AMENDMENT NO. 484

At the request of Mrs. MCCASKILL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 484 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 486

At the request of Mr. COBURN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 486 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 488

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 488 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 494

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 494 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 496

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 496 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 497

At the request of Ms. CANTWELL, the names of the Senator from Florida (Mr. NELSON), the Senator from Hawaii (Mr. SCHATZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 497 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 499

At the request of Mr. MANCHIN, the names of the Senator from Indiana (Mr. COATS), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of amendment No. 499 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 504

At the request of Mrs. MCCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 504 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 505

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. COONS), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 505 intended to be proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

AMENDMENT NO. 656

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 656 proposed to S. Con. Res. 8, an original concurrent resolution setting forth the congressional budget for the United Stated Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 652. A bill to protect investors by fostering transparency and accountability of attorneys in private securities litigation; to the Committee on Banking, Housing, and Urban Affairs.

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. 652

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 ''Securities Litigation Attorney Accountability and Transparency Act''.

SEC. 2. DISCLOSURES OF PAYMENTS, FEE ARRANGEMENTS, CONTRIBUTIONS, AND OTHER POTENTIAL CONFLICTS OF INTEREST BETWEEN PLAINTIFF AND ATTORNEYS.

(a) SECURITIES EXCHANGE ACT OF 1934.—Section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)) is amended by adding at the end the following:

''(10) DISCLOSURES REGARDING PAYMENTS.—

''(A) SWORN CERTIFICATIONS REQUIRED.—

''(i) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(I) be personally signed by such plaintiff and each such attorney, respectively;

''(II) be filed with the complaint; and

''(III) identify any direct or indirect payment, or promise of any payment, by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, beyond the pro rata share of any recovery received by the plaintiff, except as ordered or approved by the court in accordance with paragraph (4).

''(ii) COURT ACTIONS.—Upon disclosure of any payment or promise of payment described in clause (i), the court shall disqualify the attorney from representing the plaintiff.

''(B) DEFINITION.—For purposes of this paragraph, the term 'payment' includes the transfer of money and any other thing of value, including the provision of services, other than representation of the plaintiff in the private action arising under this title.

''(11) DISCLOSURES REGARDING LEGAL REPRESENTATIONS.—

''(A) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(i) be personally signed by such plaintiff and each such attorney, respectively;

''(ii) be filed with the complaint; and

''(iii) identify the nature and terms of any legal representation provided by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, other than the representation of the plaintiff in the private action arising under this title.

''(B) COURT ACTIONS.—The court—

''(i) may allow certifications under subparagraph (A) to be made under seal;

''(ii) shall review such certifications to determine whether cause exists to believe that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title;

''(iii) may conduct a factual inquiry or refer the question to a magistrate, if the court makes a finding described in clause (ii); and

''(iv) shall disqualify the attorney from representing the plaintiff in any action arising under this title, if the court finds, after such inquiry, that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in any such action.

''(12) DISCLOSURES REGARDING CONTRIBUTIONS.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(A) be personally signed by such plaintiff and each such attorney, respectively;

''(B) be filed with the complaint; and

''(C) identify any contribution made during the 5-year period preceding the date of filing

of the complaint by such attorney, any person affiliated with such attorney, or any political action committee controlled by such attorney, to any elected official with real or apparent authority to retain counsel for such plaintiff or to select or appoint, influence the selection or appointment of, or oversee any individual or group of individuals with that authority.''.

(b) SECURITIES ACT OF 1933.—Section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)) is amended by adding at the end the following:

''(9) DISCLOSURES REGARDING PAYMENTS.—

''(A) SWORN CERTIFICATIONS REQUIRED.—

''(i) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(I) be personally signed by such plaintiff and each such attorney, respectively;

''(II) be filed with the complaint; and

''(III) identify any direct or indirect payment, or promise of any payment, by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, beyond the pro rata share of any recovery received by the plaintiff, except as ordered or approved by the court in accordance with paragraph (4).

''(ii) COURT ACTIONS.—Upon disclosure of any payment or promise of payment described in clause (i), the court shall disqualify the attorney from representing the plaintiff.

''(B) DEFINITION.—For purposes of this paragraph, the term 'payment' shall include the transfer of money and any other thing of value, including the provision of services, other than representation of the plaintiff in the private action arising under this title.

''(10) DISCLOSURES REGARDING LEGAL REPRESENTATIONS.—

''(A) IN GENERAL.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(i) be personally signed by such plaintiff and each such attorney, respectively;

''(ii) be filed with the complaint; and

''(iii) identify the nature and terms of any legal representation provided by such attorney, or any person affiliated with such attorney, to such plaintiff, or any person affiliated with such plaintiff, other than the representation of the plaintiff in the private action arising under this title.

''(B) COURT ACTIONS.—The court—

''(i) may allow certifications under subparagraph (A) to be made under seal;

''(ii) shall review such certifications to determine whether cause exists to believe that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title;

''(iii) may conduct a factual inquiry or refer the question to a magistrate, if the court makes a finding described in clause (ii); and

''(iv) shall disqualify the attorney from representing the plaintiff in any action arising under this title, if the court finds, after such inquiry, that the nature or terms of the fee arrangement for any other matter influenced the selection and retention of counsel in the private action arising under this title.

''(11) DISCLOSURES REGARDING CONTRIBUTIONS.—In any private action arising under this title, each plaintiff and any attorney for such plaintiff shall provide sworn certifications, which shall—

''(A) be personally signed by such plaintiff and each such attorney, respectively;

''(B) be filed with the complaint; and

''(C) identify any contribution made during the 5-year period preceding the date of filing of the complaint by such attorney, any person affiliated with such attorney, or any political action committee controlled by such attorney, to any elected official with real or apparent authority to retain counsel for such plaintiff or to select or appoint, influence the selection or appointment of, or oversee any individual or group of individuals with that authority.''.

SEC. 3. SELECTION OF LEAD COUNSEL.

(a) SECURITIES EXCHANGE ACT OF 1934.—Section 21D(a)(3)(B)(v) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)(3)(B)(v)) is amended by adding at the end the following: ''In exercising the discretion of the court over the approval of lead counsel, the court shall employ a competitive bidding process as one of the criteria in the selection and retention of counsel for the most adequate plaintiff, unless the court determines on the record that such a process is not feasible.''.

(b) SECURITIES ACT OF 1933.—Section 27(a)(3)(B)(v) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)(3)(B)(v)) is amended by adding at the end the following: ''In exercising the discretion of the court over the approval of lead counsel, the court shall employ a competitive bidding process as one of the criteria in the selection and retention of counsel for the most adequate plaintiff, unless the court determines on the record that such a process is not feasible.''.

SEC. 4. STUDY OF AVERAGE HOURLY FEES IN SECURITIES CLASS ACTIONS.

(a) STUDY AND REVIEW REQUIRED.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall conduct a study and review of fee awards to lead counsel in securities class actions during the 7-year period preceding the date of enactment of this Act, to determine the effective average hourly rate for lead counsel in such actions. Such study and review shall also consider lead counsel perquisites, including travel and accommodation.

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the results of the study and review required by this section. The Comptroller General shall submit an updated report every 3 years thereafter.

(c) DEFINITION.—For purposes of this section, the term ''securities class action'' means a private class action arising under the Securities Act of 1933 (15 U.S.C. 77 et seq.) or the Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) that is brought as a plaintiff class action pursuant to the Federal Rules of Civil Procedure.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 657. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, I am very pleased to join today with the senior Senator from Oklahoma, Senator INHOFE, in reintroducing legislation that has already attracted broad support from across the social and political spectrum. An almost identical version was reported by the Foreign Relations Committee two years ago, and then last December it was cleared by both sides for passage by unanimous consent but the Senate adjourned shortly before it could be adopted.

This bill, titled the Foreign Prison Conditions Improvement Act of 2013, seeks to address a much neglected, global human rights and humanitarian problem—the inhumane treatment of people in foreign prisons and other detention facilities.

On any given day, millions of people are languishing in foreign prisons, many in pretrial detention having never been brought before a judge or formally charged or proven guilty of anything, deprived of their freedom in abysmal conditions, often for years longer than they could have been sentenced to prison if convicted.

Others are imprisoned after being convicted of offenses, often after woefully unfair trials, including for nothing more than peacefully expressing political or religious beliefs or defending human rights. Regardless of their status they have one thing in common. They are deprived of the most basic rights and necessities—safe water, adequate food, essential medical care, personal safety, and dignity.

Anyone who has been inside one of these facilities, or seen photographs or press reports of what they are like, understands that this is about the mistreatment of human beings in ways that are reminiscent of the Dark Ages.

A few examples illustrate the point. In Haiti's National Penitentiary before the 2010 earthquake, more than 4,100 prisoners were confined in a space built for less than 900. Many did not have room to lie down and had to sleep standing up. Sanitation was practically non-existent. Deadly contagious diseases were rampant. The overwhelming majority of inmates had never been formally charged, never seen a lawyer or a judge. The earthquake damaged the prison and the prison guards fled, leaving the inmates to fend for themselves without food or water. They managed to get out, but the squalid facility filled up again.

Senator WHITEHOUSE and I visited that facility just last month. It currently holds more than 3,700 prisoners of which more than 3,400 are awaiting trial. Thanks to the State Department, the U.S. Agency for International Development, and a small Florida-based organization, Health Through Walls, a new infirmary and X-ray machine have dramatically reduced the incidence of HIV and tuberculosis. A small Vermont-based organization, the Rural Justice Center, is using USAID funds to chip away at the pretrial detention problem. These are examples of how modest funding can save lives and improve access to justice for prisoners in facilities plagued by abysmal conditions.

I recall a newspaper article about how in Benin, in West Africa, the skin of prisoners was ragged from the extraction of fly larvae, an affliction that is symptomatic of the deplorable conditions. Many inmates suffer from tuberculosis, scabies, parasites, lung infections or other illnesses. The prison in Abomey, located in southern Benin,

was built in 1904 to house a maximum of 150 prisoners. A year or two ago, more than 1,000 were reportedly confined there.

Last February, a fire at the Comayagua Prison in Honduras killed 360 inmates. In one overcrowded cell block only four of 105 prisoners survived. More than half of those who died were waiting to be charged or tried.

It is common in prisons from Latin America to the Middle East, Africa, and Asia for inmates to be severely malnourished and to go for months without being able to wash. Many prisoners depend for survival on food brought to them by relatives. In many countries individuals awaiting trial, young and old, are housed together with convicted, violent criminals.

Prisoners and other detainees in many countries are also routinely victimized by poorly trained, abusive guards who are virtually unsupervised and unaccountable to any higher authority. Sexual abuse of men, women and children is common.

Prisoners in many countries die in prison from lack of proper medical care. Inmates suffer from AIDS and other illnesses in facilities with no medical records, where doctors do not enter. Prisoners intentionally cut or otherwise harm themselves in the hope of receiving medical attention for life-threatening illnesses. If and when they are released they infect the local population.

A New York Times article described how prisoners in one African country were punished by being stripped naked and held in solitary confinement in small, windowless cells, sometimes for days on end, in ankle-to-calf-high water contaminated with their own excrement. It is like something out of The Count of Monte Cristo, only worse because it is happening in the 21st Century. But the article went on to describe how that country's prison service conducted its own audit, appointed a new medical director, and allowed human rights workers access to its facilities. The legislation Senator INHOFE and I are introducing seeks to provide incentives for those kinds of improvements. Our bill would do the following:

First, it calls attention to this long ignored problem. Most people know little if anything about what goes on inside foreign prisons, and many would prefer not to know.

Second, it sets forth primary indicators for the elimination of inhumane conditions in foreign prisons and other detention facilities, such as human waste facilities that are sanitary and accessible, and adequate ventilation, food and safe drinking water.

Third, it requires the Secretary of State to report annually on the conditions in prisons and other detention facilities in at least 30 countries receiving United States assistance or under sanction by the United States, selected by the Secretary's determination that such conditions raise the most serious human rights or humanitarian concerns.

Fourth, it encourages the Secretary and the Administrator of the U.S. Agency for International Development to furnish assistance for the purpose of eliminating inhumane conditions where such assistance would be appropriate and beneficial.

For countries that are not making significant efforts to eliminate such conditions, the Secretary is to enter into consultations with their government to achieve the purposes of the Act.

The legislation also provides for training of Foreign Service Officers, and directs the Secretary to designate, within the Department of State's Bureau for Democracy, Human Rights, and Labor, an official with responsibility for implementing the provisions of the Act.

Finally, it authorizes the expenditure of funds to implement the Act.

Once enacted, the Foreign Prison Conditions Improvement Act of 2013 will help foreign governments ensure that prisoners in their countries are treated as any people deprived of their freedom should be—as human beings, with dignity, in safety, and provided the basic necessities of life.

In countries around the world, the United States is helping to reform justice systems and strengthen the rule of law. No justice system can claim to deliver justice if prisoners and other detainees are treated like animals, or worse. By helping to change attitudes, and showing how with relatively little money prison conditions can be significantly improved, we can help advance the cause of justice more broadly.

Millions of people around the world look to the United States as a defender of justice. This legislation will further that goal and it reflects the best instincts of the American people. It has been endorsed by a wide range of groups, including Amnesty International, USA; Baptist World Alliance, Division of Freedom and Justice; Ethics and Religious Liberty Commission of the Southern Baptist Convention; Human Rights First; Human Rights Watch; International CURE; International Justice Mission; International Prison Chaplains' Association; Jewish Council for Public Affairs; Just Detention International; Justice Fellowship/Prison Fellowship Ministries; National Association of Evangelicals; National Religious Campaign Against Torture; New Evangelical Partnership for the Common Good; Open Society Policy Center; Penal Reform International; Religious Action Center of Reform Judaism; United Methodist Church, General Board of Church and Society; and the United States Conference of Catholic Bishops. I want to thank these groups for their support and their efforts to focus attention on this urgent problem.

Identical legislation is planned for reintroduction in the House by Representative CHRIS SMITH who cares deeply about this issue, so this is a bipartisan, bicameral effort.

Finally, I want to thank Senator INHOFE, who has visited many African countries and has witnessed the problems this legislation seeks to address, as well as his staff, who have been very helpful throughout this process. At a time when some people seem to get satisfaction from calling Washington broken, this is another example of how two Senators, of different parties, whose political views often differ, can work together in furtherance of a just cause.

Mr. INHOFE. Mr. President, it is with great pleasure that I join my friend Senator LEAHY from Vermont in introducing, the Foreign Prison Conditions Improvement Act of 2013.

As I stated when we introduced this bill in the 112th Congress, our bill seeks to identify and eliminate unhealthy and unsafe prison conditions found in developing countries like Haiti and on the African continent where millions suffer inhumane conditions as well as to address the dysfunctions in their legal systems.

The introduction of this bill comes at an appropriate time because Jon Hammer, the imprisoned U.S. Marine being held in the Cedes Prison in Matamoras, Mexico was freed this past December 21st.

Corporal Hammer, who served in Iraq and Afghanistan, was arrested in August and charged with a Federal weapons felony—facing up to 15 years in prison, for carrying an antique gun into Mexico on his way to Costa Rica for a hunting trip, despite, as I understand it, having a required permit and attempting to declare the gun. During the past 90 days, he faced the same harsh conditions that our bill is trying to address. Namely, Hammer was housed in an overcrowded and unsanitary prison, beaten by fellow inmates who were members of the murderous Mexican drug cartels, threatened with death in an extortion attempt by these inmates and chained to a bed.

I had been involved in seeking Jon's release for several weeks, and I was heartened when he was released. His treatment, however, serves as an excellent example of the deficiencies found everyday in foreign prisons worldwide from Africa to no further away than our southern border.

Our bill focuses on eliminating excessive pre-trial detention and dysfunctional justice systems which frequently result in prisoners and other detainees spending years in unhealthy prison conditions before their cases are even adjudicated. Tragically, inadequate, misplaced or lost records often result in the incarcerated being held indefinitely because their cases have never been heard. Unbelievably, such poor recordkeeping has kept many in prison long after their sentences have been served. Our bill also encourages these nations to provide humane and sanitary prison conditions so that prisoners can be released in good health, and thus stem one of the causes of the spread of HIV and tuberculosis among the general public.

Our bill calls upon the Department of State to submit to Congress an annual report for five years that describes inhuman prison conditions at least 30 countries receiving U.S. foreign assistance. It gives the Secretary of State and Administrator of the U.S. Agency for International Development the discretion to restructure, reprogram or reduce U.S. foreign assistance to these countries based upon whether they are making ''significant efforts'' to eliminate inhuman conditions in their prisons and other detention facilities.

The goals of this bill are noble, but it will take close monitoring and hard work by our U.S. Foreign Service personnel on the ground overseas to fulfill this work. That is why our bill directs the Secretary of State to provide training to these embassy and consulate personnel so that they can effectively investigate and assess prison conditions in foreign prisons as well as assist these foreign governments to adopt substantive prison reforms. The Secretary is also directed to designate and task a Deputy Assistant Secretary of State within the Bureau of Democracy, Human Rights and Labor with the responsibility for gathering the information for the annual report and make recommendations to the Secretary based off its conclusions.

I have made 128 African country visits over the past 16 years, and I believe that given the chance, the majority of Africa's leaders will welcome the opportunity to interact with our embassy and consulate personnel and adopt the best practices for achieving the elimination of unhealthy and unsafe conditions in their prisons and other detention facilities. It is also my hope that our neighbors to the south will adopt safe and sanitary prisons conditions and correct the dysfunctions in their justice systems so that another U.S. citizen does not have to spend 90 days in prison for a paperwork error.

The task at hand reminds me of the teaching of Jesus in Matthew 25:39:40 when he said, '''When did we see you sick or in prison and visit you?' And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.'''

We are all our brothers' keepers.

By Mrs. GILLIBRAND (for herself, Mr. VITTER, Mr. COONS, Mr. BLUNT, Ms. LANDRIEU, Mr. LEAHY, Mr. WARNER, and Mrs. MURRAY):

S. 658. A bill to amend titles 10 and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes; to the Committee on Armed Services.

Mrs. GILLIBRAND. Mr. President, I am pleased to join Senators VITTER, COONS, BLUNT, LANDRIEU, LEAHY, WARNER, and MURRAY in introducing the Cyber Warrior Act of 2013 to build Cyber and Computer Network Incident Response Teams in the National Guard.

This bill would establish a Cyber and Computer Network Incident Response Team, CCNIRT, in each state and the District of Columbia, which could provide a scalable response, called into support by the Governor in case of a domestic initial response or by the Secretary of Defense in a Title 10 status when the situation warrants it. These teams would combine both Active and Traditional Guard Members, thereby leveraging the private sector IT expertise and experience. The use of the Guard would also support the goal of retaining the cyber training of military personnel when they retire.

The bill would allow the Guard to further develop cyber capabilities to address existing and potential future surge needs. This bill would also allow the National Guard to support existing DHS, DOJ, Secret Service, and State and Local cyber efforts with their unique capabilities and expertise, as well as leverage their private sector expertise.

The Guard members under this bill would add to existing Guard end strengths. The funding to support this mission is intended to be born by the active duty, but not incur any new budgetary authority.

The bill would also authorize Governors to ask their National Guard to help train State and Local Law Enforcement and other Cyber Responders in cyber security, and help them develop sound best practices that allow more cohesive interaction with Federal-level responders.

The bill requires cyber Guard Members to receive the same level of training that is available to the Active Duty cyber personnel, to the extent practicable. The bill would require the Secretary of Defense to report on such training.

The bill would also require the Secretary of Defense to report to committees of jurisdiction on the following ways to attract and retain more cyber warriors.

The bill requires description and assessment of various mechanisms to recruit and retain members of the regular and reserve components of the Armed Forces; an assessment of the use virtual and/or short term deployments in case of cyber incident responses; and a description of the training requirements and physical demands in the cyber specialties.

By Mr. WYDEN:

S. 659. A bill to reauthorize the Reclamation States Emergency Drought Relief Act of 1991, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I would like to speak for a few minutes today on the importance of reauthorizing the Reclamation States Emergency Drought Relief Act.

This past year was the warmest on record and we are witnessing more climate-driven events, including drought. Over 60 percent of the nation experienced some form of drought during 2012. In my home State of Oregon, serious drought is likely to persist in the southeastern part of the State.

Last summer marked the Nation's most widespread drought in 60 years, stretching across 29 States and threatening crop production and power plant operations. The levels in many lakes and reservoirs have declined putting at risk a crucial part of our Nation's drinking water supplies. The impacts of the drought are profound and the outlook for this summer isn't any better.

The Drought Act was originally reported out of the Senate Energy and Natural Resources Committee in 1992. Since then it has provided over $74 million in drought assistance activities to States across the West. It not only authorizes the Bureau of Reclamation to undertake construction, management and conservation activities that will minimize and mitigate the losses and damages resulting from drought conditions, but it also gives specific considerations to the needs of fish and wildlife.

My proposed legislation would reauthorize the Reclamation States Emergency Drought Relief Act, which expired last year, for an additional 5 years. Given the drought last year and the forecast for prolonged drought in parts of this country, it is reasonable to raise the authorization level by $20 million, which this legislation does. As one indication of the associated costs of drought, in 2012 the drought caused an estimated $50 billion in damages.

In closing, I look forward to working with this administration and my colleagues in the Senate to reauthorize this vital program and to ensure the Bureau of Reclamation has the resources it needs to adequately address the drought conditions.

By Mrs. FEINSTEIN:

S. 663. A bill to provide for the inclusion of the State of California as a separate Federal milk marketing order upon the petition and approval of California dairy producers of such inclusion; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Mr. President, I rise today, on behalf of myself and Senator BOXER, to introduce the California Federal Milk Marketing Order Act. This legislation will allow California's dairy industry to operate on a system that is consistent with the industry in other states.

The bill is as simple and straight forward as it gets—it's only two paragraphs long.

The first paragraph allows the California dairy producers to create their own ''regional order'' within the existing Federal Milk Marketing Order Program, if they elect to do so.

If California dairy farmers do elect to join the Federal order, the second paragraph allows California to maintain its existing ''quota system,'' which I will explain in a moment.

It is important for me to say up front how non-controversial this legislation should be.

The legislation has broad bi-partisan support among the diverse California congressional delegation.

The bill would likely add no new burden to the Federal taxpayer.

Congress enacted an identical provision in 1996.

But the provision expired along with the 1996 Farm Bill. So essentially, the legislation I am introducing today is simply the reauthorization of that no-cost provision.

More importantly though, this legislation can help the struggling dairy industry. Prices have dipped back to near historic lows, and farmers are often milking their cows at or below the cost of production.

In California, this has resulted in a drastic consolidation of the industry. Forty-eight dairies went out of business in 2011. Eleven left the business in 2010. And 100 more left the business in 2009.

With only 1,668 dairies left in the state in 2011, those losses represent more than a 10 percent contraction in just three years.

But this legislation has the potential to begin the turnaround for California by bringing the milk pricing formulas in line with the rest of the nation.

To explain how the turnaround could occur, I'd like to start with the basics.

USDA operates 10 regional Federal Milk Marketing Orders for dairy farmers in 42 States. The order sets up a system to pay farmers a set price for their milk, even though food manufacturers pay different prices based on how the milk is used. For instance, farmers in the Federal order receive the same price for milk that is put in a carton for drinking as milk that is converted into dry milk powder. This is true even though these products sell for significantly different prices at the grocery store.

However, California, the Nation's largest milk producing State, operates under a different system. The State elected to run its own milk marketing order, so California farmers are paid different values for their products, and they are playing by different rules.

One unique characteristic of the California Marketing Order, and the reason for this legislation, is the system known as ''quota,'' which I mentioned earlier.

Producers who own a portion of the ''quota'' receive a premium for their milk, roughly five percent more than other producers. Rights to quota can be bought or sold on the open market, and economists estimate that the combined value associated with quota is roughly $900 million.

It is this $900 million value that the California Federal Milk Marketing Order Act authorizes to be converted into a Federal order.

Inclusion of the quota will not come at taxpayer expense. Producers who own quota receive a higher price for their milk, but the additional payment is offset by a marginal increase in prices paid by dairy processors.

I know that dairy support programs can be convoluted and controversial. But I want to make sure that my colleagues know that this legislation is not.

The bill simply gives California dairy farmers the option of entering into the Federal order, at the time of their choosing. It does not mandate a thing.

I hope my colleagues will see the sense in this legislation and join me in supporting our dairy farmers by enacting 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. 663

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 ''California Milk Marketing Order Act''.

SEC. 2. INCLUSION OF CALIFORNIA AS SEPARATE MILK MARKETING ORDER.

(a) INCLUSION AUTHORIZED.—Upon the petition and approval of California dairy producers in the manner provided in section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary of Agriculture shall designate the State of California as a separate Federal milk marketing order.

(b) SPECIAL CONSIDERATIONS.—If designated under subsection (a), the order covering California shall have the right to reblend and distribute order receipts to recognize quota value.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—STANDING WITH THE PEOPLE OF KENYA FOLLOWING THEIR NATIONAL AND LOCAL ELECTIONS ON MARCH 4, 2013, AND URGING A PEACEFUL AND CREDIBLE RESOLUTION OF ELECTORAL DISPUTES IN THE COURTS

Mr. COONS (for himself, Mr. CARDIN, and Mr. FLAKE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the Government and people of the United States stand with the people of Kenya following their national and local elections on March 4, 2013;

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which facilitated a power-sharing arrangement and led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas, as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence (the ''Waki Commission'') concluded from its investigation in 2008 that there had been ''no serious effort by any government'' to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas, based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, ''Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive'';

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors ''. . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law'';

Whereas, prior to the March 2013 elections, concerns about political violence in Kenya were high, and in the months preceding there had been strong indications that local politicians in various parts of the country were involved in organizing or inciting violence in order to influence local electoral outcomes;

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and ''move forward towards prosperity and opportunity that unleashes the extraordinary talents of your people'';

Whereas, five years after Kenya's post-election crisis, the country held its first general elections under the new constitution on March 4, 2013, which were largely peaceful; and

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process, which is now underway with