services contract approval established and in use by the Department of the Army (as set forth in the request for services contract approval form updated as of August 2012, or any successor form).

(c) DEADLINE.—The policies required under such section 2230a(g) shall be issued within 120 days after the date of the enactment of this Act.

(d) REPORT.—The Comptroller General of the United States shall submit to the congressional defense committees a report on the implementation of the standard checklist required under such section 2330a(g) for each of fiscal years 2015, 2016, and 2017 within 120 days after the end of each such fiscal year.

SA 3420. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. EXTENSION OF ELIGIBILITY FOR HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME AND DOMICILIARY CARE FOR CERTAIN VETERANS WHO SERVED IN A THEATER OF COMBAT OPERATIONS.

Section 1710(e)(3)(A) of title 38, United States Code, is amended by striking ''period of five years'' and inserting ''period of 10 years''.

SA 3421. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title I, add the following:

SEC. 141. AUTHORIZATION OF MODERNIZATION PROGRAMS FOR C-130 AIRCRAFT.

The Air Force may use programs other than, and in addition to, the avionics modernization program for C-130 aircraft to modernize such aircraft.

SA 3422. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 G of title V, add the following:

SEC. 577. DEFERRAL OF PRINCIPAL OF FEDERAL STUDENT LOANS FOR CERTAIN PERIOD IN CONNECTION WITH RECEIPT OF ORDERS FOR MOBILIZATION FOR WAR OR NATIONAL EMERGENCY.

(a) FEDERAL FAMILY EDUCATION LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) in the matter preceding clause (i), by striking '', during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''during which'' and inserting ''during any period during which'';

(4) in clause (iii)—

(A) by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following subclause (II), by striking '' or'' after the semicolon;

(5) by redesignating clause (iv) as clause (vi);

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(b) DIRECT LOANS.—Section 455(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''during any period'';

(2) in subparagraph (A), by striking ''during which'' and inserting ''during any period during which'';

(3) in subparagraph (B), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in subparagraph (C)—

(A) by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following clause (ii), by striking '' or'' after the semicolon;

(5) by redesignating subparagraph (D) as subparagraph (F);

(6) by inserting after subparagraph (C) the following:

''(D) in the case of any borrower who has received a call or order to duty described in clause (i) or (ii) of subparagraph (C), during the shorter of—

''(i) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in clause (i) or (ii) of subparagraph (C); and

''(ii) the 180-day period preceding the first day of such service;

''(E) notwithstanding subparagraph (D)—

''(i) in the case of any borrower described in such subparagraph whose call or order to duty is cancelled before the first day of the service described in clause (i) or (ii) of subparagraph (C) because of a personal injury in connection with training to prepare for such service, during the period described in subparagraph (D) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(ii) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in clause (i), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in subparagraph (F) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(c) PERKINS LOANS.—Section 464(c)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in clause (iii), by striking ''during which'' and inserting ''during any period during which'';

(5) by redesignating clauses (iv) and (v) as clauses (vi) and (vii), respectively;

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled;'';

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''; and

(8) in clause (vii) (as redesignated by paragraph (5)), by striking ''during which'' and inserting ''during any period during which''.

(d) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize any refunding of any repayment of a loan.

(e) APPLICABILITY.—The amendments made by this section shall apply with respect to all loans made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

SA 3423. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 title XI, add the following:

SEC. 1105. APPELLATE PROCEDURES FOR ELIGIBILITY FOR SENSITIVE POSITIONS.

(a) AMENDMENTS.—Section 7701 of title 5, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

''(k)(1) The Board has authority to review on the merits an appeal by an employee or applicant for employment of an action arising from a determination that the employee or applicant for employment is ineligible for a sensitive position if—

''(A) the sensitive position does not require a security clearance or access to classified information; and

''(B) such action is otherwise appealable.

''(2) In this subsection, the term 'sensitive position' means a position designated as a sensitive position under Executive Order 10450 (5 U.S.C. 7311 note), or any successor thereto.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any appeal that is pending on, or commenced on or after, the date of enactment of this Act.

SA 3424. Mr. TESTER (for himself and Mr. WALSH) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title I, add the following:

SEC. 141. TEMPORARY LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER OF CERTAIN RED HORSE UNITS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Air Force may be obligated or expended to transfer from one facility to another any Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) unit based in the continental United States until 60 days after the Secretary of the Air Force submits to the congressional defense committees a report that includes the following:

(1) A recommended basing alignment for RED HORSE units.

(2) An assessment of the national security benefits and any other benefits of the proposed transfer.

(3) An assessment of the costs of the proposed transfer, including the impact of the proposed transfer on the facility or facilities from which a RED HORSE unit will be transferred.

(4) An analysis of the recommended basing alignment that demonstrates that the recommendation is the most effective and efficient alternative for such basing alignment.

(5) An assessment of how the basing alignment affects the national emergency response mission of RED HORSE Reserve Component units.

SA 3425. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title III, add the following:

SEC. 332. REPORT ON ASSET TRACKING.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of creating a specific line item in the Operations and Maintenance, Defense-wide budget to fund asset tracking and in-transit visibility initiatives, including implementation of an item unique identification (IUID) system.

SA 3426. Mr. KING (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. CONSOLIDATED DEFINITION OF SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY VETERANS.

(a) SHORT TITLE.—This section may be cited as the ''Improving Opportunities for Service-Disabled Veteran-Owned Small Businesses Act of 2014''.

(b) SMALL BUSINESS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—The term 'small business concern owned and controlled by service-disabled veterans' means a small business concern—

''(A)(i) not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

''(ii) the management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran; or

''(B) not less than 51 percent of which is owned by one or more veterans with service-connected disabilities that are permanent and total who are unable to manage the daily business operations of such concern or, in the case of a publicly owned business, not less than 51 percent of the stock of which is owned by one or more such veterans.''; and

(2) by adding at the end the following:

''(6) TREATMENT OF BUSINESSES AFTER DEATH OF VETERAN-OWNER.—

''(A) IN GENERAL.—If the death of a service-disabled veteran causes a small business concern to be less than 51 percent owned by one or more such veterans, the surviving spouse of such veteran who acquires ownership rights in such small business concern shall, for the period described in subparagraph (B), be treated as if the surviving spouse were that veteran for the purpose of maintaining the status of the small business concern as a small business concern owned and controlled by service-disabled veterans.

''(B) PERIOD DESCRIBED.—The period referred to in subparagraph (A) is the period beginning on the date on which the service-disabled veteran dies and ending on the earliest of the following dates:

''(i) The date on which the surviving spouse remarries.

''(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern.

''(iii) The date that—

''(I) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran's death; or

''(II) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran's death.''.

(c) VETERANS AFFAIRS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—Section 8127 of title 38, United States Code, is amended—

(1) by striking subsection (h); and

(2) in subsection (l)(2), by striking ''means'' and all that follows through the period at the end and inserting the following: ''has the meaning given that term under section 3(q) of the Small Business Act (15 U.S.C. 632(q)).''.

(d) GAO REPORT ON VERIFICATION OF STATUS.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Veterans' Affairs and the Committee on Small Business of the House of Representatives a report—

(1) evaluating whether it is practicable for the Administrator of the Small Business Administration or the Secretary of Veterans Affairs to have Government-wide responsibility for verifying whether a business concern purporting to be a small business concern owned and controlled by service-disabled veterans (as defined under section 3(q) of the Small Business Act (15 U.S.C. 632(q)), as amended by this section) qualifies as a small business concern owned and controlled by service-disabled veterans; and

(2) making recommendations on the advisability of the Administrator of the Small Business Administration or the Secretary of Veterans Affairs having such Government-wide responsibility.

SA 3427. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

In section 1522, strike subsection (b).

SA 3428. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title XII, add the following:

SEC. 1247. REPORT ON ACCOUNTABILITY FOR WAR CRIMES AND CRIMES AGAINST HUMANITY IN SYRIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and again not later than 180 days after the cessation of violence in Syria, the Secretary of State shall submit to the appropriate congressional committees a report on war crimes and crimes against humanity in Syria.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of violations of internationally recognized human rights and crimes against humanity perpetrated during the civil war in Syria, including—

(A) an account of the war crimes and crimes against humanity committed by the regime of President Bashar al-Assad;

(B) an account of the war crimes and crimes against humanity committed by violent extremist groups and other combatants in the conflict; and

(C) a description of the conventional and unconventional weapons used for such crimes and, where possible, the origins of the weapons.

(2) A description of efforts by the Department of State and the United States Agency for International Development to ensure accountability for violations of internationally recognized human rights and crimes against humanity perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including—

(A) a description of initiatives that the United States Government has undertaken to train investigators in Syria on how to document, investigate, and develop findings of war crimes, including the number of United States Government or contract personnel currently designated to work full-time on these issues and an identification of the authorities and appropriations being used to support training efforts;

(B) a description of the strategy and implementation efforts to ensure accountability for crimes committed during the Syrian conflict, including efforts to promote the establishment of an ad hoc tribunal to prosecute the perpetrators of war crimes committed during the civil war in Syria; and

(C) an assessment of the impact of those initiatives.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 3429. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title XII, add the following:

SEC. 1268. FULBRIGHT UNIVERSITY VIETNAM.

(a) DEFINITIONS.—Section 203 of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted into law by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C. 2452 note) is amended—

(1) by redesignating paragraph (4) as paragraph (6); and

(2) by inserting afer paragraph (3) the following:

''(4) FULBRIGHT UNIVERSITY VIETNAM.—The term 'Fulbright University Vietnam' means an independent, not-for-profit academic institution to be established in the Socialist Republic of Vietnam.

''(5) TRUST FOR UNIVERSITY INNOVATION IN VIETNAM.—The term 'Trust for University Innovation in Vietnam' means a not-for-profit organization founded in 2012, which is engaged in promoting institutional innovation in Vietnamese higher education.''.

(b) USE OF VIETNAM DEBT REPAYMENT FUND FOR FULBRIGHT UNIVERSITY VIETNAM.—Section 207(c)(3) of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted into law by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–257; 22 U.S.C. 2452 note) is amended to read as follows:

''(3) USE OF EXCESS FUNDS FOR FULBRIGHT UNIVERSITY VIETNAM.—During each of the fiscal years 2014 through 2018, amounts deposited into the Fund, in excess of the amounts made available to the Foundation under paragraph (1), shall be made available by the Secretary of the Treasury, upon the request of the Secretary of State, for grants to the Trust for University Innovation in Vietnam for the purpose of supporting the establishment of Fulbright University Vietnam.''.

(c) GRANTS AUTHORIZED.—The Vietnam Education Foundation Act of 2000 (22 U.S.C.

2452 note) is amended by adding at the end the following:

''SEC. 211. FULBRIGHT UNIVERSITY VIETNAM.

''(a) GRANTS AUTHORIZED.—The Secretary of State may award 1 or more grants to the Trust for University Innovation in Vietnam, which shall be used to support the establishment of Fulbright University Vietnam.

''(b) APPLICATION.—In order to receive 1 or more grants pursuant to subsection (a), Trust for University Innovation in Vietnam shall submit an application to the Secretary of State at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(c) MINIMUM STANDARDS.—As a condition of receiving grants under this section, Trust for University Innovation in Vietnam shall ensure that Fulbright University Vietnam—

''(1) achieves standards comparable to those required for accreditation in the United States;

''(2) offers graduate and undergraduate level teaching and research programs in a broad range of fields, including public policy, management, and engineering; and

''(3) establishes a policy of academic freedom and prohibits the censorship of dissenting or critical views.

''(d) ANNUAL REPORT.—Not later than 90 days after the last day of each fiscal year, the Secretary of State shall submit a report to the appropriate congressional committees that summarizes the activities carried out under this section during such fiscal year.''.

SA 3430. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. MAKING PERMANENT SPECIAL EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION BY SECRETARY OF VETERANS AFFAIRS FOR VETERANS WHO SUBMIT APPLICATIONS FOR ORIGINAL CLAIMS THAT ARE FULLY-DEVELOPED.

Section 5110(b)(2)(C) of title 38, United States Code, is amended by striking ''and shall not apply with respect to claims filed after the date that is three years after the date of the enactment of such Act''.

SEC. 1088. PROVISIONAL BENEFITS AWARDED BY SECRETARY OF VETERANS AFFAIRS FOR FULLY DEVELOPED CLAIMS PENDING FOR MORE THAN 180 DAYS.

(a) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following:

''§ 5319A. Provisional benefits awarded for fully developed claims pending for extended period

''(a) PROVISIONAL AWARDS REQUIRED.—For each application for disability compensation that is filed for an individual with the Secretary, that sets forth an original claim that is fully-developed (as determined by the Secretary) as of the date of submittal, and for which the Secretary has not made a decision, beginning on the date that is 180 days after the date on which such application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

''(b) PROVISIONAL AWARDS ESTABLISHED.—A provisional benefit awarded pursuant to subsection (a) for a claim for disability compensation shall be for such monthly amount as the Secretary shall establish for each classification of disability claimed as the Secretary shall establish.

''(c) RECOVERY.—Notwithstanding any other provision of law, the Secretary may recover a payment of a provisional benefit awarded under this section for an application for disability compensation only—

''(1) in a case in which the Secretary awards the disability compensation for which the individual filed the application and the Secretary may only recover such provisional benefit by subtracting it from payments made for the disability compensation awarded; or

''(2) in a case in which the Secretary determines not to award the disability compensation for which the individual filed the application and the Secretary determines that the application was the subject of intentional fraud, misrepresentation, or bad faith on behalf of the individual.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5319 the following new item:

''5319A. Provisional benefits awarded for fully developed claims pending for extended period.''.

SA 3431. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 V, add the following:

SEC. 515. EDUCATIONAL ASSISTANCE TO ENCOURAGE MEMBERSHIP IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PROGRAMS OF ASSISTANCE AUTHORIZED.—Chapter 1611 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 16402. National Guard and Reserves: educational assistance to encourage membership

''(a) AUTHORITY.—Each Secretary of a military department may carry out a program to encourage membership in the reserve components of the armed forces under the jurisdiction of such Secretary through the provision of educational assistance to individuals who participate in such program in order to develop skills that are critical to such reserve components as determined by such Secretary.

''(b) PARTICIPATION BY INDIVIDUALS BEFORE COMMENCEMENT OF GRADE 12.—(1) An individual who is more than sixteen years of age may participate in a program under this section before commencing grade 12 in a secondary school with the written consent of the individual's parent or guardian (if the individual has a parent or guardian entitled to the custody and control of the individual).

''(2) An individual who participates in a program under this section pursuant to paragraph (1) may complete entry level and skill training before commencing grade 12 in a secondary school.

''(c) ADMINISTRATION REQUIREMENTS.—In carrying out a program under this section, the Secretary of a military department shall—

''(1) establish and maintain a current list of the skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary; and

''(2) prescribe academic and other performance standards to be met by individuals participating in the program.

''(d) PARTICIPATION AGREEMENT.—An individual who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned—

''(1) to enlist in or accept an appointment as an officer in a reserve component of the armed forces;

''(2) to complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

''(3) to pursue on a full-time basis a course of education—

''(A) leading to a bachelor's or associate's degree at an institution of higher education; or

''(B) that—

''(i) is offered by an institution of higher education; and

''(ii) upon completion, will provide the individual with a level of education that is similar to a course of education described in subparagraph (A), as determined pursuant to subsection (c)(2);

''(4) while pursuing a course of education under paragraph (3), to perform such active duty for training during periods between academic terms of the institution of higher education involved as such Secretary shall specify in the agreement; and

''(5) as provided in subsection (i), to serve in the reserve component of the armed forces specified in such agreement for two years for each academic year for which the individual receives educational assistance under this section.

''(e) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amount of educational assistance provided under a program under this section to an individual pursuing a course of education described in subsection (d)(3) during an academic year shall be the lesser of—

''(1) the maximum amount of in-State tuition and fees assessed during such academic year for programs of education leading to a bachelor's degree by public institutions of higher education in the State whose National Guard the individual is a member of or where the individual resides, as applicable; or

''(2) the amount of tuition and fees assessed during such academic year for such course of education by the institution of higher education providing such course of education.

''(f) PAYMENT OF EDUCATIONAL ASSISTANCE.—(1) The Secretary of the military department concerned shall pay educational assistance to individuals participating in programs under this section on a monthly basis.

''(2) The maximum number of months of educational assistance payable to an individual participating in a program under this section may not exceed the aggregate number of months comprising four academic years at the institution or institutions attended by the individual pursuant to the program.

''(g) RESERVE STATUS.—(1) Each individual participating in a program under this section shall, while pursuing a course of education under such program, be the following:

''(A) A member of the inactive National Guard or the Individual Ready Reserve, as applicable, during academic terms of pursuit of such course of education pursuant to subsection (d)(3).

''(B) A member of the National Guard or the Ready Reserve, as applicable, in active

status while performing training during periods between such academic terms pursuant to subsection (d)(4)

''(2) Notwithstanding status under paragraph (1), an individual may not be called or ordered to active duty (other than active duty for training in accordance with subsection (d)(4)) while pursuing a course of education under a program under this section.

''(h) INELIGIBILITY FOR OTHER EDUCATIONAL ASSISTANCE DURING PARTICIPATION IN PROGRAM.—(1) An individual who participates in a program under this section is not, while so participating, eligible for educational assistance under any other provision of this title, any other law administered by the Secretary of Defense or the Secretaries of the military departments, any law administered by the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy), or any law administered by the Secretary of Veterans Affairs.

''(2) Any service in the armed forces by an individual described in paragraph (1) while participating in a program under this section shall be treated as qualifying the individual for education assistance under provisions of law referred to in that paragraph to the extent provided in such provisions of law.

''(i) COMMENCEMENT OF SERVICE REQUIREMENT.—The service requirement of an individual pursuant to subsection (d)(5) shall commence as follows:

''(1) When the individual obtains the bachelor's or associate's degree, or completes the course of education described in subsection (d)(3)(B), for which the individual was paid educational assistance under this section.

''(2) If the individual ceases pursuit on a full-time basis of a course of education at an institution of higher education as agreed to pursuant to subsection (d)(3).

''(3) If the individual otherwise fails the obtain a bachelor's or associate's degree, or course of education described in subsection (d)(3)(B), as so agreed to.

''(j) REPAYMENT.—An individual who participates in a program under this section and who fails to complete the equivalent of a single academic year of education pursuant to subsection (d)(3) or complete the period of service or meet the types or conditions of serve for which educational assistance was provided the individual under the program, as specified in the written agreement of the individual under subsection (d), shall be subject to the repayment provisions of section 373 of title 37.

''(k) FUNDING.—Amounts available to the Secretary of the military department concerned for the payment of recruitment and retention bonuses and special pays shall be available to such Secretary to carry out a program under this section.

''(l) DEFINITIONS.—In this section:

''(1) The term 'entry level and skill training' means the following:

''(A) In the case of members of the Army National Guard of the United States or the Army Reserve, Basic Combat Training and Advanced Individual Training or One Station Unit Training.

''(B) In the case of members of the Navy Reserve, Recruit Training (or Boot Camp) and Skill Training (or so-called 'A School').

''(C) In the case of members of the Air National Guard of the United States of the Air Force Reserve, Basic Military Training and Technical Training.

''(D) In the case of members of the Marine Corps Reserve, Recruit Training and Marine Corps Training (or School of Infantry Training).

''(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1611 of such title is amended by adding at the end the following new item:

''16402. National Guard and Reserves: educational assistance to encourage membership.''.

SA 3432. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 A of title VIII, add the following:

SEC. 810. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as amended by section 802 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 804) is further amended—

(1) in subsections (a) and (b), by striking ''or 2014'' and inserting ''2014, or 2015'';

(2) in subsection (c)(3), by striking ''and 2014'' and inserting ''2014, and 2015'';

(3) in subsection (d)(4), by striking ''or 2014'' and inserting ''2014, or 2015''; and

(4) in subsection (e), by striking ''2014'' and inserting ''2015''.

SA 3433. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. NATIONAL BLUE ALERT COMMUNICATIONS NETWORK.

(a) SHORT TITLE.—This section may be cited as the ''National Blue Alert Act of 2014''.

(b) DEFINITIONS.—In this section:

(1) COORDINATOR.—The term ''Coordinator'' means the Blue Alert Coordinator of the Department of Justice designated under subsection (d)(1).

(2) BLUE ALERT.—The term ''Blue Alert'' means information relating to the serious injury or death of a law enforcement officer in the line of duty sent through the network.

(3) BLUE ALERT PLAN.—The term ''Blue Alert plan'' means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' shall have the same meaning as in section 1204(6) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(6)).

(5) NETWORK.—The term ''network'' means the Blue Alert communications network established by the Attorney General under subsection (c).

(6) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(c) BLUE ALERT COMMUNICATIONS NETWORK.—The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

(d) BLUE ALERT COORDINATOR; GUIDELINES.—

(1) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(2) DUTIES OF THE COORDINATOR.—The Coordinator shall—

(A) provide assistance to States and units of local government that are using Blue Alert plans;

(B) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

(i) a list of the resources necessary to establish a Blue Alert plan;

(ii) criteria for evaluating whether a situation warrants issuing a Blue Alert;

(iii) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;

(iv) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(I) the law enforcement agency involved—

(aa) confirms—

(AA) the death or serious injury of the law enforcement officer; or

(BB) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(bb) concludes that the law enforcement officer is missing in the line of duty;

(II) there is an indication of serious injury to or death of the law enforcement officer;

(III) the suspect involved has not been apprehended; and

(IV) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(v) guidelines—

(I) that information relating to a law enforcement officer who is seriously injured or killed in the line of duty should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and any relevant crime information repository of the State involved;

(II) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(III) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(IV) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(vi) guidelines for—

(I) the issuance of Blue Alerts through the network; and

(II) the extent of the dissemination of alerts issued through the network;

(C) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(i) the use of public safety communications;

(ii) command center operations; and

(iii) incident review, evaluation, debriefing, and public information procedures;

(D) work with States to ensure appropriate regional coordination of various elements of the network;

(E) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(i) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(ii) members who are—

(I) representatives of a law enforcement organization representing rank-and-file officers;

(II) representatives of other law enforcement agencies and public safety communications;

(III) broadcasters, first responders, dispatchers, and radio station personnel; and

(IV) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(F) act as the nationwide point of contact for—

(i) the development of the network; and

(ii) regional coordination of Blue Alerts through the network; and

(G) determine—

(i) what procedures and practices are in use for notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty; and

(ii) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(3) LIMITATIONS.—

(A) VOLUNTARY PARTICIPATION.—The guidelines established under paragraph (2)(B), protocols developed under paragraph (2)(C), and other programs established under paragraph (2), shall not be mandatory.

(B) DISSEMINATION OF INFORMATION.—The guidelines established under paragraph (2)(B) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(C) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under paragraph (2)(B) shall—

(i) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(ii) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

(4) COOPERATION WITH OTHER AGENCIES.—The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this section.

(5) RESTRICTIONS ON COORDINATOR.—The Coordinator may not—

(A) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(B) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(C) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(6) REPORTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

SA 3434. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 D of title VIII, add the following:

SEC. 864. SBA SURETY BOND GUARANTEE.

Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking ''70'' and inserting ''90''.

SA 3435. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title II, add the following:

SEC. 223. REPORT ON INTERAGENCY INTEROPERABILITY FOR RESEARCH AND DEVELOPMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on interagency interoperability of research and development, including on how the Secretary can encourage innovation, strengthen collaboration, and realize cost savings in scientific research.

SA 3436. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 E of title V, the following:

SEC. 557. PRIVILEGE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN A VICTIM OF SEXUAL ASSAULT AND PERSONNEL OF THE DEPARTMENT OF DEFENSE SAFE HELPLINE AND DEPARTMENT OF DEFENSE SAFE HELPROOM.

Not later than one year after the date of the enactment of this Act, the Military Rules of Evidence shall be modified to establish a privilege against the disclosure of communications between the victim of a sexual assault and personnel of the Department of Defense Safe Helpline, and between the victim of a sexual assault and personnel of the Department of Defense Safe HelpRoom, with respect to such sexual assault.

SA 3437. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 F of title III, add the following:

SEC. 354. AUTHORITY FOR NATIONAL GUARD BUREAU ACQUISITION OF CERTAIN DUAL USE EQUIPMENT IDENTIFIED AS SIGNIFICANT MAJOR ITEMS SHORTAGES.

Notwithstanding any other provision of law, during fiscal year 2015, the National Guard Bureau may acquire the modification, repair, recapitalization, modernization, or upgrade of critical dual use equipment identified as ''Significant Major Items Shortages'' from the Readiness Sustainment Maintenance Sites utilizing funds appropriated within the National Guard and Reserve equipment appropriation, including semitrailer recapitalization, High Mobility Multi-Purpose Wheeled Vehicle ambulance recapitalization, construction engineer equipment, combat mobility, and Palletized Loading Systems.

SA 3438. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title VII, add the following:

SEC. 737. EXTENSION OF QUALIFICATION OF CERTAIN MENTAL HEALTH COUNSELORS UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Notwithstanding the interim final rule entitled ''TRICARE: Certified Mental Health Counselors'' prescribed by the Secretary of Defense and published on December 27, 2011, or any other provision of law—

(1) any mental health counselor who is, as of October 1, 2014, a qualified mental health provider under section 199.4 of title 32, Code of Federal Regulations, only while practicing under the supervision of a physician, shall continue to be a qualified mental health provider under such section for purposes of the TRICARE program until not earlier than December 31, 2015, if such mental health counselor maintains all qualifications to serve as a qualified mental health

provider under such section (including practicing under the supervision of a physician); and

(2) any mental health counselor described in paragraph (1) shall remain eligible for reimbursement under the TRICARE program while continuing to qualify as a mental health provider under such section, in accordance with such paragraph.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) The number of certified mental health counselors who are available to provide mental health counseling to beneficiaries of the TRICARE program, disaggregated by State and territory of the United States.

(2) The number of mental health counselors who are, as of the date of the submittal of the report, qualified mental health providers under section 199.4 of title 32, Code of Federal Regulations, in accordance with subsection (a)(1), only while practicing under the supervision of a physician, disaggregated by State and territory of the United States.

(3) An assessment of whether a sufficient number of certified mental health counselors will be available to provide mental health counseling to beneficiaries of the TRICARE program after December 31, 2015, or any later date to which the Secretary extends the qualification of mental health counselors described in paragraph (2) as qualified mental health providers pursuant to subsection (a)(1), with emphasis on the availability of certified mental health counselors—

(A) in Alaska;

(B) in predominantly rural States;

(C) in rural communities of States that are not predominantly rural States; and

(D) in the territories of the United States.

(4) A description and assessment of the availability of the following:

(A) Mental health counseling and training programs accredited by the Council for Accreditation of Counseling and Related Educational Programs.

(B) Certified mental health counselors in States and territories of the United States in which such programs are not available.

(5) An assessment of the costs and benefits of requiring beneficiaries of the TRICARE program to abandon existing patient relationships with mental health counselors described in paragraph (2) after December 31, 2015, or any later date described in paragraph (3), including an assessment of the impact of that requirement on the continuity of mental health care to such beneficiaries.

(6) A description of any evidence available to the Secretary suggesting that patients of mental health counselors described in paragraph (2) under the TRICARE program are dissatisfied with their professional relationships with such counselors.

(7) A justification for the determination by the Secretary that it is necessary to eliminate the qualification of mental health counselors described in paragraph (2) under the TRICARE program to maintain high-quality services under such program, including whether evidence is available to the Secretary demonstrating that a statistically significant number of such mental health counselors currently credentialed as qualified mental health providers under such program are providing substandard care to beneficiaries of such program.

(8) An assessment of whether it is equitable to terminate experienced mental health counselors described in paragraph (2) from further participation under the TRICARE program in favor of potentially less experienced certified mental health counselors.

(9) A description of the obstacles faced by mental health counselors described in paragraph (2) who seek to become certified mental health counselors, including obstacles related to such mental health counselors not having graduated from an educational program certified by the Council of Accreditation of Counseling and Related Educational Programs.

(10) A description of any modifications to regulations that the Secretary intends to propose or implement in light of the following:

(A) The extension of qualification required by subsection (a).

(B) The matters covered by the report.

(c) CERTIFIED MENTAL HEALTH COUNSELOR DEFINED.—In this section, the term ''certified mental health counselor'' has the meaning given such term in section 199.6(c)(3)(iii)(N) of title 32, Code of Federal Regulations.

SA 3439. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 C of title XVI, add the following:

SEC. 1632. ALLOCATION OF FUNDING FOR CERTAIN COMMERCIALLY LICENSED SPACEPORTS AND RANGE COMPLEXES.

(a) SENSE OF CONGRESS.—Congress finds that it is critical to continue to support the national security priorities of the United States by preserving launch range capabilities that support access to space.

(b) ALLOCATION OF FUNDING FOR SPACE LAUNCH CAPABILITY.—Of the funds authorized to be appropriated by this Act for fiscal year 2015 for infrastructure and overhead for space launch capabilities, $10,000,000 shall be available for spaceports and launch and range complexes that—

(1) are commercially licensed by the Federal Aviation Administration;

(2) receive funding from the government of the State or locality in which the spaceport or complex is located;

(3) have launched national security payloads; and

(4) have the capacity to provide mid-to-low inclination orbits or polar-to-high inclination orbits in support of the national security space program.

SA 3440. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 H of title X, add the following:

SEC. 1087. ELIGIBILITY FOR INTERMENT IN NATIONAL CEMETERIES OF INDIVIDUALS WHO SUPPORTED UNITED STATES IN LAOS DURING VIETNAM WAR ERA.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 3441. Mr. CASEY (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, line 10, strike ''$257,500,000'' and insert ''$294,500,000''.

On page 53, line 21, strike ''$53,000,000'' and insert ''$90,000,000''.

SA 3442. Mr. REID (for Mr. BOOZMAN) proposed an amendment to the bill S. 2076, to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes; as follows:

On page 3, strike lines 10 and 11.

On page 7, strike lines 1 and 2.

SA 3443. Mr. REID (for Mr. COONS) proposed an amendment to the bill S. 1799, to reauthorize subtitle A of the Victims of Child Abuse Act of 1990; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Victims of Child Abuse Act Reauthorization Act of 2013''.

SEC. 2. IMPROVING INVESTIGATION AND PROSECUTION OF CHILD ABUSE CASES.

(a) REAUTHORIZATION.—Section 214B of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13004) is amended—

(1) in subsection (a), by striking ''fiscal years 2004 and 2005'' and inserting ''fiscal years 2014, 2015, 2016, 2017, and 2018''; and

(2) in subsection (b), by striking ''fiscal years 2004 and 2005'' and inserting ''fiscal years 2014, 2015, 2016, 2017, and 2018''.

(b) ACCOUNTABILITY.—Subtitle A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended by adding at the end the following:

''SEC. 214C. ACCOUNTABILITY.

''All grants awarded by the Administrator under this subtitle shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that

the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued and any appeal has been completed.

''(B) AUDIT.—The Inspector General of the Department of Justice shall conduct audits of recipients of grants under this subtitle to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this subtitle that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subtitle during the following 2 fiscal years.

''(D) PRIORITY.—In awarding grants under this subtitle, the Administrator shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this subtitle.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this subtitle during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Administrator shall—

''(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this subtitle to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this subtitle and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Administrator shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this subtitle may be used by the Administrator, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, including the Administrator, provides prior written authorization through an award process or subsequent application that the funds may be expended to host a conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.''.

SEC. 3. CRIME VICTIMS FUND.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended—

(1) by inserting ''(A)'' before ''Of the sums''; and

(2) by striking ''available for the United States Attorneys Offices'' and all that follows and inserting the following: ''available only for—

''(i) the United States Attorneys Offices and the Federal Bureau of Investigation to provide and improve services for the benefit of crime victims in the Federal criminal justice system (as described in 3771 of title 18, United States Code, and section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607)) through victim coordinators, victims' specialists, and advocates, including for the administrative support of victim coordinators and advocates providing such services; and

''(ii) a Victim Notification System.

''(B) Amounts made available under subparagraph (A) may not be used for any purpose that is not specified in clause (i) or (ii) of subparagraph (A).''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a field hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Monday, July 7, 2014, at 1:30 p.m. in the Cajundome Convention Center, 444 Cajundome Blvd., Lafayette, LA 70506.

The purpose of the hearing is to examine Outer Continental Shelf production and to identify what actions the Federal Government can take to maximize the opportunities and minimize the challenges.

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 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 herman_gesser@energy.senate.gov.

For further information, please contact Herman Gesser, III, at (202) 224–7826, or Clayton Allen at (202) 224–8164.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 9, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing to receive testimony on the following bills: S. 2442, A bill to direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, and for other purposes; S. 2465, A bill to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; S. 2479, A bill to provide for a land conveyance in the State of Nevada; S. 2480, A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for certain Indian tribes, and for other purposes; and S. 2503, A bill to direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 16, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing entitled ''Improving the Trust System: Continuing Oversight of the Department of the Interior's Land Buy-Back Program.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 23, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing entitled ''Indian Gaming: The Next 25 Years.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 30, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing entitled ''When Catastrophe Strikes: Responses to Natural Disasters in Indian Country.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. 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 26, 2014, at 10:30 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''The State of the U.S. Travel and Tourism Industry: Federal Efforts to Attract 100 Million Visitors Annually.''

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 26, 2014, at 10 a.m., room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Preserving American's Transit and Highways Act.''

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 26, 2014, at 2 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate on June 26, 2014, at 10 a.m. in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Sexual Assault on Campus: Working to Ensure Student Safety.''

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 26, 2014, at 9:30 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Jon Bosworth, be granted floor privileges for the balance of the day.

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

U.S. MERCHANT MARINE ACADEMY BOARD OF VISITORS ENHANCEMENT ACT

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. 2076, Calendar No. 375.

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

The assistant legislative clerk read as follows:

A bill (S. 2076) to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

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

Mr. REID. Madam President, I ask unanimous consent that the Boozman amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 3442) was agreed to, as follows:

(Purpose: To strike the requirement that the Commander of the United States Transportation Command be a member of the Board of Visitors to the United States Merchant Marine Academy and that a substitute member of the Board be an officer of the United States Transportation Command)

On page 3, strike lines 10 and 11.

On page 7, strike lines 1 and 2.

The bill (S. 2076), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''U.S. Merchant Marine Academy Board of Visitors Enhancement Act''.

SEC. 2. UNITED STATES MERCHANT MARINE ACADEMY BOARD OF VISITORS.

Section 51312 of title 46, United States Code, is amended to read as follows:

''§ 51312. Board of Visitors

''(a) IN GENERAL.—A Board of Visitors to the United States Merchant Marine Academy (referred to in this section as the 'Board' and the 'Academy', respectively) shall be established to provide independent advice and recommendations on matters relating to the United States Merchant Marine Academy.

''(b) APPOINTMENT AND MEMBERSHIP.—

''(1) IN GENERAL.—Not later than 60 days after the date of the enactment of the U.S. Merchant Marine Academy Board of Visitors Enhancement Act, the Board shall be composed of—

''(A) 2 Senators appointed by the chairman, in consultation with the ranking member, of the Committee on Commerce, Science, and Transportation of the Senate;

''(B) 3 members of the House of Representatives appointed by the chairman, in consultation with the ranking member, of the Committee on Armed Services of the House of Representatives;

''(C) 1 Senator appointed by the Vice President, who shall be a member of the Committee on Appropriations of the Senate;

''(D) 2 members of the House of Representatives appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader, at least 1 of whom shall be a member of the Committee on Appropriations of the House of Representatives;

''(E) the Commander of the Military Sealift Command;

''(F) the Assistant Commandant for Prevention Policy of the United States Coast Guard;

''(G) 4 individuals appointed by the President; and

''(H) as ex officio members—

''(i) the chairman of the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the chairman of the Committee on Armed Services of the House of Representatives;

''(iii) the chairman of the Advisory Board to the Academy established under section 51313; and

''(iv) the member of the House of Representatives in whose congressional district the Academy is located, as a non-voting member, unless such member of the House of Representatives is appointed as a voting member of the Board under subparagraph (B) or (D).

''(2) PRESIDENTIAL APPOINTEES.—Of the individuals appointed by the President under paragraph (1)(H)—

''(A) at least 2 shall be graduates of the Academy;

''(B) at least 1 shall be a senior corporate officer from a United States maritime shipping company that participates in the Maritime Security Program, or in any Maritime Administration program providing incentives for companies to register their vessels in the United States, and this appointment shall rotate biennially among such companies; and

''(C) 1 or more may be a Senate-confirmed Presidential appointee, a member of the Senior Executive Service, or an officer of flag-rank who from the United States Coast Guard, the National Oceanic and Atmospheric Administration, or any of the military services that commission graduates of the Academy, exclusive of the Board members described in subparagraph (E), (F), or (G) of paragraph (1).

''(3) TERM OF SERVICE.—Each member of the Board shall serve for a term of 2 years commencing at the beginning of each Congress, except that any member whose term on the Board has expired shall continue to serve until a successor is designated.

''(4) VACANCIES.—If a member of the Board is no longer able to serve on the Board or resigns, the Designated Federal Officer selected under subsection (g)(2) shall immediately notify the official who appointed such member. Not later than 60 days after that notification, such official shall designate a replacement to serve the remainder of such member's term.

''(5) CURRENT MEMBERS.—Each member of the Board serving as a member of the Board on the date of the enactment of the U.S. Merchant Marine Academy Board of Visitors Enhancement Act shall continue to serve on the Board for the remainder of such member's term.

''(6) DESIGNATION AND RESPONSIBILITY OF SUBSTITUTE BOARD MEMBERS.—

''(A) AUTHORITY TO DESIGNATE.—A member of the Board described in subparagraph (E), (F), or (G) of paragraph (1) or subparagraph (B) or (C) of paragraph (2) may, if unable to attend or participate in an activity described in subsection (d), (e), or (f), designate another individual to serve as a substitute member of the Board, on a temporary basis, to attend or participate in such activity.

''(B) REQUIREMENTS.—A substitute member of the Board designated under subparagraph (A) shall be—

''(i) an individual who has been appointed by the President and confirmed by the Senate;

''(ii) a member of the Senior Executive Service; or

''(iii) an officer of flag-rank who is employed by—

''(I) the United States Coast Guard; or

''(II) the Military Sealift Command.

''(C) PARTICIPATION.—A substitute member of the Board designated under subparagraph (A)—

''(i) shall be permitted to fully participate in the proceedings and activities of the Board;

''(ii) shall report back to the member on the Board's activities not later than 15 days following the substitute member's participation in such activities; and

''(iii) shall be permitted to participate in the preparation of reports described in paragraph (j) related to any proceedings or activities of the Board in which such substitute member participates.

''(c) CHAIRPERSON.—

''(1) IN GENERAL.—On a biennial basis, the Board shall select from among its members, a member of the House of Representatives or a Senator to serve as the Chairperson.

''(2) ROTATION.—A member of the House of Representatives and a member of the Senate shall alternately serve as the Chair of the Board on a biennial basis.

''(3) TERM.—An individual may not serve as Chairperson for more than 1 consecutive term.

''(d) MEETINGS.—

''(1) IN GENERAL.—The Board shall meet several times each year as provided for in the Charter described in paragraph (2)(B), including at least 1 meeting held at the Academy.

''(2) SELECTION AND CONSIDERATION.—Not later than 60 days after the date of the enactment of the U.S. Merchant Marine Academy Board of Visitors Enhancement Act, the Designated Federal Officer selected under subsection (g)(2) shall organize a meeting of the Board for the purposes of—

''(A) selecting a Chairperson; and

''(B) considering an official Charter for the Board, which shall provide for the meeting of the Board several times each year.

''(e) VISITING THE ACADEMY.—

''(1) ANNUAL VISIT.—The Board shall visit the Academy annually on a date selected by the Board, in consultation with the Secretary of Transportation and the Superintendent of the Academy.

''(2) OTHER VISITS.—In cooperation with the Superintendent, the Board or its members may make other visits to the Academy in connection with the duties of the Board.

''(3) ACCESS.—While visiting the Academy under this subsection, members of the Board shall have reasonable access to the grounds, facilities, midshipmen, faculty, staff, and other personnel of the Academy for the purpose of carrying out the duties of the Board.

''(f) RESPONSIBILITY.—The Board shall inquire into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider.

''(g) DEPARTMENT OF TRANSPORTATION SUPPORT.—The Secretary of Transportation shall—

''(1) provide support as deemed necessary by the Board for the performance of the Board's functions;

''(2) not later than 30 days after the date of the enactment of the U.S. Merchant Marine Academy Board of Visitors Enhancement Act, select a Designated Federal Officer to support the performance of the Board's functions; and

''(3) in cooperation with the Maritime Administrator and the Superintendent of the Academy, advise the Board of any institutional issues, consistent with applicable laws concerning the disclosure of information.

''(h) STAFF.—Staff members may be designated to serve without reimbursement as staff for the Board by—

''(1) the Chairperson of the Board;

''(2) the chairman of the Committee on Commerce, Science, and Transportation of the Senate; and

''(3) the chairman of the Committee on Armed Services of the House of Representatives.

''(i) TRAVEL EXPENSES.—While serving away from home or regular place of business, a member of the Board or a staff member designated under subsection (h) shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5, United States Code.

''(j) REPORTS.—

''(1) ANNUAL REPORT.—Not later than 60 days after each annual visit required under subsection (e)(1), the Board shall submit to the President a written report of its actions, views, and recommendations pertaining to the Academy.

''(2) OTHER REPORTS.—If the members of the Board visit the Academy under subsection (e)(2), the Board may—

''(A) prepare a report on such visit; and

''(B) if approved by a majority of the members of the Board, submit such report to the President not later than 60 days after the date of the approval.

''(3) ADVISORS.—The Board may call in advisers—

''(A) for consultation regarding the execution of the Board's responsibility under subsection (f); or

''(B) to assist in the preparation of a report described in paragraph (1) or (2).

''(4) SUBMISSION.—A report submitted to the President under paragraph (1) or (2) shall be concurrently submitted to—

''(A) the Secretary of Transportation;

''(B) the Committee on Commerce, Science, and Transportation of the Senate; and

''(C) the Committee on Armed Services of the House of Representatives.''.

VICTIMS OF CHILD ABUSE ACT REAUTHORIZATION ACT OF 2013

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 431, S. 1799.

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

The assistant legislative clerk read as follows:

A bill (S. 1799) to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

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

Mr. REID. Madam President, I ask unanimous consent that the Coons substitute amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 3443), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute.)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Victims of Child Abuse Act Reauthorization Act of 2013''.

SEC. 2. IMPROVING INVESTIGATION AND PROSECUTION OF CHILD ABUSE CASES.

(a) REAUTHORIZATION.—Section 214B of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13004) is amended—

(1) in subsection (a), by striking ''fiscal years 2004 and 2005'' and inserting ''fiscal years 2014, 2015, 2016, 2017, and 2018''; and

(2) in subsection (b), by striking ''fiscal years 2004 and 2005'' and inserting ''fiscal years 2014, 2015, 2016, 2017, and 2018''.

(b) ACCOUNTABILITY.—Subtitle A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended by adding at the end the following:

''SEC. 214C. ACCOUNTABILITY.

''All grants awarded by the Administrator under this subtitle shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued and any appeal has been completed.

''(B) AUDIT.—The Inspector General of the Department of Justice shall conduct audits of recipients of grants under this subtitle to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this subtitle that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subtitle during the following 2 fiscal years.

''(D) PRIORITY.—In awarding grants under this subtitle, the Administrator shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this subtitle.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this subtitle during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Administrator shall—

''(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this subtitle to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this subtitle and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and

contemporaneous substantiation of the deliberation and decision. Upon request, the Administrator shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this subtitle may be used by the Administrator, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, including the Administrator, provides prior written authorization through an award process or subsequent application that the funds may be expended to host a conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.''.

SEC. 3. CRIME VICTIMS FUND.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended—

(1) by inserting ''(A)'' before ''Of the sums''; and

(2) by striking ''available for the United States Attorneys Offices'' and all that follows and inserting the following: ''available only for—

''(i) the United States Attorneys Offices and the Federal Bureau of Investigation to provide and improve services for the benefit of crime victims in the Federal criminal justice system (as described in 3771 of title 18, United States Code, and section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607)) through victim coordinators, victims' specialists, and advocates, including for the administrative support of victim coordinators and advocates providing such services; and

''(ii) a Victim Notification System.

''(B) Amounts made available under subparagraph (A) may not be used for any purpose that is not specified in clause (i) or (ii) of subparagraph (A).''.

The bill (S. 1799), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

TAKING OF CERTAIN FEDERAL LANDS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 439, H.R. 2388.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2388) to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes.

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

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time and passed and the motion 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 bill (H.R. 2388) was ordered to a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to the following resolutions which were submitted earlier today: S. Res. 490, S. Res. 491, S. Res. 492, and S. Res. 493.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the resolutions en bloc.

S. RES. 492

Ms. KLOBUCHAR. Madam President, I rise today to honor ''A Prairie Home Companion,'' which for 40 years has shared with its listeners the comings and goings of the good people of that most Minnesota of towns, Lake Wobegon—where as everyone knows, all the women are strong, all the men are good looking, and all the children are above average.

Only 12 people were in the audience for that very first broadcast on July 6, 1974, at the Janet Wallace Auditorium at Macalester College in Saint Paul. If those dozen people got there by car, they paid 55 cents per gallon to fill the tanks of their Ford Pintos or Plymouth Valiants. If they stopped for a McDonald's burger afterward, they paid 30 cents.

How things have changed—and not just the price of gas and burgers! Today, 40 years later, more than 600 radio stations carry ''A Prairie Home Companion'' to four million listeners every week from the historic Fitzgerald Theater in Saint Paul.

It has won a Peabody Award and has broadcast from nations including Canada, Ireland, Scotland, England, Germany and Iceland and nearly every State in the Nation. It has inspired a movie by the same name, which won four international awards. It has helped make Minnesota Public Radio and American Public Media household names.

And it has certainly made its creator and host, Garrison Keillor, a household name! Mr. Keillor has won Grammy and George Foster Peabody awards, not to mention the National Humanities Medal.

But one thing has not changed at all from that very first broadcast: This little variety program resonates with people. It has warmed our hearts with its stories, songs, poems and jokes. It has made us laugh, made us cry, and made us sing along. And it has given its millions of listeners a hometown they can call their own—right in the heart of Minnesota.

Madam President, I would like to congratulate Minnesota Public Radio, American Public Media, and the cast and crew of ''A Prairie Home Companion'' on 40 years of radio excellence. This is one show that is most certainly above average.

Mr. REID. I ask unanimous consent the resolutions be agreed to, the preambles, where applicable, be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

RELATIVE TO THE DEATH OF HOWARD BAKER, JR.

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of S. Res. 494, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 494) relative to the death of Howard H. Baker, Jr., former United States Senator for the State of Tennessee.

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

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 494) was agreed to.

The preamble was agreed to.

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

MEASURE READ THE FIRST TIME—S. 2562

Mr. REID. Madam President, I am told that S. 2562 has been introduced and is at the desk and is due for its first reading.

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

The assistant legislative clerk read as follows:

A bill (S. 2562) to provide an incentive for businesses to bring jobs back to America.

Mr. REID. I ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

APPOINTMENTS AUTHORITY

Mr. REID. Madam President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President

of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

SIGNING AUTHORITY

Mr. REID. Madam President, I ask unanimous consent that during the adjournment or recess of the Senate from Thursday, June 26, to Monday, July 7, Senators LEVIN and CARPER be authorized to sign duly enrolled bills or joint resolutions.

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

ORDERS FOR FRIDAY, JUNE 27, 2014, THROUGH MONDAY, JULY 7, 2014

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only with no business conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, June 30 at 12 noon, and Thursday, July 3, at 1:30 p.m.; and that the Senate adjourn on Thursday, July 3, 2014, until 2 p.m. on Monday, July 7, 2014; 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 until later in the day; that following any leader remarks, the Senate be in a period of morning business until 5:30 p.m. with Senators permitted to speak therein for up 10 minutes each; and that at 5:30 p.m. the Senate proceed to executive session to consider Executive Calendar No. 738; that all postcloture time be considered expired and the Senate vote on confirmation of the Krause nomination; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, that no further motions be in order to the nomination, that any statements related to the nomination be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate resume legislative session; and, finally, that when the Senate resumes legislative session, the Senate resume consideration of the motion to proceed to S. 2363 and the Senate vote on the motion to proceed to S. 2363, the Sportsmen's Act.

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

PROGRAM

Mr. REID. Madam President, there will be two rollcall votes at 5:30 p.m. on Monday, July 7, 2014.

ADJOURNMENT UNTIL MONDAY, JUNE 30, 2014

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 494 as a further mark of respect to the memory of the late Senator Howard Baker of Tennessee.

There being no objection, the Senate, at 6:41 p.m., adjourned until Monday, June 30, 2014, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL TRANSPORTATION SAFETY BOARD

CHRISTOPHER A. HART, OF COLORADO, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS, VICE DEBORAH A. P. HERSMAN, RESIGNED.

AFRICAN DEVELOPMENT FOUNDATION

JOHN W. LESLIE, JR., OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2019. (REAPPOINTMENT)

THE JUDICIARY

MADELINE COX ARLEO, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE DENNIS M. CAVANAUGH, RETIRED.

AMOS L. MAZZANT, III, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE T. JOHN WARD, RETIRED.

ROBERT LEE PITMAN, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS, VICE W. ROYAL FURGESON, JR., RETIRED.

ROBERT WILLIAM SCHROEDER III, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE DAVID FOLSOM, RETIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C., SECTION 53(B) IN THE GRADE INDICATED:

To be rear admiral

REAR ADMIRAL (SELECTEE) JAMES M. HEINZ

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CURTIS L. ABENDROTH
GEORGE D. MCHUGH
STEVEN M. ROWE
MONIE R. ULIS
MICHAEL J. WISE

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

To be colonel

BRIAN C. COPELAND

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

To be colonel

PAUL E. LINZEY
JOEL O. SEVERSON
GARY L. TAYLOR

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

To be colonel

JOEL R. BURKE
RUSSELL L. DEWELL
DOUGLAS A. ETTER
PETER JARAMILLO
DARREN L. KING
RICHARD J. KOCH
MICHAEL J. WRIGHT

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

To be colonel

NORMAN A. HETZLER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

STEVEN F. FINDER

To be major

DANIEL H. ALDANA

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

To be major

JASON S. HETZEL

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

To be major

FELIPE O. BLANDING, SR.

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DOUGLAS T. MO

IN THE NAVY

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

To be commander

JODY M. POWERS

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

To be lieutenant commander

JAMES R. POWERS, JR.

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

To be lieutenant commander

CHRISTOPHER D. SNYDER

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

To be lieutenant commander

RICHARD JIMENEZ, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

JAIME A. QUEJADA

To be commander

CHRISTOPHER J. KANE

To be lieutenant commander

STEPHEN S. DONOHOE

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

To be captain

TIMIKA B. LINDSAY

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

To be captain

CHRISTOPHER A. MIDDLETON

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26, 2014:

EXECUTIVE OFFICE OF THE PRESIDENT

JO EMILY HANDELSMAN, OF CONNECTICUT, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

DEPARTMENT OF THE INTERIOR

ESTHER PUAKELA KIA'AINA, OF HAWAII, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR.

DEPARTMENT OF THE TREASURY

KAREN DYNAN, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DEPARTMENT OF STATE

ROBERT STEPHEN BEECROFT, OF CALIFORNIA, 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 ARAB REPUBLIC OF EGYPT.

STUART E. JONES, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.