Isakson	Merkley	Sessions
Johanns	Mikulski	Shaheen
Johnson (SD)	Murkowski	Shelby
Johnson (WI)	Murphy	Stabenow
Kaine	Murray	Tester
King	Nelson	Thune
Kirk	Portman	Udall (CO)
Klobuchar	Pryor	Udall (NM)
Leahy	Reed	Vitter
Lee	Reid	Walsh
Levin	Rockefeller	Warner
Manchin	Rubio	Warren
Markey	Sanders	Whitehouse
McCain	Schatz	Wicker
McCaskill	Schumer	Wyden
Menendez	Scott	

NAYS—12

Blunt	Crapo	Paul
Burr	Heller	Risch
Chambliss	McConnell	Roberts
Coburn	Moran	Toomey

NOT VOTING—2

Harkin
Landrieu

The nomination was confirmed.

NOMINATION OF PETER MICHAEL McKINLEY, 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 ISLAMIC REPUBLIC OF AFGHANISTAN

NOMINATION OF RICHARD RAHUL VERMA TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDIA

NOMINATION OF TONY HAMMOND TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION

NOMINATION OF NANCI E. LANGLEY TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION

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 Peter Michael McKinley, of Virginia, 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 Islamic Republic of Afghanistan; Richard Rahul Verma, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India; Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission; Nanci E. Langley, of Hawaii, to be a Commissioner of the Postal Regulatory Commission.

Mr. REID. Mr. President, I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON MCKINLEY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Peter Michael McKinley, of Virginia, 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 Islamic Republic of Afghanistan?

The nomination was confirmed.

VOTE ON VERMA NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Richard Rahul Verma, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India?

The nomination was confirmed.

VOTE ON HAMMOND NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission?

The nomination was confirmed.

VOTE ON LANGLEY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Nanci E. Langley, of Hawaii, to be a Commissioner of the Postal Regulatory Commission?

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 actions.

LODGE AND WALTER NOMINATIONS

Mr. SESSIONS. Mr. President, I voted to confirm Virginia Lodge and Ron Walter to be members of the Board of the Tennessee Valley Authority. I believe that these nominees are qualified and have demonstrated the characteristics that will enable them to fulfill their duties in supporting the mission of the TVA.

According to the TVA Act, the Board sets the broad strategies and goals of the Tennessee Valley Authority. Given the many changes facing our electricity system, those strategies for TVA—one of the Nation's biggest utilities—are critical. As technology changes the future of energy production and energy use, the administration is busy unleashing costly regulations that risk damaging our economy for little environmental gain.

Navigating these crosscurrents, TVA's Board must strive to keep electricity costs low through prudential and nonideological decisionmaking. They must continue the work of TVA's current management to cut costs without impacting service. Only through demanding decisions based on data and through questioning assumptions will they successfully lead TVA through today's challenges.

Also of importance is TVA's continued maintenance and eventual completion of the Bellefonte nuclear power plant. In the 1970s, TVA made plans to build a large number of nuclear reactors, but it abandoned those plans after completing several plants while others—including two units at Bellefonte—were only partially completed. TVA continues to maintain its assets at Bellefonte, where it has invested $6 billion. I know that these nominees will examine the cost to complete Bellefonte and the baseload demand forecasts for TVA to best determine when the plant should be completed.

I believe the nominees have demonstrated the ability to serve effectively and I look forward to their service on the Board and to working with them for the betterment of the region in the years to come.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to H.R. 3979.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 3979) entitled ''An Act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act,'' with an amendment.

MOTION TO CONCUR

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3979.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3979.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk. I ask that the Chair order it reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 motion to concur in the House amendment to the Senate amendment to H.R. 3979.

Harry Reid, Carl Levin, Brian Schatz, Martin Heinrich, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar,

Christopher A. Coons, Debbie Stabenow, Robert Menendez, Tom Harkin, Richard J. Durbin, Charles E. Schumer, Robert P. Casey, Jr.

MOTION TO CONCUR WITH AMENDMENT NO. 3984

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3979, with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3979 with an amendment numbered 3984.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3985 TO AMENDMENT NO. 3984

Mr. REID. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3985 to amendment No. 3984.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

MOTION TO REFER WITH AMENDMENT NO. 3986

Mr. REID. I have a motion to refer the House message with respect to H.R. 3979 with instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.R. 3979 to the Committee on Armed Services with instructions to report back forthwith with an amendment numbered 3986.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3987

Mr. REID. I have an amendment to the instructions which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3987 to the instructions of the motion to refer the House message on H.R. 3979.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3988 TO AMENDMENT NO. 3987

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3988 to amendment No. 3987.

The amendment is as follows:

In the amendment, strike ''4'' and insert ''5''.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

TRIBUTES TO DEPARTING SENATORS

Mr. REED. Mr. President, I would like to take a few minutes to salute my colleagues who are departing the Senate at the end of this year with the conclusion of the 113th Congress: MARK BEGICH of Alaska, SAXBY CHAMBLISS of Georgia, TOM COBURN of Oklahoma, KAY HAGAN of North Carolina, TOM HARKIN of Iowa, MIKE JOHANNS of Nebraska, TIM JOHNSON of South Dakota, MARY LANDRIEU of Louisiana, CARL LEVIN of Michigan, MARK PRYOR of Arkansas, JAY ROCKEFELLER of West Virginia, MARK UDALL of Colorado, and JOHN WALSH of Montana.

They have all worked hard, ceaselessly giving their energy and considerable time and service to their constituents, to their home States and to our country. I want to thank them for their service and for their kindness to me over many, many years in so many cases. In particular, I want to say a few words about these colleagues.

MARK BEGICH

MARK BEGICH and I worked together to address the challenges facing the fishing industry, which is vital to both of our States. He has continually fought to address the unique challenges facing Alaskans, particularly with respect to access to VA health care. I salute him and wish him the best.

SAXBY CHAMBLISS

I have served with SAXBY CHAMBLISS on the Armed Services Committee and joined him in his efforts to support the National Infantry Museum and Soldier Center. Saxby has been a strong supporter of our men and women in uniform. He has also been a leader on homeland security and intelligence matters. I wish him well.

TOM COBURN

TOM COBURN has always been passionate on the issues he cares about. We have engaged in vigorous debate, demonstrating, I hope, that principled disagreement can lead ultimately to principled progress. My thoughts are with him, particularly as he battles health issues, his cancer. I hope and wish him success and much happiness as he moves forward.

KAY HAGAN

I have served with KAY HAGAN on the Banking, Housing, and Urban Affairs Committee and on the Armed Services Committee. We have worked together on a number of initiatives, including efforts to keep student loan interest rates low. We traveled together to Iraq, Afghanistan, and Pakistan in 2010. She has been a tremendous advocate, especially for our military families and for small businesses.

TOM HARKIN

TOM HARKIN has been a great friend, a longtime advocate for students, for workers, for individuals with disabilities. As Chairman of the Health, Education, Labor, and Pensions Committee, he has worked to end the logjam and pass reauthorizations of our childcare programs and the workforce investment system, and he recently worked with me to pass a bipartisan bill I helped author to ensure consumers have access to the safest, most effective sunscreens available.

He has been a steadfast advocate for increasing our investment in medical research at the NIH. An extraordinary Senator, we have so much to thank him for on behalf of every American. His legacy is going to be so profound. It is hard to pick one. But his efforts, along with Arlen Specter's, to double NIH funding was a landmark in terms of not only successful investment in programs that matter to Americans and the world but bipartisan efforts to lead the country forward.

MIKE JOHANNS

I have been proud to work with MIKE JOHANNS, an extraordinary Senator and an extraordinary gentleman, on a number of issues. We were particularly happy—both of us—when the HAVEN Act was incorporated into the pending version of the National Defense Authorization Act. This legislation will allow disabled and low-income veterans the ability to finance improvements to their homes so they are safer and more accessible. We also worked together on healthy housing efforts and to reduce lead hazards. This is consistent with so many things he has done, particularly with respect to veterans. Again, I wish him the best as he goes forward.

TIM JOHNSON

TIM JOHNSON and I served in the House of Representatives together. We came to the Senate together in 1997. As chairman of the banking committee, he has been an extraordinary leader. He has dedicated himself particularly to community banks and to rural housing, which is consistent with the interests of his constituents in South Dakota.

He has worked to build bipartisan compromise on issues like TRIA and FHA reform, among so many other matters. As the chairman of the Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies he has been a tireless

advocate for our military personnel. I thank him.

MARY LANDRIEU

MARY LANDRIEU and I also came to the Senate together in 1997. We served together on the Appropriations Committee, where she has been an extraordinary advocate for Louisiana, particularly after Hurricane Katrina. In fact, her efforts have been so profoundly influential in her home State, she is one that we all look to as a model for what it is to be an advocate for your constituents. She has done it so well.

MARK PRYOR

MARK PRYOR and I have worked together on the Appropriations Committee. We have worked together on a number of initiatives. I want to thank him particularly for his role in trying to help states like Rhode Island be included in the Commodity Supplemental Food Program. I thank MARK for that. I offer him my fondest wishes.

JAY ROCKEFELLER

Today, we are recognizing the work of JAY ROCKEFELLER as chairman of the Intelligence Committee, along with Senator FEINSTEIN. But he has been such a stalwart in so many different areas: as chairman of the commerce committee, someone who has championed the Children's Health Insurance Program, someone who has been in the lead with respect to advocacy for the E-Rate, which helps bring broadband connectivity to all of our libraries and schools, to EPSCoR. I can go on and on for a remarkable career by a remarkable individual, a real gentleman, someone whom I am proud to call a friend and am deeply indebted to his friendship.

MARK UDALL

MARK UDALL and I served together on the Armed Services Committee. I am grateful to have traveled with him also to Afghanistan and Pakistan in 2011. Again, he is committed to our troops, committed to our national security, committed to his home State. He has been an advocate for clean energy, for natural resources, for things that will be a legacy for generations to come in Colorado and throughout the United States.

JOHN WALSH

JOHN WALSH is a friend that I met and served with over the last several years. I want to salute him, not only as a Senator but as a combat veteran. He has had the greatest privilege that I believe any American has—the privilege to lead American soldiers. He did it well. I thank him for that.

CARL LEVIN

But let me say, especially, a few words about my dear, dear friend CARL LEVIN. For 18 years, CARL LEVIN has either been chairman or ranking member of the Armed Services Committee. The U.S. military, the most powerful and professional force in the world, has in countless ways been shaped because CARL LEVIN repeatedly helped form a new common ground to move us forward as a Nation for the benefit of our men and women in uniform and for the benefit of us all.

CARL and I have traveled many times together—Bosnia, Kosovo, Iraq, Afghanistan, Pakistan, Israel, Syria, Colombia. We were there to visit with commanders and local leaders, but especially to see our troops and to thank them. In the faces of those troops I saw the trust and respect they felt—some to their own surprise—when they met the chairman—the powerful chairman of the Armed Services Committee. He was there. He had traveled across the globe to listen to them, to work for them, and to thank them.

It was profoundly moving to me to see this—inspiring indeed. As the chairman of one of the other major committees, the Permanent Subcommittee on Investigations, he has pursued the powerful on behalf of the powerless, on behalf of the people. He has not only uncovered abuse, but he has sent a powerful message to an increasingly discouraged America that there is someone who will fight for them, who understands that everyone deserves a fair chance at a better future.

CARL LEVIN has been a friend, a role model. I will miss working with him.

Along with all of my other colleagues who are leaving us at the conclusion of the 113th Congress, let me thank them for their service, their dedication to improving the lives of Americans, and on a very personal level for their friendship. I wish them all well.

SSCI STUDY OF THE CIA'S DETENTION AND INTERROGATION PROGRAM

Let me conclude on a slightly different topic; that is, to commend Senator ROCKEFELLER again and Senator FEINSTEIN for their extraordinary leadership today in bringing forward to the American public the Intelligence Committee report on the CIA's interrogation program.

But I particularly want to commend and thank Senator MCCAIN. For many years, Senator MCCAIN has spoken out, and many times alone, against the despicable and heinous actions that have been illustrated today. He has led our efforts. No one has led them more vigorously and more intensely and more successfully than JOHN MCCAIN—to prohibit the use of torture and abusive methods by the United States of America, to remind us that our highest ideals require us to do something else—something better—and also to remind us that what is at stake—very much at stake—are the lives and the health of our soldiers.

We cannot expect others to follow the law if we do not. We cannot expect our forces to be treated according to the conventions and laws that govern civilized society if we depart from them. That is a powerful message. It is no surprise coming from someone whose personal experience, whose personal courage lends incredible credibility, incredible support to these efforts.

To these three colleagues, I extend my thanks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

TAX EXTENDERS

Mr. GRASSLEY. Mr. President, this week it seems that the Senate is finally ready to take up and pass a tax extenders bill. Congress' procrastination on tax extenders has been causing a lot of headaches and indigestion to many of my constituents back home in Iowa.

Small business owners and farmers want to know whether the enhanced expensing rules under section 179 will be extended so that they can invest in new machinery. Retirees want to know whether they can make a charitable donation from their IRA to meet their required minimum distribution. The renewable energy sector wants to know what investments they should make to increase production.

The Senate could have made strides towards answering these questions just this past spring. The Finance Committee acted in a bipartisan fashion to report an extenders package to the floor that would have extended all expiring provisions for 2 years. By all accounts, this package could have been passed by the Senate with broad support on both sides of the aisle.

Unfortunately, movement of this package in the Senate stalled in May due to procedural maneuvering on the Senate floor. That maneuvering was meant to prevent votes on all amendments—even those with broad, bipartisan support. With the Senate failing to take action, the hopes of getting the extenders done in a timely fashion faded last spring.

However, there were high hopes that a bipartisan deal could be worked out with the House that could provide individuals and businesses much-needed tax certainty. Before Thanksgiving, House and Senate negotiators were making real headway towards a bipartisan agreement that would have extended most provisions for 2 years and made several provisions permanent. The President then thwarted negotiations by threatening to veto that package before it was even finalized.

Why the President would threaten to veto a package that, by all accounts, recognized bipartisan priorities as well as priorities of the administration is beyond me. The President's stated complaint is that the deal was geared too heavily toward business. From an administration that has regularly been advocating business-only tax reform, this complaint rings hollow.

However, all of the business provisions that would have been made permanent under the proposed deal have had strong support from both sides of the aisle here in the Senate as well as from the White House. For instance, the President's fiscal package that was in the 2015 budget calls for both the research and development tax credit and the enhanced expensing rules under Section 179 to be made permanent.

The bipartisan deal would have accomplished this. The proposed deal also

included priorities specific to President Obama and many of my Democratic colleagues. For instance, the American opportunity tax credit enacted as part of the President's 2009 stimulus bill would have been made permanent. The President's other named priorities were the enhanced refundable child tax credit and the earned-income tax credit. But it was the President's own actions on immigration—using presidential edict—that made their inclusion a very tough sell. Many on my side of the aisle have long had concerns about fraud and abuse in both of these credits. The President's Executive action only served to enhance these concerns and added fuel to the fire by eroding established policy that prohibits undocumented immigrants from receiving their earned-income credit.

The President may have a phone and a pen. He says he has it, and it seems as if he is always using it. But the last time I checked, Congress is still a coequal branch of government under the Constitution. When the President acts unilaterally, it should not surprise him when Congress responds.

So it is true that the deal did not include everything the President wanted, but it didn't include everything Republicans wanted either. Nobody ever gets everything they want in bipartisan negotiations. The point of negotiating is to get something the majority of us can support.

By cutting off negotiations, the White House has left us with voting on something that is barely better than nothing for individuals and industries. This includes industries the President claims to be a priority of his, such as the renewable energy sector, which is very much a high priority for me.

Forward policy guidance is critically important to the renewable energy sector. The proposed deal would have provided certainty to wind energy through a multiyear phaseout that would have provided a glidepath to self-sustainability. Other renewable provisions would have been extended for 2 years. Instead, Congress is now faced with settling for a 1-year retroactive extension that fails to provide any meaningful incentive for the further development of renewable energy.

It also fails to provide certainty to other businesses and to individuals as well. These are provisions that will once again expire almost as soon as they go into law. I think we all agree that making tax law 1 year at a time in retroactive fashion is not the way to do business. Yet that is the reality we currently face because of this administration's refusal to compromise.

While I would prefer longer extensions of these provisions, that is no longer a viable option as we close down this Congress. As a result, I intend to support the House package. My only hope is that in the new Congress we can make strides toward putting some certainty back into the Tax Code.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

WOMEN OWNED SMALL BUSINESS CONTRACTING

Ms. CANTWELL. I rise today to speak about an important piece of legislation that will be before the Senate shortly that will help women entrepreneurs across the country break through the glass ceiling.

Earlier this year, as chairwoman of the Senate Committee on Small Business and Entrepreneurship, I released a report entitled ''21st Century Barriers to Women's Entrepreneurship.'' These barriers, according to our report, show that women entrepreneurs were not getting a fair shot at access to capital, not getting a fair shot at competing for Federal contracts, and needed more programs tailored specifically to their needs and certainly needed more access to capital and at smaller amounts of money.

This chart shows the various things that were relevant from that report: equal access to Federal contracts, access to capital, and relevant business training.

We heard an earful from women entrepreneurs all across America, and it spurred us to take action and make major changes.

That is why we introduced legislation called the Women's Small Business Ownership Act of 2014, and this legislation did three things: It said, let's focus on sole-source contracting authority for women-owned businesses when they are working with the Federal Government, let's improve the counseling to women, and let's make sure women get the access to capital that they deserve.

Additionally, the issue of sole-source contracting was taken up by two of my colleagues, Senator SHAHEEN and Senator GILLIBRAND. I should say that my predecessor on the committee, Senator LANDRIEU, had worked on this issue of access to capital for women for a long time, and we certainly applaud all she did as chairwoman of the Small Business Committee.

The sole-source contracting provision is in the Defense bill we are going to be taking up shortly.

I thank all of my colleagues—as I said, Senator SHAHEEN, Senator GILLIBRAND, Senator LANDRIEU—and also the SBA Administrator, Maria Contreras-Sweet, for their support in getting more federal contracts to women-owned businesses.

There are more than 8 million women-owned businesses in the United States, but they only get a tiny percent—about 4 percent—of Federal contracts. We want to make sure this is changed. I think we have a second chart that describes this problem.

We have a Federal goal of making sure that small businesses get access to contracts at each Federal agency so that we are doing all we can to grow small businesses in America. If you think about it, many small businesses have the technological expertise to do the work. What they often don't have is the manpower to wade through the lengthy and complicated federal contracting process. So sole-source contracting allows the Federal Government to streamline the procurement process when selecting a company. So we want to make sure this is changed, and the FY 15 NDAA legislation will do just that.

Twenty years ago, Congress established the goal of awarding 5 percent of all Federal contracts to women-owned small businesses, but we did not make sure there was fair representation in the marketplace to achieve this goal. Last year, the Department of Defense accounted for 68 percent of Federal procurement opportunities; yet the Department of Defense only issued 3.6 percent of those contracts to women-owned small businesses. In my State, the State of Washington, women received only 1.67 percent of Federal contracts. We heard from women across America, when they came to testify before the Small Business Committee this summer, exactly how challenging this process is.

I want to point out a last chart, which shows that 28 percent of businesses in the United States are women-owned, and we certainly want to increase that. Part of our challenge economically is to make sure various groups are getting access to adequate capital, getting opportunities to compete for federal contracts, and getting the counseling and training they need, so they can participate in the economy as small business owners. But we can see on this chart that the percentage of federal contracts to women-owned businesses is minuscule. We want to make sure we are doing everything we can to help these women.

Trena Payton, a business owner and veteran from my home state of Washington, is one of these voices fighting for this provision to be made into law. Trena testified at a Small Business Committee hearing on Veterans' Entrepreneurship. In 2003, Trena decided to open her own business. It took her more than a year to land her first contract. She said at the hearing:

> As the head of a women-owned small business, I can tell you that access to the federal marketplace is a huge issue.

Today, Trena's company, ABN Technologies, has grown to employ twelve people and last year generated revenues of 8.1 million dollars. On sole-source contracting, Trena said, this change ''would help millions of women break through barriers to accessing federal contracts.''

I also want to talk about Charlotte Baker, who owns Digital Hands in Tampa, FL. Charlotte's company provides cyber security services and IT business to the government. Her company is developing new, innovative solutions to deter cyber threats. That is a service we need, but she may never win a contract through the regular process.

I urge my colleagues to support this legislation that is coming over from the House and give women the tools they need to be successful.

I would like to thank the many organizations, small business advocates, and staff who have worked to get the women's sole-source provision enacted into law: Women Impacting Public Policy—especially Ann Sullivan, Barbara Kasoff, John Stanford, and Martin Feeney; the National Women's Business Council; the Women's Business Enterprise National Council; the Women President's Organization; the National Association of Women Business Owners; the National Women Business Owners Corporation; the U.S. Black Chambers; the U.S. Hispanic Chamber of Commerce; the Association for Enterprise Opportunity; the Business and Professional Women's Foundation; Enterprising Women; the Path Forward Center for Innovation and Entrepreneurship; the REDC Center for Women's Enterprise; the Small Business & Entrepreneurship Council; Women in Trucking; the Women's Business Development Council; the Women's Exchange; and the Association of Women's Business Centers. From staff, I'd like to thank Jonathan Hale, Alison Mueller, Nick Sutter, Ami Sanchez, Carl Seip, Jane Campbell, Kevin Wheeler and LeAnn Delaney.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

TRIBUTE TO CARL LEVIN

Mr. MCCAIN. Mr. President, I wish to offer a few words of tribute to my departing colleague, Senator CARL LEVIN—a model of serious purpose, firm principle, and personal decency, and whose example ought to inspire the service of new and returning Senators. We could not aspire to better service than what he has given our country.

CARL and I have served together on the Senate Armed Services Committee for the better part of three decades. He is my senior in this body by 8 years and has been my chairman for more than 10 years in total. It has been a privilege to serve under his very able, honorable, and fair leadership.

CARL and I sit on opposite sides of the aisle. The difference is quite obvious on any number of issues, but I hope it is also obvious how much I admire and respect my friend from Michigan.

We have had our moments on the committee. Debate there can get a little passionate from time to time, perhaps a little more passionate on my part than CARL's, but that, as all my colleagues would surely attest, is my problem, not CARL's. We are, however, both proud of the committee's tradition of bipartisan cooperation which CARL has worked diligently to preserve and strengthen. We both know how important that tradition is to faithfully discharging our responsibilities to help maintain the defense of this country and do right by the men and women of the U.S. Armed Forces. We both feel their example of selfless sacrifice would shame us if we let the committee descend into the partisan posturing that often makes it hard to get important work done in Congress.

When Members disagree in committee—often heatedly—it is because we feel passionately about whatever issue is in dispute. Even then we try to behave civilly and respectfully to each other, and we do not let our disagreements prevent us from completing the committee's business. CARL won't let us. That we have managed to keep that reputation in these contentious times is a tribute to CARL LEVIN. He has kept the committee focused on its duties and not on the next election or the latest rush-to-the-barricades partisan quarrel. He does so in a calm, measured, patient, and thoughtful manner. He seems, in fact, to be calmer and more patient the more heated our disagreements are. As members' emotions and temperatures rise, CARL's unperturbed composure and focus bring our attention back to the business at hand. You could safely say he and I have slightly different leadership styles. I am gentler and less confrontational. But Carl's style seems to work for him. It works well for the committee too, for the armed services, and for the country.

The committee has a heavy workload every year, and CARL manages to keep us all in harness and working together at a good pace and with a constructive, results-oriented approach that is the envy of the dozen or so lesser committees of the Senate. Our principal responsibility is to produce the Defense authorization bill—one of the most important and comprehensive pieces of legislation the Senate considers on an annual bases. The committee has never failed to report the bill, and the Senate has never failed to pass it. That is not an accomplishment that some of the lesser committees I just referred to can claim every year, and no one deserves more of the credit than CARL LEVIN.

When CARL LEVIN first joined the committee, he explained his reason for seeking the assignment this way:

> I had never served, and I thought there was a big gap in terms of my background and, frankly, felt it was a way of providing service.

He might never have served in the military, but he has surely served the military well, and he has served the national interests our Armed Forces protect in an exemplary manner that the rest of us would be wise to emulate.

More recently, I have had the honor and privilege of serving alongside CARL on the Permanent Subcommittee on Investigations. His tireless efforts and steadfast dedication to exposing misconduct and abuse by financial institutions and government regulators have set a new standard for thoughtful and thorough congressional investigations.

Whether the topic was the 2008 financial crisis, Swiss banking secrecy, or JPMorgan's ''London Whale'' debacle, professionals in the industry and the public at large knew they could count on CARL LEVIN to get to the bottom of it with authoritative reports and hearings. CARL's tenacity in uncovering wrongdoing sparked significant changes in the financial sector.

I also commend CARL LEVIN on zealously and effectively pursuing his investigations in a way that has furthered the subcommittee's longstanding tradition of bipartisanship. While CARL LEVIN and I may have had our disagreements, we never let them get in the way of finding common ground where we could.

While CARL's retirement may come as a relief to some of those on Wall Street, his patience, thoughtfulness, and commitment to bipartisanship will be deeply missed on the subcommittee and in the Senate.

Indeed, from CARL LEVIN's long and distinguished service in the Senate, Carl has obtained the respect of his colleagues on both sides of the aisle. We all listen to him, and we listen closest to him on the occasions when we disagree with him. That, in my view, is a great compliment from one Senator to another. It is a tribute paid to only the most respected Members.

Of course, the greatest compliment one Senator can pay another is to credit him or her as a person who keeps his or her word. That has become too rare in Washington but not so in my experiences with CARL LEVIN. He has never broken his word to me. He has never backed out of a deal, even when doing so would have been personally and politically advantageous. When we are in agreement on an issue, CARL usually argues more effectively than I can, and when we disagree, we usually find a way to settle our dispute without abandoning our responsibilities. CARL LEVIN deserves most of the credit for that too.

One of the great satisfactions in life is to fight for a common cause with someone you haven't always agreed with, someone whose background, views, and personality are different from yours. Yet you discover that despite your differences, you have always been on the same side on the big things.

Thank you, CARL, for the privilege and for your friendship and example. The committee is going to miss you, the Senate is going to miss you, the men and women of the U.S. Armed Forces are going to miss you, and I will miss you a lot.

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. SCHATZ. Mr. 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. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

FOIA IMPROVEMENT ACT

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to engage in a colloquy with Senator LEAHY of Vermont, chairman of the Senate Judiciary Committee, regarding S. 2520, the FOIA Improvement Act of 2014.

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

Mr. ROCKEFELLER. I thank Senator LEAHY for attempting to address my concerns about this bill. I thank his committee staff for working with my committee staff to insert clarifying report language.

Mr. LEAHY. I would like to acknowledge the chairman of the Senate Committee on Commerce, Science, and Transportation for highlighting important concerns of the agencies his committee works with closely. This legislation seeks to further the goal of government transparency; but we also understand the need for government agencies to dutifully and carefully fulfill their responsibilities.

Mr. ROCKEFELLER. From the beginning, I have recognized that this bill would make important changes to the Freedom of Information Act. My concerns have been rooted in the possible unintended consequences this bill would have on consumer protection. I was concerned this bill would make it harder for our consumer protection agencies to bring enforcement actions against corporate wrongdoers.

Specifically, I am concerned that requiring government law enforcement agencies to show foreseeable harm that is not ''speculative or abstract'' when invoking FOIA exemptions for attorney-client, work-product, and deliberative process privileges will undermine law enforcement efforts.

Hundreds of years of American legal tradition has generally protected work-product documents and attorney-client communications from the discovery process in civil litigation. Further, the deliberative process privilege has allowed government agencies' law enforcers to freely exchange ideas and legal strategies as part of their internal decision making process.

I am concerned that the bill could have a ''chilling effect'' on internal communications and deliberations of agencies' law enforcement personnel who are preparing law enforcement actions against alleged wrongdoers, in order to avoid the prospect of increased litigation.

We do not want to hinder the robust, internal exchange of rigorous ideas and legal strategies within government agencies when they are bringing enforcement actions.

Given this, courts should review agency law enforcement decisions on the new foreseeable harm standard under an ''abuse of discretion'' standard.

Mr. LEAHY. At Senator ROCKEFELLER's request we have included language in the committee report on the abuse of discretion standard and its application to make clear that it is the intent of Congress that judicial review of agency decisions to withhold information relating to current law enforcement actions under the foreseeable harm standard be subject to an abuse of discretion standard.

Mr. ROCKEFELLER. Furthermore, if we are going to potentially burden our government agencies with increased costs that will be associated with complying with the bill, then I think Congress should also provide these agencies with sufficient funding to deal with what is sure to be an increased workload.

While I still have concerns about this bill's effect on consumer protection, I think the accommodation made by Senator LEAHY will help. I thank him for inserting clarifying language in the report with regard to this congressional intent on review of information withheld under the foreseeable harm standard.

Mr. JOHNSON of South Dakota. Mr. President, I ask consent to engage in a colloquy with Senator LEAHY, chairman of the Senate Judiciary Committee, regarding important aspects of S. 2520, the FOIA Improvement Act of 2014.

While I support the ultimate goal of this legislation, which seeks to increase government transparency, as the chairman of the Senate Banking Committee, I am also mindful of the need for government agencies to dutifully and carefully fulfill their oversight responsibilities of our Nation's financial institutions and the health and welfare of our financial systems at-large. Financial regulatory agencies are tasked with ensuring the safety and soundness of the financial system, compliance with Federal consumer financial law, and promoting fair, orderly, and efficient financial markets. A critical component of effective oversight is the ability of a financial regulator to have unfettered access to information from a regulated institution. A financial institution should not have to fear that its regulator will be unable to protect the institution's confidential information from disclosure. Since the passage of the Freedom of Information Act, Congress has recognized the importance of protecting this type of supervisory information as evidenced specifically in 5 U.S.C. § 552(b)(8), commonly referred to as Exemption 8, and more generally in other exemptions. It is my understanding that nothing in S. 2520 is intended to limit the scope of the protections under Exemption 8, or other exemptions relevant to financial regulators; nor is the bill intended to require release of confidential information about individuals or information that a financial institution may have, the release of which could compromise the stability of the financial institution or the financial system, or undermine the consumer protection work by the regulators. Given that the release of confidential or sensitive information relating to oversight of regulated entities could cause harm to such entities, individuals, or the financial system, a financial regulatory agency could reasonably foresee that disclosure of such information requested under FOIA may harm an interest protected by Exemption 8. This is precisely why Congress continues to provide these statutory exemptions.

Mr. LEAHY. I thank Senator JOHNSON for his remarks and for his interest and support for this legislation. I agree that it is important to ensure that our financial regulators are able to do the work required to maintain the safety and soundness of our financial institutions. I also agree that the free flow of information between regulators and financial institution is important to this process. Exemption 8 was intended by Congress, and has been interpreted by the courts, to be very broadly construed to ensure the security of financial institutions and to safeguard the relationship between financial institutions and their supervising agencies. The proposed amendments to the Freedom of Information Act, FOIA, are not intended to undermine the broad protection in Exemption 8 or to undermine the integrity of the supervisory examination process. Moreover, much of the information that the government is permitted to withhold under Exemption 8, is also protected under Exemption 4, which exempts from disclosure commercial and financial information that is privileged or confidential. Exemption 4 covers information prohibited from disclosure under the Trade Secrets Act and similar laws, and as such does not provide for discretionary disclosure under FOIA. As with other exemptions that are based on separate legal restrictions, it is understood that the foreseeable harm standard will not apply to most of the information falling under Exemption 4. I will address these concerns, and I appreciate all the time and attention the Senator from South Dakota has given to this important legislation.

Mr. JOHNSON of South Dakota. I thank the Senator from Vermont for his work on this important matter and for working with me to clarify the scope of this bill. I hope the Senator from Vermont continues to work on these issues with the agencies to ensure that this new standard will not serve to undermine the broad protections currently afforded to confidential supervisory information and in turn undermine the cooperative relationship between regulators and their supervised institutions.