

the absence of clear rules prohibiting such deals.

This is disappointing. As Comcast noted in its letter, voluntary commitments from individual companies would not serve as a substitute for rules applicable to all broadband providers. Such pledges would, however, send a strong signal to the American people that broadband providers share their commitment to an open and equal Internet. It is unfortunate that these companies were unwilling to make that commitment—presumably because they know that if fast lanes are allowed in the future, market forces may drive them and other ISPs to consider such deals to maximize profits at the expense of competition online. This “race to the bottom” scenario is exactly why we need clear rules in place prohibiting such agreements. I appreciate that Comcast went further than the other ISPs by expressing support for my legislation with Representative DORIS MATSUI of California, which would require the FCC to ban paid prioritization agreements so that all ISPs are subject to such a rule.

The concern over a pay-to-play Internet that advantages the largest corporations over smaller players is very real. I was disappointed that some Internet service providers in their responses brushed aside these concerns dismissively. It is not “demagoguery,” as Verizon suggested in its response, when small business owners like Cabot Orton of the Vermont Country Store say that they simply want to see an Internet that continues to treat all businesses equally. It is not a “phantasm” when independent content creators like actress Ruth Livier acknowledge that they would not have been able to start their Web sites if they had to pay for priority access to reach viewers online or compete against players who did. These are real concerns, shared by millions of Americans. Their voices should not be casually and callously dismissed because they cannot afford to pay lobbyists to advocate on their behalf at the FCC.

The FCC is continuing its important work to craft new open Internet rules. For months, I have been clear that I will not support any rules that do not ban Internet fast lanes. I have spent much of this year listening to Vermonters and others to hear firsthand about how a pay-to-play world would harm the Internet ecosystem.

The responses to my letter highlight one element that unites all of those involved in the net neutrality debate—the need for certainty. Broadband providers understandably want to know the rules by which their actions will be governed, and consumers want certainty that their Internet service will continue to provide them unfettered access to lawful content online. Recently, some broadband providers like AT&T have threatened to stop investing in further innovation and deployment of broadband in the name of uncertainty. Of course, they could decide

to provide certainty on issues like paid prioritization at any time regardless of the FCC’s actions by making the pledge to consumers I have called on them to make.

I will continue my call for broadband providers to listen to their customers and pledge to never engage in paid prioritization. While they did not do so in response to my letters, it is never too late for them to make that commitment to the American people.

TRIBUTE TO JIM FRANSEN

Mr. LEAHY. Madam President, there is no shortage of attorneys here in Washington, DC, but some of the most talented lawyers work in the Office of Legislative Counsel here in the Senate. Drafting legislation is often a complicated exercise. It takes years under the mentorship and tutelage of others to grasp the difficult process of drafting complicated bills. At the end of this Congress, after nearly 40 years of service, legislative counsel Jim Fransen will retire. His family’s gain will be the Senate’s loss.

Jim first joined the Office of Legislative Counsel in 1975—the same year Vermonters elected me to the Senate. He served as an assistant counsel and a senior counsel, rising to become the finance and tax team leader. For the last 15 years, he has served as legislative counsel. He is the second longest serving legislative counsel, and his career has seen many accomplishments.

Jim has been one of the key drafters of Federal tax legislation since joining the office in 1975. He has had a hand in drafting such monumental bills as the Tax Reform Acts of 1976 and 1986, the Economic Recovery Act of 1981, the American Jobs Creation Act of 2004, and the American Recovery and Reinvestment Act of 2009. He helped to draft the Balanced Budget Act of 1997 and the Energy Policy Act of 2005, and he was a key drafter of the most sweeping health reform legislation in generations, the Affordable Care Act.

Through Republican and Democratic administrations, Republican and Democratic Senate majorities, Jim has been a true public servant. I know in his retirement, he will enjoy spending time with his family: his wife Margaret, his three daughters and his two grandsons. Wherever his retirement travels may take him, Marcelle and I wish him the best.

TRIBUTE TO BRIAN SEARLES

Mr. LEAHY. Madam President, one of Vermont’s most dedicated public employees, Brian Searles, is retiring after 45 years of service to both State and local government. As a police chief, city manager, airport director, and two tenures as the Vermont secretary of transportation, Brian is a model of commitment both to his work and to his State.

For the past 4 years Brian and his team at the Vermont Agency of Trans-

portation have overseen vast improvements in the State’s infrastructure. In 2008 nearly 20 percent of Vermont’s bridges were structurally deficient. By 2013 that number was reduced to just 8 percent. Additionally, in 2008, 36 percent of Vermont’s pavement was rated in “very poor” condition, but through his work and the support of Governor Shumlin, Brian and his team were able to improve that number to 21 percent. Brian has also remained committed to supporting Vermont’s rail infrastructure, spending the time necessary to apply for and win Federal grants. This necessary funding allowed Vermont to realize the final stages of completing the Western Rail Corridor project designed to connect Rutland to Burlington, as well as upgrade track to complete high speed rail service between Saint Albans and Montreal. The success of these projects could not have happened without Brian’s leadership.

Brian and I have tackled many projects together, always working to accomplish big goals for Vermont’s transportation and infrastructure needs. In August of 2011, Tropical Storm Irene hit the State, wiping out 500 miles of roadway and forcing 33 bridges to close in Vermont’s worst natural disaster in recent history. Brian helped to bring our rural devastation to a national stage by testifying before the Senate’s Committee on Environment and Public Works and then led his team to successful rebuilding efforts. For this, Vermonters will always be grateful.

About a year ago, Brian approached Governor Shumlin with a resignation letter in his pocket. Looking at the wealth of knowledge and historic improvements in the agency’s work during Brian’s tenure, the Governor prevailed upon him to remain at the helm until the end of the Governor’s second term. Brian accepted the call, finished the year, and is now leaving the Vermont Agency of Transportation as a well-respected arm of Vermont’s State government.

Marcelle and I join all Vermonters in thanking Brian for his years of service to the State and wish him and his family the very best as they begin a new chapter of their lives.

RECOGNIZING MARY POWELL

Mr. LEAHY. Madam President, Vermont is a national leader in sustainable energy. Green Mountain Power, with its CEO and President Mary Powell at the helm, is the perfect example of the progress our State has made and should serve as an example for the rest of the Nation.

Mary was recently named the 2014 Power-Gen Woman of the Year. Mary is a leader and trailblazer in the power industry. She took the reins of Green Mountain Power, GMP, in 2008 and has transformed it into Vermont’s “energy company of the future.” Mary is truly committed to the idea that energy can spur socioeconomic change for