

service, and so have the threats confronting our nation. That's why we must employ all the means of American influence and power, including strong and effective foreign aid. We're confident the return on that investment is an essential contribution to our national security.

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#### RECENT DEVELOPMENTS IN COLOMBIA

Mr. LEAHY. Mr. President, as negotiations continue in Havana between the Colombian Government and the FARC rebels, I want to speak briefly about some recent information that is reason to be both encouraged and cautious about the future.

Over the course of the 50-year armed conflict, antipersonnel landmines and other unexploded ordnance have maimed and killed thousands of Colombians, mostly innocent civilians living in rural areas. To its great credit, the Colombian Government signed the international treaty banning antipersonnel mines years ago, but the FARC continued to use them.

Then, a little over 2 weeks ago, on March 7, the Colombian Government and the FARC reached an agreement for the removal and destruction of these indiscriminate weapons. The two sides have agreed to request the organization Norwegian People's Aid to lead and coordinate the implementation of this effort, which will prioritize areas where the population faces the greatest risk. The agreement provides for surveys, verification, and other mechanisms to ensure its effective implementation. This is long overdue, and I commend both sides for taking this step. It will not only save lives; it will help to build confidence for the implementation of a comprehensive peace agreement if one is reached.

While officials of both Colombia and the United States like to portray Plan Colombia, the 5-year initiative that has stretched on for 15 years and cost more than \$9 billion in U.S. aid as an unparalleled success, the reality is mixed.

On the one hand, there have been significant achievements. Many Colombians are safer today than a decade ago, the army and police are more professional, and the economy has improved significantly. The negotiations to achieve a comprehensive peace agreement between the government and the FARC, for which President Santos deserves our strong support, are making progress, although difficult issues, particularly relating to justice and accountability, remain.

A separate but related issue that needs to be addressed is the Ministry of

Defense's proposed military justice reforms. I am among those, including the Department of State, who have expressed concern that these legislative and constitutional proposals could be interpreted to permit the transfer of certain human rights crimes, including false positives, to the military courts which lack the credibility or capacity to impartially investigate and adjudicate them. The Colombian Government needs to resolve this matter as soon as possible in a manner that eliminates any ambiguity about the authority of the civilian courts over such cases.

Despite Plan Colombia's achievements, much of the past decade and a half was plagued by massacres, kidnappings, land seizures, and other crimes by paramilitaries, the Colombian army, and the FARC and ELN rebels, for which a very small fraction of the individuals responsible have been brought to justice. Corruption was rampant during the administration of President Uribe, and life today for millions of Colombians remains one of poverty, violence, and displacement. Human rights defenders, social activists, and trade unionists continue to be threatened and assaulted or killed with alarming frequency.

According to a recent report of the International Red Cross, violations of international humanitarian law in Colombia increased by 41 percent in 2014. There were 814 alleged breaches of international humanitarian law, an increase of 258 from 2013.

During the past year, Human Rights Watch released reports documenting numerous new cases of disappearances, killings, sexual violence, and other atrocities by the FARC and successor groups to paramilitaries in the mostly Afro-Colombian areas of Tumaco and Buenaventura. In these two municipalities on the Pacific coast, more than 28,000 residents were reportedly forced to abandon their homes due to violence in 2014 alone, according to government data.

These findings illustrate that despite progress in the peace talks they have yet to bring tangible improvements in the lives of many Colombians who continue to suffer horrific abuses with impunity. The landmine agreement has the potential to help change that. And, of course, a peace agreement that results in the disarmament of the FARC and their renunciation of drug trafficking would be a historic achievement of immense benefit to the Colombian people. But while it would signify an end to the armed conflict it would only be the starting point for rebuilding the country, especially rural communities that suffered the worst of the violence and displacement. That is a process which will take years.

It is widely understood that any peace agreement between two warring parties, neither of which can win on the battlefield, requires compromise. At the same time, lasting peace will require access to justice, particularly for

victims of the worst crimes. Impunity is at the root of the Colombian conflict: few criminal investigations result in convictions, and human rights or other political crimes of violence and corruption are rarely prosecuted.

If a peace agreement is reached I believe the United States should strongly support it—with an emphasis on strengthening Colombia's weak judicial institutions, including holding accountable those responsible for war crimes. No democracy can survive without transparent, competent, independent judicial institutions that protect the rule of law and deliver justice when basic rights are violated. If Colombia has the trained investigators, prosecutors, judges and most importantly, the political will to end impunity, the country will finally be able to leave the worst of its past behind.

#### WILDFIRES

Mr. MCCAIN. Mr. President, I would like to briefly mention the topic of wildfires. This year, Arizona and the West face an active wildfire season. Already 20 percent of Arizona's pine forests have been consumed by wildfires over the past decade. The fire situation is made worse by the ongoing drought and the unhealthy state of our overgrown forests. That is why I want to commend the chairman for reporting a budget resolution that calls on Congress to address funding shortfalls in the Forest Service's suppression budget but also promotes wildfire prevention using industry-led forest thinning and forest stewardship contracts.

Senator FLAKE, Senator BARRASSO, myself, and many others have made the case for years that the best way to control ballooning wildfire costs is to thin our forests so that fires become less severe and less costly to fight. The budget resolution's existing provision on wildfires is largely based on a bill that we recently reintroduced in Congress, the FLAME Act Amendments of 2015, which the Budget chairman supported. I am pleased that our goals are reflected in this resolution under section 319.

I also want to commend my colleague, Senator WYDEN, who offered an amendment, S.A. 434, that focuses purely on suppression funding, which I agree should be paired with the wildfire language in the budget resolution. Senator WYDEN and I have talked about merging some elements of our two proposals in order to cover both suppression and prevention. Our mutual goals were advanced today when Senator WYDEN modified his amendment to state that Congress may incorporate additional criteria in any proposal that enables limited wildfire adjustments for the Disaster Relief Fund.

#### SUNSHINE WEEK AND GOVERNMENT TRANSPARENCY

Mr. GRASSLEY. Mr. President, last week marked the 10th anniversary of

Sunshine Week, an initiative that has become a nationwide effort to promote openness and transparency in government. As Justice Brandeis wrote in 1913, “sunlight is said to be the best of disinfectants.” That is what Sunshine Week is all about—shining a bright light to provide accountability and ensuring the public’s right to know what its government is doing.

James Madison wrote in the *Federalist* No. 51, that “if men were angels, no government would be necessary.” This passage has been quoted and used time and again for different purposes—sometimes correctly, other times incorrectly. Nevertheless, it is important to keep in mind its context. Of course men aren’t angels. Rather, we are all ambitious, and “ambition must be made to counteract ambition.” Thus, Madison described the Framers’ challenge of forming a government administered by man as how to “enable the government to control the governed; and . . . oblige it to control itself.”

Madison went on to explain the need for the government structure we all know and live under now with proper checks and balances. Because of this structure, which is the best in the world, we celebrate Sunshine Week and continue to ensure the public can hold its government accountable.

There is perhaps no better tool that Americans have to help ensure that open government and transparency prevail than the Freedom of Information Act. Enacted almost five decades ago, FOIA gives the public the right to government information, opening wide the curtains on the public’s business and helping to ensure that government officials remain accountable.

Unfortunately, as Madison explained so long ago, when ambition seeks to counteract ambition there are challenges to allowing sunlight to disinfect the “culture of obfuscation” that permeates certain corners of the Federal Government. When this happens, FOIA’s effectiveness is undermined, and the public becomes even more skeptical of government. This sort of government behavior and secrecy knows no partisan boundaries. Both Democrat and Republican administrations have failed to provide the level of transparency that Federal laws require and which the American public so rightly deserves. But efforts to change the government’s attitude toward openness and transparency should know no such partisan boundaries either.

Currently, there is bipartisan work underway in both the Senate and House to strengthen the Freedom of Information Act. These reforms are aimed at improving citizens’ ability to access government information. The Senate Judiciary Committee has passed the FOIA Improvement Act of 2015, a bill I have cosponsored, and I am hopeful it will pass the Senate very soon. The FOIA Improvement Act would codify a “presumption of openness” standard,

which will help to ensure that agencies proactively disclose more information to the public. The bill also makes it easier for the public to request documents from the government, while bringing about meaningful improvements to the FOIA process.

Improvements in technology—and even improvements to our laws—will only go so far, however. Those who are entrusted with conducting the people’s business and who serve as stewards of hard-earned taxpayer dollars, should operate under an instinct of openness rather than reflexive secrecy.

Anyone who has watched the news recently could tell you that this year’s Sunshine Week couldn’t have fallen at a more appropriate—yet very concerning—time for our Nation. Even within the past few weeks, Americans have learned of more actions and inactions at the Federal level that helped keep the shutters closed on the public’s access to government business.

It is impossible to discuss the current state of government transparency without acknowledging former Secretary of State Hillary Clinton’s use of a personal email account located on a private server in her home to conduct official State Department business.

Last week, an article in *Politico* by Dan Metcalfe—who served more than 25 years as the Director of the Department of Justice’s Office of Information and Privacy—called Secretary Clinton’s argument that she complied with Federal recordkeeping laws “laughable.” Mr. Metcalfe says that “in this case, which is truly unprecedented, no matter what Secretary Clinton would have one believe, she managed successfully to insulate her official emails, categorically, from the FOIA, both during her tenure at State and long after her departure from it—perhaps forever.” At minimum, he says, “it was a blatant circumvention of the FOIA by someone who unquestionably knows better.”

In an attempt to appease the increasing demand for answers, Secretary Clinton said she used a personal email account to conduct official government business simply for reasons of “convenience.” While that may be so, I fear it is indicative of a broader fundamental disconnect between the letter and spirit of our Nation’s transparency laws and the actions and attitudes of its officials.

Let’s be clear. Transparency shouldn’t be a question of convenience. And the public’s right to know shouldn’t be curtailed simply because the release of certain information might be rather inconvenient for an agency, its leadership or an administration.

Conducting government business on private email undermines public trust and is detrimental to good government. That is why I have reiterated a request I made to the State Department in 2013 for records and communications relating to the agency’s questionable use of the “special government employee”

designation for a top aide to Secretary Clinton. This designation may have facilitated even more government business being conducted over private email, and we need to know exactly how these practices may be undermining FOIA.

I have also worked to shine light on the current Labor Secretary’s use of private email to conduct official business while serving at the Justice Department, and on allegations of the improper use of unofficial email addresses at the Treasury Department. In our increasingly digital world, we must remain vigilant in ensuring that government officials are conducting business through the appropriate channels.

President Obama gave me high hopes at the start of his administration for a “new era of open Government”—one where transparency is the rule, as opposed to the exception. On his first day in office, the President issued a memorandum to his administration, proclaiming that “the Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails.” He has even proclaimed that his is “the most transparent administration in history.”

Yet, time and again, we see examples of this administration operating under a “do as I say, not as I do” approach to transparency. Last week, administration officials proclaimed in *USA TODAY* that “increasingly, government agencies are operating with a ‘default to open’ approach.” They added that “the administration also continues to make important strides in improving the Freedom of Information Act process.”

The very next day was National Freedom of Information Day. How did the Obama administration celebrate its commitment to transparency? It announced its intention to remove a Federal regulation from the books that for 30 years has subjected the White House Office of Administration to FOIA requests. And just for good measure, the administration said that this official change in policy will not be subject to public comment.

But this is by no means the first time the administration has shirked its commitment to transparency. From negotiating new regulations behind closed doors, to arguing an illogically narrow interpretation of FOIA before the DC Circuit—an interpretation the court said would have left FOIA requesters in limbo for months or even years—the Obama administration seems determined to say one thing while doing another. Clearly, there is room for improvement.

But thankfully, when the government refuses to let the sunlight in, courageous citizens have stepped up to throw open the shutters. Each year, Sunshine Week provides an excellent opportunity to highlight the bravery and contribution of whistleblowers—private citizens and government employees who come forward to expose wrongdoing.

Whistleblowers are a critical component of ensuring that our government remains accountable to the people that it serves. For years, I have worked with fellow lawmakers to ensure that whistleblowers have the kind of protections they need to be able to shine a light on waste, fraud, and abuse—without fear of retribution. Part of this effort has been through rigorous congressional oversight of agency compliance with laws like the Whistleblower Protection Act.

This also involves rooting out areas for improvement. Earlier this month, the Senate Judiciary Committee held an oversight hearing to examine the urgent need for increased whistleblower protections at the FBI, where—unlike every other Federal agency—employees are not protected from retaliation for uncovering and reporting wrongdoings to their direct supervisors.

People who are courageous enough to open wide the curtains on waste, fraud, and abuse should not have to fear for their livelihood; they should be honored for exposing the truth. To help advance this effort, I—along with a bipartisan group of Senators—recently launched the Whistleblower Protection Caucus. The caucus will serve as a resource for the latest information on whistleblower developments and will foster bipartisan discussion on the treatment of whistleblowers.

Agency inspectors general, likewise, play a crucial role in bringing information about government actions—or inactions—out into the public light. It is important that their jobs not be undermined by the very agencies within which they operate. I am continually frustrated by the stories I hear of an agency stonewalling an inspector general's attempt to uncover the truth. In August 2014, 47 inspectors general from across the Federal government wrote to Congress about agency refusals to provide access to documents and information critical to their investigative efforts.

I am particularly troubled by recent reports from the Justice Department's Office of the Inspector General that the FBI is failing to provide it with timely access to records. Not only is the FBI dragging its feet in turning over key documents, it is erecting barriers to access that are in direct contradiction with Federal law.

If agencies are willing to go to such lengths to prevent disclosure, we have all the more reason to recognize and support the efforts of those who—often at great risk—seek to peel back the curtains.

Sunshine Week continues to be a reflection of the tireless efforts of whistleblowers, government watchdogs, investigative journalists, and average Americans from across the country who are steadfast in their pursuit of a more transparent and accountable government. They are doing their part. We need to do ours. Let's build upon this 10th anniversary of Sunshine Week to

engage in the discussions and work together toward the solutions that will truly usher in a new era of openness.

#### TRIBUTE TO DR. DOUGLAS ELMENDORF

Mr. ENZI. Mr. President, I would like to take this moment to recognize Dr. Douglas Elmendorf's strong service to our country and, specifically, to the Congress. He leaves the directorship of the Congressional Budget Office today after leading this important agency for 6 years, one of the longest tenures in CBO's 40-year history. His steady, wise, and innovative management of Congress's budget umpires has enhanced that organization's already sterling reputation.

We are particularly grateful for his steady hand as we worked our way through the policy responses to the great recession. I cannot think of a more trying time to have been CBO Director than the last 6 years.

He also gets high marks in my book for his leadership in pioneering important scoring techniques that include the use of models of the U.S. economy. In this regard, his commitment to providing Members of Congress with the best information possible further burnished CBO reputation.

We will miss Doug Elmendorf. However, he leaves a young man, which likely means those of us in the public policy community will continue for many years to benefit from his economic wisdom and passion for this country.

#### NATIONAL COLORECTAL CANCER AWARENESS MONTH

Mr. CARDIN. Mr. President, I ask my colleagues to join me in recognizing March as National Colorectal Cancer Awareness Month. This month provides us with an opportunity to reflect on the significant strides we have made in confronting colorectal cancer and to renew our commitment to beating this devastating disease. In 2000, President Clinton first dedicated National Colorectal Cancer Awareness Month in order to raise awareness of colorectal cancer and to remind us of the important steps we can take to prevent, detect, and ultimately defeat this disease.

Colorectal cancer is the second leading cause of cancer death in the United States. This year, approximately 50,000 Americans will die from colorectal cancer, which means each one of us in this Chamber will lose an average of 1,000 constituents in 2015 alone. The likelihood of developing colorectal cancer is now greater than 1 in 20, and 133,000 Americans are expected to be newly diagnosed this year. The American Cancer Society estimates that 2,360 new cases of colorectal cancer will be diagnosed in Maryland and, sadly, 860 Marylanders are expected to die from the disease this year.

Colorectal cancer affects men and women equally when we reach the age

of 50 and beyond. Unfortunately, as I look around this room I know that some of you have known someone who has been impacted by this disease.

Despite these grim statistics, however, the single most encouraging fact about this deadly disease is that colorectal cancer is among the most preventable of all cancers. Unlike other cancer screenings where the goal is to detect cancer at an early stage, colorectal cancer screenings can actually prevent cancer from occurring in the first place. Colorectal cancer arises from pre-cancerous growths, or polyps, that grow in the colon. If found early through appropriate screening and detection, these polyps can be removed, halting their progression into colorectal cancer. The way to beat this disease is with regular screening through a variety of methods, including colonoscopy. These are life-saving tests. In fact, a recent study in the *New England Journal of Medicine* concluded that of the nearly 50,000 people expected to die of colorectal cancer this year, screening could save more than half of them.

At the same time, colorectal cancer screening is becoming a public health success story in the United States. While it remains the second leading cause of cancer deaths among men and women combined, both the incidence and death rate have been declining in recent years—something no other country can claim. The percentage of the population that is up to date with recommended colorectal cancer screening increased to 65 percent in 2010 and, among those aged 50 and older, incidence rates have dropped 30 percent over the last decade. This positive trend in lower incidence rates demonstrates the importance of screening and the power of preventive medicine.

In Maryland, we can boast one of the highest screening rates among eligible populations in the country at 70 percent. However, that still means that three out of every ten people at risk are not getting screened. This highlights the need for policies to help achieve the Centers for Disease Control and Prevention's national goal of having 80 percent of eligible Americans screened by 2018. Furthermore, screening rates remain unacceptably low across the country, especially in the Medicare age population, who have the greatest risk for developing colorectal cancer.

I am proud to rise in support of National Colorectal Cancer Awareness Month. The need for increased awareness about this disease and the importance of screening is a public health issue truly worthy of our attention in Congress. I ask my colleagues to join me in working to raise awareness that colorectal cancer is preventable, detectable, treatable and curable.