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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, December 23, 2013, at 10 a.m.

Senate

FRIDAY, DECEMBER 20, 2013

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. LEAHY.)

PRAYER

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

Let us pray.

Eternal Spirit, who has blessed us with every spiritual blessing in heavenly places, we give reverence to Your holy name. Thank You for choosing us to labor for liberty during these challenging times. Lord, keep us from the temptations that would thwart our effectiveness as You deliver us from evil. Use our lawmakers to lift the burdens of the lost, last, lonely, and least, bringing deliverance to captives and permitting the oppressed to be unshackled. Dwell in the hearts of our Senators, enabling them to be rooted and grounded in Your love.

We pray, in Your powerful Name. Amen.

NOTICE

If the 113th Congress, 1st Session, adjourns sine die on or before December 24, 2013, a final issue of the *Congressional Record* for the 113th Congress, 1st Session, will be published on Tuesday, December 31, 2013, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Monday, December 30. The final issue will be dated Tuesday, December 31, 2013, and will be delivered on Thursday, January 2, 2014.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

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

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PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The majority whip is recognized.

SCHEDULE

Mr. DURBIN. Mr. President, Senator REID, the majority leader, is absent today. I will be acting in his place. Senator REID called me this morning. He sounded good. We look forward to his speedy recovery.

Following my remarks and those of the Republican leader, the Senate will resume executive session to consider the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security postcloture.

The next hour will be equally divided and controlled between Senators CARPER and COBURN. There will be six rollcall votes at approximately 10:15 a.m.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS TO BE DEPUTY SECRETARY OF HOMELAND SECURITY

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The bill clerk read the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

The PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate on the nomination equally divided and controlled between the Senator from Delaware Mr. CARPER and the Senator from Oklahoma, Mr. COBURN or their designees.

Who seeks recognition? The Senator from Delaware.

Mr. CARPER. Mr. President, I will speak very briefly. Then I would like to yield to Senator LEAHY for some comments he would like to make on the President's nominee to be our next Deputy Secretary of Homeland Security. The Senator has known Mr. Mayorkas for a number of years, worked very closely with him through his committee's oversight of the EB–5 program.

I am delighted he is going to take the floor and move from presiding to speaking. I am happy to yield to the Senator from Vermont.

The PRESIDING OFFICER (Ms. HIRONO.) The Senator from Vermont.

Mr. LEAHY. I thank my friend from Delaware. You know, the Department of Homeland Security is the leading agency for many of the pressing issues facing our Nation, from providing disaster relief to protecting our borders. The agency needs a full complement of leaders. That is why I am glad the Senate is considering the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security.

I want to thank the chairman of the Homeland Security and Governmental Affairs Committee, Senator CARPER, for pushing forward with this nomination. Alejandro Mayorkas currently serves as the Director of USCIS, the U.S. Citizenship and Immigration Services, the agency that makes the immigration system work.

Director Mayorkas has made it, by every analysis, a stronger and better functioning agency. It is unfortunate that in these partisan times Director Mayorkas' nomination has been the subject of unfair and partisan attacks. It is wrong that some have tried to create controversy about him even before his confirmation hearing occurred in the Homeland Security and Governmental Affairs Committee.

The attacks were made even less credible by the conduct of the former DHS deputy inspector general who was forced to resign in the face of allegations of serious misconduct, a person who frankly has no credibility in my mind because of the egregious and inexcusable things he did while serving in this role.

This former deputy inspector general, Charles Edwards, on the eve of Director Mayorkas' confirmation hearing authorized the transmittal of an email to a Republican Senate office that contained sensitive information about an ongoing investigation involving Director Mayorkas.

One thing that both Republicans and Democrats should agree upon is that this conduct is wrong. I believe it is a clear violation of the law. It is something that should be condemned no matter who did it. Of course, the timing of the transmittal raised serious questions about the motivation for its disclosure.

Inspectors general are supposed to be way above politics. Well, guess what happened? The email authorized by this former and now disgraced deputy inspector general was published shortly after its transmittal on the Web site of a Republican candidate for Governor. Come on. This is wrong. Why would a Virginia gubernatorial candidate care about an investigation being conducted by the Office of Inspector General for the Department of Homeland Security? Well, because some of the anonymous allegations repeated in that email by the Office of Inspector General involved claims that Director Mayorkas intervened in an immigration matter for Terry McAuliffe, the governor-elect of Virginia. It was obvious this was done for political motives, not to make Homeland Security a better department.

Director Mayorkas, to his credit, has always put the interests of USCIS ahead of his own. He has made tough decisions to make that agency better. Sometimes tough decisions are not popular but needed. He made the decisions that were best for the country. He has brought significant resources to bear in the EB–5 Regional Center program.

Incidentally, the recommendations that he made to improve the EB–5 program were in a bill before the Senate Judiciary Committee on comprehensive immigration reform, a bill that passed the Senate in June. Every single Republican, and every single Democrat, voted for those recommendations in the committee. Now, we have been waiting for the House to pass this important legislation. But in the meantime, Director Mayorkas has worked to ensure the program's integrity. He has acted to make sure the agency's decisions are correct under the controlling law and regulations. The suggestion that Director Mayorkas would risk his reputation and his credibility by improperly intervening in a single immigration case, out of thousands his agency handles every year, is absurd.

I remember during the consideration of comprehensive immigration reform in the Judiciary Committee—the former ranking member, Senator SESSIONS, praised my amendment to improve the EB–5 program following the recommendations of Director Mayorkas. These reforms contained a host of improvements to provide USCIS with strong oversight tools, security enhancements, and anti-fraud provisions. In fact, 68 Senators, Republicans and Democrats, voted for the comprehensive reform bill which had the EB–5 program improvements in it. Now, some have said here on the floor yesterday that we could make reforms to the EB–5 program this very day.

I would respond that the Senate voted for it earlier this year. I appreciate those Senators who want these EB–5 reforms for having voted for them back in June. I have seen no evidence that those Senators, who put such faith in the former Deputy Inspector General's flawed investigation, have asked the tough questions necessary to test the integrity of that investigation.

Instead of considering the circumstances of the disgraced former Deputy Inspector General's disclosure, and taking the opportunity to ask tough questions of Director Mayorkas at his confirmation hearing, Republican Senators on the Homeland Security and Governmental Affairs Committee instead decided to boycott that hearing. And when Chairman CARPER scheduled a Committee business meeting to vote on Director Mayorkas' nomination, all Republican senators but two failed to attend that meeting.

This is unfortunate and in my view, an abdication of our responsibility to evaluate the President's nominees.

As senators, we are obligated to ask the tough questions of all nominees, but it is also important that we carefully consider the source and motivations behind any allegations against those nominees. Regarding the immigration case about which Director Mayorkas is accused of acting improperly, it is clear in emails that he wrote, which have been publicly disclosed, that he asserts his inability to become involved in any specific case. The emails that have been disclosed paint a picture of an agency director who took great pains to avoid any appearance of favoritism or impropriety.

I would urge my colleagues to review carefully, and in context, that which has been disclosed. Furthermore, the Senate should consider the reliability of those who refused to meet with Democratic staff on the Homeland Security and Governmental Affairs Committee to discuss their allegations.

Come on. Let's stop playing political games with this. We have a good person, a person we should be thankful is willing to serve this country, a person who has been the subject of lies and smears. Director Mayorkas will serve the Department of Homeland Security, and the American people, honorably. Let's vindicate this person. Let's put him to work for the good of the country.

I thank the distinguished chairman from Delaware for his work on this.

Mr. CARPER. I thank the Senator as chairman of the Judiciary Committee for the many years working on the EB–5 program to make sure it fulfills its potential.

How much time do I have remaining?

The PRESIDING OFFICER. Twenty-three minutes.

Mr. CARPER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, the unfortunate thing is we have a disagreement on the precedents of the Senate. We just had the President pro tempore of the Senate say that there were lies and smears. Not one member of the minority voted against Mr. Mayorkas in his confirmation hearing.

They all voted ''present.'' The reason they did that was for a very important reason. The President pro tempore of the Senate did not mention the fact that there still—regardless of all of those things, there is still an ongoing investigation.

Never before in the history of the Senate has a position at this level been approved with an ongoing investigation. Facts are stubborn. I would like for him to tell me what the lies and smears are, that he claims, politically we have made. We have made no such claims.

What we have said is the ICE review of this program said it should be eliminated. It happened to have been authored by the President pro tempore. We had the majority whip on Wednesday night saying the following:

> My colleague, Senator Tom Carper, chairman of this committee has gone to extraordinary lengths to investigate every allegation—

Is that right? Every allegation? They do not even know what the allegations are because we are not privy to them.

> —to answer every question, and to be there to work with the other side of the aisle to try to resolve any problems that they have with this nomination. Sadly, it has not been successful because we do not know what the claims are. We think we know. We also have the chairman of the committee, before he ever heard the specifics of any complaint by whistleblowers demeaning those very whistleblowers and describing their words as ''rumors and innuendo''—people who put their jobs on the line to report.

Then he claims they will not meet with him, even though he has asked them to meet twice. I cannot blame them, because he has already dismissed any credibility that they have.

We should wait for this investigation to be completed. I know we are not going to; we are going to roll this right through here. It is a disservice to Mr. Mayorkas. It is a disservice to the American people. It is a disservice to this body. All that I have heard from people who know Mr. Mayorkas are positive things. It is positive, but a legitimate investigation is ongoing.

I would make this other point: The administration knew that there was an ongoing IG investigation, and it failed to inform the chairman and failed to inform the ranking member when they sent his nomination over. Why is that? Why would they not tell us that? Was it just an oversight, or did they intend for us not to know?

The worst thing that comes about because of this nomination moving forward is the relationship and the trust that has gone from our committee. The difficulties going forward will be major because things have been implied that I, personally, am doing things for a political purpose rather than from a principled basis. There is no nominee who is under an investigation that I will ever meet with before that investigation is cleared.

The other claim that has been made is we wouldn't meet with Mr. Mayorkas because we didn't want to know the truth. The fact is we didn't want to prejudice our position without the knowledge of the facts, but that has not kept some in this body from claiming we had a motive other than what we have stated. Therefore, all our motives, rather than finding out the truth, our motives are that it has to be political.

I reject that. I take great offense at that.

I have no doubt that Mr. Mayorkas will be confirmed today.

The question I have is if, in fact, the IG investigation finds credible findings of wrongdoing or undue influence or impropriety, what then? How effective is this going to be?

I am not saying they will find it; I don't know. But we certainly know. The extent of the chairman's investigation is meeting with the nominee—and I am sure he is an honorable man. But my duty as a Senator is to know the facts, not to know my feelings, and we can't do that at this time. We are precluded from doing that.

Therefore, we are going to approve someone without full knowledge. We will not be able to ably give our advice and consent because we know there are unanswered questions. If those unanswered questions fall to the side that says Mr. Mayorkas has done nothing wrong, then he will be there, but he will be there in less full power and less confidence than he would have had otherwise.

There have been 20 nominees that have come through our committee. I have voted against only one—only one. I have been a good partner for the administration in moving their nominees. But to ask us to ignore what might be potential critical information is to ask us to abandon our duty of advice and consent.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I yield 5 minutes to the Senator from Louisiana, Ms. LANDRIEU.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. It is unfortunate that this situation has occurred. What is most unfortunate is it casts a poor light on a very extraordinary individual, someone who I have had the privilege to know very well for the last several years. It pains me and many Members of this body who know Ali Mayorkas personally and know of his extraordinary service to the United States of America to date that his name would be dragged through the mud like this.

I know the Senator from Oklahoma has been sincere in many of his efforts to streamline our government, to make it more efficient. While there have been individuals on the other side who have used the seats they have been privileged to gain in not the most admirable way, he is not one of them. I do not have any poor feelings or disappointment in him personally.

I think what has happened is a complete breakdown of trust on all sides, which has caused very extraordinary measures to be taken, because from our perspective, from my perspective, if a candidate such as this who has already been confirmed twice by the Senate, who served our country already as a U.S. attorney with the highest credentials prosecuting criminal cases and criminal activity that Senator COBURN and Senator CARPER have spent a career themselves pushing back so our government can be better, more transparent, and more honest, then I don't know where we go from here. I truly don't.

I do know this gentleman was willing to meet with anyone to try to clear up

any misinformation. In fact, several Republicans, at my request—my specific personal request—met with him and came away with amazing opinions, high opinions of him when they asked him questions and he answered.

There is a lot of evidence to suggest the ''investigation'' against him is bogus, is being conducted for inappropriate reasons. Sometimes these things happen in government, and it is our job to sort through.

Senator CARPER as chairman—I know because I serve on the committee as well—tried for months and months to get meetings to try to clear this up. We couldn't move forward in any way.

Should this man's name be ruined because there is not cooperation in the Senate for the first time in many decades? I have been here almost 20 years. I have never seen it like this and it is not this gentleman's fault.

I know his wife. I know his two girls. They have been to my office. I know his family. I have met his brothers. This is very painful to his family, and it is just not responsible.

It is not only about Director Mayorkas—Ali Mayorkas and his family, the Mayorkas family—it is about thousands of good people out there who would love to serve in this government despite the fact that many people on the other side think it is the worst thing ever created in the history of man. That is their view. It happens to be one of the greatest creations of man, with divine help, but we cannot convince them of that.

There are thousands of people who would want to serve in our government. But after listening to speeches that Mr. COBURN just gave or Mr. GRASSLEY, the Senator from Iowa, or the Senator from Oklahoma or others, who would want to put their families through this? No one.

Just because there is a group of people over there who despise the government—for whatever reason, I don't know—they shouldn't take their anger out on the individuals trying to make it better and fix what is broken. The EB–5 Program was broken way before Director Mayorkas had the responsibility to try to fix it, and he is only one human being. We all have the responsibility to fix this program.

To blame him and to drag his family through this after an extraordinary career prosecuting crime, I understand—and Senator CARPER will speak more to this—but when the people he worked with in the past needed someone to head something such as the integrity committee, they would choose him quite often. He has run the integrity committees in places where he has worked. That is a great honor.

In conclusion, now he comes up in one of the most important departments of the whole government, Homeland Security—which TOM CARPER authorizes as chair, and I fund to the best of my ability, with all sorts of attacks to our budget, to try to provide resources to this agency—and this gentleman whom we should be thanking every day for wanting to step up and take this job has to be dragged through this.

I make no apologies for the rules changes that made this possible. I am sorry we were unable to convince people on the other side of his outstanding integrity and that the investigation against him is bogus, personal, and should be dismissed. The IG who was in charge of it has resigned under a cloud. That doesn't seem to make any difference to them.

I am proud to put my name and my vote behind this nominee who I know will do an exceedingly fabulous job for this country in a very important role we need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to thank the Senator from Louisiana for that heartfelt, passionate endorsement of Ali Mayorkas' nomination.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. CARPER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I appreciate the comments of my colleague from Louisiana. It goes right to the point. She may be 100 percent right, but we do not know the facts. What we have is testimony from a lot of people that he is a fine man, but we don't know the facts. We say we do, but we don't. Therefore, we are asking this body to make a judgment without the knowledge. It goes against the very charge we have for advice and consent.

We besmirch all of the 650 people who work for this IG—who has not been associated with this case in over a month, in terms of personally directing it. We besmirch all those other people.

Were there credible accusations made? There must have been. There must have been. Maybe they are not accurate. They are allegations, but they should be cleared up and they should be cleared up for Mr. Mayorkas' sake so that when he takes this position, it is not under a cloud and he is totally exonerated. But we are going to go ahead anyway. Regardless of our experience, facts still count.

I have raised three daughters. They are in their forties and late thirties, and I love them dearly. They have great integrity, but they have made mistakes in their lives. They have made poor judgments. It does not mean they are not great individuals, but they have made mistakes.

What the Senator is saying is cover your ears and cover your eyes and don't see mistakes that were made. Make the judgment without that knowledge. I have no doubt the words my colleague from Louisiana spoke were true in terms of her experience, but the Senator wasn't there. The Senator didn't know.

There are six individuals who have put their jobs on the line to make allegations that have to be disproved by nonbiased people who work at the inspector general's office.

What we are saying today is, You are not capable. You don't have the quality or the integrity to make a fair decision on this issue and so we are going to vote with that. It is amazing how good we are at looking into the crystal ball to know the truth without knowing the facts.

The vote is going to be based on the faith that we think Mr. Mayorkas has done nothing wrong. I hope that is true. I would have loved to be able to have voted for him knowing the facts, fulfilling my constitutional duty, but the Senator precludes that. I have no choice but to oppose the nomination, not because I don't know Mr. Mayorkas but because I don't have the facts.

I yield back the remainder of my time.

Mr. CARPER. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 15½ minutes remaining.

The Senator from Delaware.

Mr. CARPER. Our leadership is the most important element of any organization, be it a public or private organization, a business, school, a military unit, an athletic team. Leadership is key in everything.

The Department of Homeland Security, which protects us from all kinds of attacks—foreign and domestic, manmade and natural—needs leadership. They need confirmed Senate leadership. They haven't had it for months.

I am going to thank my colleagues who voted this week to confirm Jeh Johnson's nomination as the Secretary of this Department. He will be sworn in next week, thank God. He needs a team. On top of that team he needs Ali Mayorkas to be the Deputy Secretary.

Those are not only my words or the words of Senator LANDRIEU or Senator LEAHY or Senator FEINSTEIN. We received dozens of letters from people who know him. We know these names. We know their faces. We know their reputation. Some are Democrat and some are Republican. A number of them have helped lead the Department of Homeland Security—lead it.

This is a vacancy we are trying to fill. Jane Holl Lute is the last Deputy who stepped down 6 or 8 months ago. She literally oversaw his work and she was his boss, if you will. She thinks the world of him, not only in a role he served but as a guy who can step in and fill the shoes she used to fill.

I want to talk about this investigation. There are two tracks we are going down here. One is an investigation that was launched in September of 2012 by the IG—the OIG for the Department of Homeland Security—in 2012, 15 months ago. How did we find out about it? We found out about it through a leak, information leaked by the office to our friends on the other side 3 days before the hearing was supposed to occur.

We asked to talk to folks who came forward as whistleblowers. We asked

for them to talk to the minority. We have asked and asked and asked and have never been given the chance to talk to them to find out what are their allegations, what is their story. Let's hear it. By the same token, they have refused to turn to the one person who knows the most about what is going on in this agency for the last 4 years—Ali Mayorkas—to say: You have been accused of this. Under our system of justice in this country the accused actually has a chance to defend himself, and when he did—we had a hearing—they didn't show up. They won't meet with him either.

So here is the situation. We have people who may be very good people. We don't know them, we don't know their names, and we don't know what they are saying. We just know we haven't had a chance to meet with them, and we know the one guy who is being accused here hasn't had a chance to give his story to those who are accusing him. Is that fair? I don't think so. I don't think so.

So we had that hearing at the end of July and no Republicans came. We put every tough question we could to Mr. Mayorkas, under oath, and he came through. He said about this case involving Terry McAuliffe that Mr. McAuliffe and his company wanted something; they didn't get it. The guy who really made the decision, who works for Ali Mayorkas, basically said—Mr. Rhew—that he made the decision. He made the decision. He was not pressured to make the decision. He ruled against Terry McAuliffe's company. End of case.

Here we are at the end of July. We have the hearing and the Republicans don't come. Dr. COBURN joined me in a letter to the Inspector General and said: Please, provide the resources to expedite and make a priority of this investigation. They were 9 months into that investigation at that time. That was the end of July. In August, we reached out and said, through staff: What kind of assets, what kind of priority are you giving this case? They had three people working on it. They have 650 employees in this office—650—and they had 3 full-time people working on it, an investigator and two research assistants. So we go into August, and they say we need a couple more months. A couple more months was October. Dr. COBURN and I sent another letter to the IG and said: How are we doing? Let's provide some priority to this, and let's get to the bottom of this.

That was in October. Two weeks ago, minority staff and majority staff from the committee had a phone conversation with the OIG's office and said: How are we doing? They said: There is no evidence of any criminal wrongdoing by anybody—not by Mr. Mayorkas, not by anybody at DHS—but we are not done yet. We need several more months. Maybe come back in February or March.

In the meantime, the Department of Homeland Security doesn't have the leadership it needs—at least confirmed by us. How long are we going to wait? The terrorists aren't going to wait. The ones in foreign countries aren't going to wait. The ones in this country aren't going to wait. We need leadership. It is the key for everything—everything.

There is another audit that has been going on as well by the IG—the same IG—of the EB–5 program. I'm an old Governor—here we have an old State treasurer. We used to get audits all the time in State government. Auditors came in to do audits. It drove me crazy when the auditor would come in, make an audit for sometime in the past, and refuse to acknowledge that the department or the agency being audited had actually fixed those problems and submitted an audit that pretends like nothing is different. You have seen this. Senator DURBIN has seen this. I have seen this. It drove me crazy.

We have an audit that is going to be released, I think publicly in a day or 2, that has been shared with us in the Senate this week, and there are really four recommendations. As it turns out, of those four recommendations one of them needs the Congress to do something. We need to pass a law. Ali Mayorkas, 18 months ago said to the Judiciary Committee—to Senator LEAHY, Senator GRASSLEY: In order for us to make sure there is not fraud in the EB–5 program, to make sure there are not national security concerns, we need you—Congress—to do something about it.

When they reauthorized the EB–5 program in 2012, guess what. They didn't take his recommendations—none of them. This year we were doing immigration reform in committee—Senator DURBIN was one of the key players there—and when we did it, PAT LEAHY, chairman of the committee, made sure those recommendations were actually included in the immigration reform law—the recommendations from Ali Mayorkas—and they are in the immigration reform bill. We voted for them. It is over in the House now. It is sitting there gathering dust, unfortunately.

If Senator LEAHY doesn't introduce as a stand-alone bill those provisions allowing the EB–5 program to have the kind of governance it needs through the USCIS agency, if he doesn't do it, I said to him, I will introduce the legislation myself. I hope we will have a lot of cosponsors.

There are four recommendations. One of them needs us to do something in order for it to occur. The other two are either acknowledged, completed or done. On the other one, we just are in disagreement. It is outside the scope of the law. That is the audit. That is the audit.

So, my friends, I just want to say this: This is not a criminal investigation. The things Terry McAuliffe and his company sought were denied. The one person within the agency who has actually worked on these investigations and worked on these EB–5 programs has come forward and said: Look, Mayorkas did nothing wrong. I decided. I decided against Mr. McAuliffe's company and Mr. Mayorkas stayed out of my way.

We have endorsements. We don't know who the detractors are of Mr. Mayorkas. I wish we did, and I wish we had a chance to talk to them. We are never going to have a chance. I wish my friends on the other side had taken the time to talk to Mr. Mayorkas to say: Listen, this is what you are accused of. The Democrats don't know what you are accused of, but this is what we have been told by these six people. What is your story? What is your story?

Whatever happened to the Golden Rule? What happened to the idea that justice delayed is justice denied? You know, Mr. Mayorkas, as Senator LANDRIEU said, has a wife, they have two kids. They have a life to live. We have put them through hell for months. What kind of message does this send to other people, other agency leaders who go in and take on an agency that is in trouble, that has problems and needs to be fixed, needs to be shaken up? That person goes in and does it and gets whistleblowers or complaints out of it as a result? What do we say to other leaders who go into agencies that are in trouble and need to be shaken up, to those who are willing to get people to do things differently? What do we say to them? Don't do it; don't rock the boat; just let things slide? Is that the message we want to send? I don't think so.

We will not have a chance on this side to hear from those six people, but I tell you the other people who work in that agency had a chance to say something about the way they feel about how their agency is going. As my colleagues know, every year we get a report from a nonprofit organization that looks at 300 Federal agencies and asks the questions: How is morale? How do you feel about the work you are doing? One of those 300 was this agency led by Ali Mayorkas, the U.S. Citizenship and Immigration Services. The Department of Homeland Security, again this year—we just got the results this week, and again this year, the worst morale in the Federal Government of any department—in our government, the worst morale. But guess what. There is one agency in this department that stood up, that stood out, because out of those 300 agencies, No. 76—the top 25 percent—No. 76 was this agency led by Mr. Mayorkas.

Another question asked of the employees: Do you feel better or worse about your senior leadership this year than last year? Since 2009, since he took over this organization in 2009, Madam President, guess what. Satisfaction with senior leadership increased by more than 20 percent. They feel better. They feel better about the senior leadership with Mr. Mayorkas than they did without his leadership.

Something is going on in that agency, folks. We are not getting the full

story, but that survey that we got this week says a lot.

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

Mr. CARPER. Please.

Mr. DURBIN. Through the Chair, I want to ask a question of the Senator from Delaware because he has touched on an issue that is important to everyone, but especially to this Senator from Illinois.

It was 12 years ago when I introduced the DREAM Act, and it was a little over a year ago the President issued an executive order which said they would defer the deportation of those eligible under the DREAM Act, but there was also a little wrinkle to it. They said the fees we were going to collect under this DACA, they called it—this executive order—had to pay for the administration of this executive order. This is extraordinary. We were basically saying this was a pay-as-you-go effort that has drawn more than 600,000 applications and over 450,000 approvals. This went right through Mr. Mayorkas's responsibility and jurisdiction.

So I would say to the Senator from Delaware, not only is the morale good in his agency, but the job they have done is extraordinary. They were given an extraordinary responsibility, and they rose to the challenge and handled it professionally. I can tell you, with firsthand knowledge, having met with him, watched him, this man is a capable administrator, and the people who work for him—clearly, as a result of this survey—are very happy with his performance.

I would just say to the Senator from Delaware, what absolutely confuses, mystifies, and infuriates me, is the notion that unidentified people will make nonspecific charges against this man, and he is supposed to wait for month after weary month? If we talk about the basic standard of justice in America, when the government makes a charge against someone, there is a complaint—a bill of particulars. You know what the charge is, and fairness and justice requires that you can confront your accusers and hear from them the information and evidence against you.

In this situation, as best I can understand—and what my colleague has said repeatedly on the floor, I say to the chairman—is that this never took place. You have waited month after weary month for these accusers to come forward and at least tell Mr. Mayorkas what they think he has done wrong. Their silence, their refusal to do so, speaks volumes to me.

I am sorry they didn't make their report more fully, but I think, as I said the other night on the floor, you are an honorable person. I know you, and I have worked with you for over 30 years both in the House and in the Senate. When I hear you say on the floor you do your best to be fair and bipartisan in everything, and when I hear you stand on the floor and say this man has been treated unfairly, he deserves his chance, that is what I need to hear.

I would just ask the Senator from Delaware: Has he had a chance to confront his accusers? Has your committee had a chance to even know the allegations against him at this point?

Mr. CARPER. The answer, Madam President, sadly, is no, we have not. No, we have not.

Mrs. FEINSTEIN. Madam President, I wish to speak in support of President Obama's nominee for Deputy Secretary of the Department of Homeland Security, DHS, Alejandro Mayorkas. I have known Ali for many years and am proud to have recommended him to President Clinton for the position of U.S. attorney for the Central District of California, as well as to President Obama for his current position as Director of U.S. Citizenship and Immigration Services, USCIS.

The role of Deputy Secretary within the Department of Homeland Security is an important one. The Deputy Secretary is charged with overseeing the agency's efforts to counter terrorism and enhance the security and management of our borders, while facilitating trade and travel and enforcing our immigration laws. Additionally, the Deputy Secretary assists in the safeguarding and security of cyber space and provides support for national and economic security in times of disaster, in coordination with Federal, State, local, international, and private sector partners.

Mr. Mayorkas is extremely well qualified for this position and brings to this office a diverse background and set of experiences in both the private and public sectors. I am confident he will do an outstanding job as Deputy Secretary for the Department of Homeland Security, and he has my enthusiastic and unwavering support.

Born in Havana, Cuba, Mr. Mayorkas earned his B.A. with distinction from the University of California, Berkeley, in 1981. He earned his law degree from Loyola Law School in 1985. Those who have enjoyed the opportunity to work with him regard him as being highly intelligent, thoughtful, kind and compassionate, and dedicated to doing the right thing.

From 1989 to 1998, Mr. Mayorkas served as an assistant U.S. attorney for the Central District of California, where he prosecuted a wide array of Federal crimes, specializing in the prosecution of white collar-crime. Federal law enforcement agencies recognized his success with multiple awards. For example, he received commendations from FBI Director Louis Freeh for his successful prosecution of Operation PolarCap, the largest money laundering case in the Nation at the time.

He continued to distinguish himself by becoming the first U.S. attorney in the Central District of California to be appointed from within the office. Mr. Mayorkas created the Civil Rights Section in the office to prosecute hate crimes and other acts of intolerance and discrimination more effectively. He developed an innovative program to address violent crime by targeting criminals' possession of firearms, prosecuting street gangs, and at the same time developing afterschool programs to help at-risk youth discover and realize their potential. He uniquely demonstrated the ability to simultaneously be firm with criminals, protective of the innocent, and supportive and empowering to our future leaders.

As supported by the many law enforcement and community awards he received during his tenure as U.S. attorney, Mr. Mayorkas' accomplishments extended beyond his district. He successfully expanded his office's community outreach programs and cooperation with international players in the fight against crime. He directly resolved cases while also overseeing hundreds of attorneys addressing immigration matters, which included complex and sensitive prosecution of individuals and rings producing false immigration documents, illegal reentry cases, and alien smuggling conspiracies.

The Administrator for the Drug Enforcement Administration, Michele Leonhart, noted that ''he was instrumental in broadening collaboration between law enforcement agencies to address violent crime and expanded cooperation with other nations to address the growing threat of transnational crime.'' Combined with his prosecuting white collar crime, public corruption, computer-related crime, and international money laundering, she wrote that such a ''broad base of experience . . . provides him with a unique perspective on threats to national security.''

Mr. Mayorkas further developed his sharp legal skills and management experience as a Partner at O'Melveny & Myers, from 2001 to 2009, where he represented companies in high-profile and sensitive government enforcement cases. He was recognized by his worldwide firm with an annual award for ''leadership, excellence and citizenship,'' and was named by the National Law Journal as one of the ''50 Most Influential Minority Lawyers in America'' in 2008.

Since his confirmation as Director of USCIS 4 years ago in 2009, he has continued to exert his positive influence through leadership, excellence, and citizenship in accomplishing the agency's mission. He has improved the immigration services and policies of USCIS by realigning its priorities for a modern-day America that seeks to preserve its legacy as a nation of immigrants while ensuring national security and public safety—no easy task.

Throughout his current role as Director of USCIS, he has successfully preserved and increased the integrity of our immigration laws by decreasing fraud and bringing accountability to our immigration system. For example, Mr. Mayorkas has worked to secure our Nation's criminal and immigration laws in the face of increasing gang and border violence.

As technology advances, so too have our needs to prevent fraud and to safeguard immigration documents from tampering; Mr. Mayorkas has confronted that challenge by enhancing the scope and frequency of national security vetting of applicants for immigration benefits and by redesigning immigration documentation with enhanced security features.

Simultaneously, Mr. Mayorkas has led USCIS in the other half of its mission—to preserve the role of America as a just nation that treats immigrants at our shores humanely and with an eye towards the potential they bring to our nation.

He ensured the prompt review of applications of victims of trafficking and domestic violence so that they may begin to pick up the pieces and move forward in their lives. Mr. Mayorkas has also improved the immigration program for victims of crime who cooperate with law enforcement in investigation and prosecutions.

To combat notario fraud and other unscrupulous practices that undermine the integrity of the immigration system, Mr. Mayorkas launched the unauthorized practice of immigration law initiative. It is a nationwide collaborative effort with Federal, State, and municipal agencies and enforcement authorities that works to raise awareness among immigrant communities and to investigate and prosecute wrongdoers.

After the 2010 earthquake in Haiti, he developed and implemented a humanitarian parole program on an emergency basis to save orphans and unite children with their adoptive families here.

Significantly, upon President Obama's directive to grant deferred action to immigrants who were brought to this country as children and who seek to legally remain in the United States, Mr. Mayorkas swiftly implemented the deferred action for childhood arrivals initiative in 60 days. In less than 1 year, over half a million people have applied to remain in the United States, the only home they have known.

He also boldly realigned the agency's organizational structure, including 246 offices and facilities worldwide, to more accurately serve key priorities and achieve efficiency. For example, his stringent budget reviews resulted in cost-saving measures of $160 million in budget cuts for the fiscal year 2010.

I recognize that my colleagues have raised concerns about the EB–5 program in connection with Mr. Mayorkas' nomination.

I actually believe that Mr. Mayorkas' actions to improve the integrity of the EB–5 program are a reason to support his nomination. They show that, when Mr. Mayorkas sees a systemic issue requiring action, he will figure out what to do and then do everything possible within the confines of the law to fix it.

As my colleagues know, the EB–5 program essentially allows a foreign investor to obtain a conditional green card by investing $500,000 or $1 million in a U.S. business. The conditions can be removed if, after 2 years, the individual shows 10 jobs have been created by the investment.

Because of the various economic issues involved in adjudicating EB–5 applications—which can run for thousands of pages—the EB–5 program has been called the most complex program USCIS administers.

I will say up front: I have my own serious concerns about this program. I am concerned about the potential for fraud, against both foreign and domestic investors. I am concerned that a business created with this money may not turn out to be legitimate, and as chairman of the Intelligence Committee, I know that certain immigration programs may be ripe for exploitation.

I look forward to the opportunity, before the EB–5 program requires our reauthorization in 2015, to bolstering the security of this program.

But none of that has anything to do with this nomination. Mr. Mayorkas was required by law, as Director of USCIS, to administer the EB–5 program.

As Director, Mr. Mayorkas saw flaws in the program—flaws in the agency's ability to vet participants in the program, and flaws in the agency's ability to do the economic analysis necessary. So, Mr. Mayorkas set about fixing them. For example:

Routine security checks of foreign investor applicants and principals of regional centers are now done.

Regional centers now annually must show they meet the eligibility requirements and update USCIS on new lines of business. More vetting is conducted with these annual filings.

Mr. Mayorkas brought on financial experts and business lawyers, who help review business documents associated with applications.

The program has been moved entirely to DC with specialized adjudicatory officers and antifraud staff. The program is now close to the investigative, intelligence, and financial communities that help detect suspicious financial activity.

I agree with many on the Democratic and Republican sides of the aisle that the EB–5 program must be reformed. I supported Chairman LEAHY's amendment to the immigration bill to do that, and I believe further legislative action will be needed to make sure that, if this program is reauthorized, it is secure.

But I also believe that Mr. Mayorkas has performed his job as Director of USCIS admirably, including by making the EB–5 program more secure. That is a reason to support his nomination.

Let me conclude by saying that this nominee has my strong support. He is a fine individual whom I have known for a very long time. He impressed me as U.S. attorney, and he has continued to do so as Director of USCIS.

He understands the immigration system and the many other issues, like transnational drug trafficking and national security, that the leaders of the Department of Homeland Security must face. And I believe he will make an outstanding Deputy Secretary.

I recognize there is an investigation by the inspector general's office at DHS, but the OIG confirmed that ''there is no indication of criminal activity'' on Mr. Mayorkas' part. There has been a significant delay in this investigation, and it now appears from press reports that the inspector general, who himself was being investigated, has resigned.

DHS needs its leaders confirmed. It cannot wait for months and months, which it has done already. I do not believe that in this case—which involves a distinguished nominee who has my confidence—that confirmation should be delayed. Rather, we need to confirm a leader who understands our complicated immigration laws and policies and who can knowledgeably help us navigate and ultimately implement comprehensive immigration reform. He has this needed knowledge and ability.

I urge my colleagues to support Mr. Mayorkas.

Mr. LEAHY. Madam President, the Department of Homeland Security is the leading agency for some of the most pressing issues facing our Nation, from providing disaster relief to protecting our borders. To serve the American people, this agency needs a full complement of leaders, and that is why I am glad the Senate is considering the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security. I commend Senator CARPER, chairman of the Homeland Security and Governmental Affairs Committee, for making his nomination to this important position a priority for the committee and getting his nomination to the Senate.

Alejandro Mayorkas currently serves as Director of U.S. Citizenship and Immigration Services, USCIS. This is the agency that makes our immigration system work, and Director Mayorkas has made it a stronger, better functioning agency. His expertise on immigration issues will help him in his new role, where he is sure to improve coordination within the Department. Those Senators who claim to care about protecting our borders and improving our broken immigration system should support this nomination, just as they should call on the House to pass comprehensive immigration reform as we did here in the Senate earlier this year.

It is unfortunate that Director Mayorkas' nomination has been the subject of unfair and partisan attacks, and it is wrong that some tried to create controversy about Director Mayorkas even before his confirmation hearing occurred in the Senate Homeland Security and Governmental Affairs Committee. The attacks mounted against Director Mayorkas are made even less credible by the conduct of the former DHS deputy inspector general,

who was forced to resign in the face of allegations of serious misconduct.

On the eve of Director Mayorkas' confirmation hearing, this former deputy inspector general, Charles Edwards, authorized the transmittal of an email to a Republican Senate office that contained sensitive information about an ongoing investigation involving Director Mayorkas. The timing of its transmittal raised serious questions about the motivation for its disclosure. Then, the email authorized by the former deputy inspector general was published shortly after its transmittal on the web site of a Republican candidate for Governor of Virginia. Why would a Virginia gubernatorial candidate care about an investigation being conducted by the Office of Inspector General for the Department of Homeland Security? Because some of the anonymous allegations repeated in that email by the Office of Inspector General involved claims that Director Mayorkas intervened in an immigration matter for Terry McAuliffe, the Governor-elect of Virginia. What is worse, the former inspector general had received these anonymous allegations in September of 2012, yet only disclosed them publicly just days before Director Mayorkas was scheduled to appear before the Homeland Security and Governmental Affairs Committee.

Director Mayorkas' professional integrity further undermines these bogus allegations. Alejandro Mayorkas served as an assistant U.S. attorney and as the U.S. attorney for Southern California, posts he held during the course of a decade. Where he has made mistakes, he has taken responsibility. In my experiences with him while he has served as Director of USCIS, Director Mayorkas has put the interests of USCIS and those it serves at the forefront. He has made tough decisions to make that agency better—decisions that are sometimes not popular with agency employees but decisions that put the institution first. He has brought significant resources to bear on the EB–5 regional center program, a program that a bipartisan majority of this Senate supported when we passed comprehensive immigration reform in June. While the House has failed to pass this important legislation that includes meaningful improvements to the EB–5 program, Director Mayorkas did not let up on his efforts to ensure the program's integrity. He has acted to make sure the agency's decisions are correct under the controlling law and regulations. The suggestion that Director Mayorkas would risk his reputation and his credibility by improperly intervening in a single immigration case, out of thousands his agency handles every year, is absurd.

Those who have concerns about the integrity of the EB–5 regional center should remember that in May of this year, the Senate Judiciary Committee unanimously approved broad reforms to the EB–5 program during the committee's consideration of comprehensive immigration reform. These reforms, which received praise from the Judiciary Committee's former ranking member, Senator SESSIONS, contained a host of improvements recommended by Director Mayorkas and other administration officials to provide strong oversight tools, security enhancements, and antifraud provisions. In June, 68 Senators voted in favor of the comprehensive reform bill, of which my EB–5 reforms were a part. Senators on both sides of the aisle who have supported this program know it creates jobs in American communities and is an important and viable source of capital investment for many American entrepreneurs. Senator GRASSLEY said on the Senate floor earlier this week that we could make reforms to this program ''this very day.'' I would respond that the Senate has voted to make them already this year, and I was glad to have his support for my strong reforms in the Senate Judiciary Committee.

Those who say that the Senate should not approve Director Mayorkas' nomination because a scandal-plagued and now- resigned deputy inspector general sat on allegations made against Director Mayorkas for 10 months before disclosing them in a highly improper way days before Director Mayorkas' confirmation hearing should carefully consider whether these circumstances merit our faith that the investigation is truly impartial or legitimate. I have seen no evidence that those Senators who put such faith in the former deputy inspector general's flawed investigation have asked the tough questions necessary to test the integrity of that investigation. Instead of considering the circumstances of the former deputy inspector general's disclosure, and taking the opportunity to ask tough questions of Director Mayorkas at his confirmation hearing, Republican Senators on the Homeland Security and Governmental Affairs Committee decided to boycott that hearing. And when Chairman CARPER scheduled a committee business meeting to vote on Director Mayorkas' nomination, all Republican Senators but two failed to attend that meeting. This is unfortunate and, in my view, an abdication of our responsibility to evaluate the President's nominees independently.

As Senators, we are obligated to ask the tough questions of all nominees, but it is also important that we carefully consider the source and motivations behind any allegations against those nominees.

Regarding the immigration case about which Director Mayorkas is accused of acting improperly, it is clear in emails that he wrote which have been publicly disclosed, that he asserts his inability to become involved in any specific case. The emails that have been disclosed paint a picture of an agency director who took great pains to avoid any appearance of favoritism or impropriety. I would urge my colleagues to review carefully, and in context, that which has been disclosed. Finally, it is troubling that the individuals who have brought allegations to Republican Senators against this nominee would not even agree to meet with Chairman CARPER or his staff. The Senate should consider the reliability of those who have made allegations but are unwilling to let those allegations be fully considered.

I have every reason to believe that Director Mayorkas will serve the Department of Homeland Security and the American people honorably. I have no doubt about the quality of his character or his integrity as a public official. And I regret that his nomination has been so needlessly politicized. Alejandro Mayorkas deserves an up-or-down vote and the support of the Senate.

Mr. CARPER. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator has 1½ minutes remaining.

Mr. CARPER. Madam President, my friend Senator DURBIN, from Springfield, IL, Land of Lincoln, reminds me as I close here this morning of something Lincoln once said. He was meeting with his Cabinet during the heart of the Civil War. Things had started to turn for the better for the Union. The Union leader on the military side was a guy named Grant. He allegedly liked to drink, a lot. Some of the folks on the President's cabinet didn't like him. They said: Mr. President, we need to get rid of Grant. He is not the kind of guy we want to have leading our forces.

Grant had led a reversal of fortune, so that the Union having been on the losing side ended up on the winning side again and again. Lincoln looked at his Cabinet, and he said these words, and I paraphrase them: Find out what Grant is drinking, and give it to the rest of my generals.

Rather than criticize or hang out to dry a leader of an agency who has turned it around, who enjoys the broad support of the folks within his agency; rather than criticize him and finding fault and leaving him out there unable to defend himself against unknown accusations, we should find out—in the words of Lincoln—what Grant is drinking. In this case we should find out what Mayorkas is doing, what has he done to turn around an agency and make sure the other people who come into positions of authority are taking of the same beverage.

With that, I yield back the remainder of my time, and I yield the floor.

Mr. DURBIN. Madam President, the unanimous consent agreement is that we would move to this vote on the Mayorkas nomination following the debate. This debate has ended a little earlier than we anticipated. This first rollcall, we are going to accommodate Members and leave it open so they have a chance. But because most are anxious, we are hoping Members come to the floor early, vote, and we can start the series of votes agreed to.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''aye.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNS).

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

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

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 286 Ex.]

YEAS—54

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

NAYS—41

Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kirk	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The nomination was confirmed.

Mr. DURBIN. Madam President, I ask unanimous consent that the remaining mandatory quorums with respect to these nominations required under rule XXII be waived; further, that all remaining votes be 10-minute votes.

I urge my colleagues to stay on the floor so we can hold to the 10-minute deadlines. People have planes to catch.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NOMINATION OF BRIAN J. DAVIS

Mr. GRASSLEY. Madam President, today we consider the nomination of Brian Davis to be a District Court Judge for the Middle District of Florida. I will vote for him today (although there has been some controversy surrounding his nomination). I wish to take a minute to discuss the nomination.

Judge Davis made a number of controversial remarks a few years ago. During his hearing last Congress, Judge Davis was asked to provide some clarification regarding those comments. After carefully reviewing his answers from the hearing, many of us concluded that they didn't provide the clarity that we had hoped he would provide. For that reason, following his hearing, I asked Judge Davis some follow-up questions for the RECORD, hoping to get the clarity, in writing, that I didn't hear him provide during his hearing.

Unfortunately, after reviewing his written answers, I concluded that Judge Davis didn't fully appreciate why many found his comments so troubling. For instance, when I asked him about these statements he wrote that a ''number of my statements could be misunderstood'', but he neither apologized for them nor said anything to demonstrate that he fully appreciated why his comments were so problematic.

As a result, in the last Congress I reluctantly opposed his nomination.

Judge Davis, of course, was renominated this Congress. On September 12th, he submitted a letter to the Florida Senators.

In that letter, Judge Davis apologized for his comments—without qualification.

He wrote, ''I believe that several of the statements I made in the past were inappropriate and improper.'' He went on to write, ''I apologize for any inappropriate statements and deeply recognize the harm that they could cause if they gave the misimpression that I am anything other than impartial or that I maintain any bias or prejudice.''

As I wrote to Judge Davis in a follow-up letter on September 25th, unlike the last Congress, I believe the apology Judge Davis transmitted on September 12 for those comments was without qualification. Therefore, in my view, it demonstrated both courage and humility.

In my letter to Judge Davis, I asked him simply to confirm that he was apologizing for his comments regarding Dr. Henry Foster, Dr. Joycelyn Elders, and Justice Thomas.

In a follow-up letter he wrote to me on September 26, he confirmed those were the ''inappropriate comments'' he referenced in his letter to the Florida Senators.

I ask consent that both my letter to Judge Davis, and his response, be made part of the RECORD.

I have given this nomination a great deal of consideration. I believe Judge Davis has taken steps this Congress that, in my view, he didn't appear willing to take last Congress. Taking this into consideration, together with the fact that he enjoys the support of his home State Senators, I am willing to give Judge Davis the benefit of the doubt and will support his nomination today.

I yield the floor.

Washington, DC, September 25, 2013.

Judge BRIAN J. DAVIS,
Nassau County Courthouse,
Fernandina Beach, FL.

DEAR JUDGE DAVIS: I write to follow up on your September 12th letter to Senators Nelson and Rubio, copying me and Chairman Leahy, regarding concerns with your record Members of the Senate Judiciary Committee, including me, raised last Congress.

As you alluded in your letter, during your hearing last Congress, Senator Lee asked you a number of questions regarding various remarks and speeches you made throughout your career. After carefully reviewing the answers you gave during the hearing, I concluded your responses lacked the breadth and clarity I had hoped you would provide when afforded the opportunity. For instance, you conceded that some comments were ''inappropriate,'' but then stated ''they were inappropriate for the reason that an impression could be gotten from them that somehow the court maintained a racial prejudice.'' That response troubled me because it did not appear to fully recognize the reason some find those comments concerning. Specifically, the comments appeared quite plainly to assign a racial motivation to those who opposed particular nominees on purely policy grounds.

Consequently, following your hearing I sent you a number of follow up questions for the record. Again, I was hopeful to receive some clarity regarding those comments. But after carefully reviewing your responses, I reluctantly reached the conclusion that you still did not fully appreciate why some viewed your comments as inappropriate. For instance, I asked about your comments regarding President Clinton's nomination of Dr. Henry Foster's nomination to be surgeon general. But rather than concede what appears to be apparent by the words you used, you answered instead that the comments were inappropriate because they ''could be interpreted'' in a particular way, and therefore that you lacked impartiality. In my view, your answers to several other questions lacked clarity in a similar fashion. For these reasons, among several others, reluctantly I opposed your nomination last Congress.

With this background, I received your letter of September 12th, 2013. In your letter you wrote, without qualification, ''I believe that several of the statements I made in the past were inappropriate and improper.'' You went on to write, ''I apologize for any inappropriate statements and deeply recognize the harm that they could cause if they gave the misimpression that I am anything other than impartial or that I maintain any bias or prejudice.'' I note that these two statements represent a step that you did not appear willing to take last Congress. In my view, this demonstrates both courage and humility. Thank you for that letter.

As your nomination is now again pending before the Committee, I write to seek one further clarification. As I noted, you wrote in your recent letter that you apologize for ''any inappropriate statements,'' but you did not specify the statements to which you referred. I want to confirm that you are referring to your comments regarding Dr. Henry

Foster, Dr. Joycelyn Elders, and Justice Thomas.

Thank you in advance for your prompt reply.

Sincerely.

CHARLES E. GRASSLEY,
Ranking Member,
U.S. Senate Committee on the Judiciary.

CIRCUIT COURT,
FOURTH JUDICIAL
CIRCUIT OF FLORIDA,
Fernandina Beach, FL, September 26, 2013.

Senator Charles E. Grassley,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR SENATOR GRASSLEY: Thank you for your letter of September 25, 2013, and the opportunity to further clarify my views.

I understand your concerns, and please know that my appreciation of the inappropriateness of statements I have made in speeches include those referenced in your letter regarding Dr. Foster, Dr. Elders and Justice Thomas.

Thank you for your continued consideration of my nomination.

Sincerely,

BRIAN J. DAVIS.

NOMINATION OF JOHN KOSKINEN

Mr. HATCH. Madam President, I wish to speak on the nomination of John Koskinen to be the next Commissioner of the Internal Revenue Service.

I want to say upfront that I support Mr. Koskinen's nomination as I believe he is a qualified candidate for this position and he deserves to be confirmed.

However, I do have to say that I am disappointed in the process by which his nomination has been moved through the Senate, both in the Finance Committee and here on the floor. There is simply no reason for the Senate to rush to confirm Mr. Koskinen, and there is ample reason for us to take our time.

It goes without saying that the IRS is one of the most powerful agencies in our government. It is both feared and loathed by people throughout the country. That being the case, it is absolutely essential that all the actions of the IRS and its leadership are above board.

That is the only way for the agency to maintain its credibility.

That is the only way an agency this powerful can maintain the trust of the American people.

The American people should be able to trust that the IRS will enforce our Nation's tax laws without bias or prejudice. If that trust is broken, it damages the credibility of our entire government.

Needless to say, over the last few years, the IRS hasn't done a good job of maintaining that trust and, as a result, it has eroded its own credibility.

I am talking, of course, about the IRS political targeting scandal currently under investigation in the Finance Committee.

If there is one thing that everyone should agree on, it is that the IRS should enforce the tax laws as they are written by Congress without consideration of political views. Sadly, it appears that, for a time, not everyone at the IRS shared that view.

When this scandal first came to light, there was condemnation on all sides and everyone—regardless of party affiliation—wanted to get to the bottom of it.

President Obama, for example, said ''I have got no patience with it, I will not tolerate it, and we will make sure that we find out exactly what happened on this.''

Majority Leader REID expressed similar views here on the floor, stating: ''I have full confidence in the ability of Senator BAUCUS and the Finance Committee to get to the bottom of this matter and recommend appropriate action.''

I hope that hasn't changed.

I hope that the effort to rush Mr. Koskinen's nomination through the Senate is not part of an effort to sweep the Finance Committee's investigation under a rug and hope it disappears.

As I said, there is no reason for us to move so quickly on this nomination.

By waiting until our investigation has concluded, we can ensure that the next commissioner—presumably Mr. Koskinen—will begin their time with the benefit of the findings of the investigation. This would put him in a better position to fix the problems we have uncovered and to move the agency forward. In addition, it would ensure that he has the confidence of Members of both parties, which is vital with an agency of this size and stature.

I am encouraged by Mr. Koskinen's commitment to continue the cooperation the Finance Committee has enjoyed so far in its investigation, as well as his commitment to working with Congress to fix the IRS's many problems.

I plan on holding him to his promise.

The confirmation of a new IRS Commissioner should not be a partisan issue.

My fear is that, by including Mr. Koskinen in the current partisan fight over executive branch nominees, the Senate Democratic leadership is injecting partisanship where none should exist. This further undermines the IRS as an agency, not to mention Mr. Koskinen's future leadership of the agency.

This is not a time that we should be undermining the IRS. In addition to restoring the agency's damaged credibility—which I believe should be the next commissioner's top priority—there are a number of other challenges facing this agency.

For example, there is the IRS's significant role in the implementation of ObamaCare. As we have seen thus far, this presents a number of difficulties, both in terms of operation and enforcement.

Both the IRS's inspector general and insurers throughout the country have questioned whether the agency is capable of administering the Affordable Care Act's premium subsidy program without massive amounts of fraud or improper payments.

On top of that, there are the proposed IRS and Treasury regulations addressing the political activities of tax-exempt organizations. Given the IRS's recent problems in dealing with these types of organizations, many of us have reason to be skeptical that the agency can promulgate such rules without further bias or prejudice.

On all these issues, Mr. Koskinen has committed to working with Congress, and with Members of both parties.

I hope that he lives up to this commitment.

It is essential that he does so, because, as I said, the IRS is an agency rife with problems, most of which are self-inflicted. These problems are not simply going to go away when a new Commissioner is confirmed, and they aren't going to be solved if the agency ignores the input and inquiries from Members of Congress.

Once again, I support Mr. Koskinen's confirmation. I just wish we had gone a different route with regard to his nomination in the Senate.

NOMINATION OF JANET YELLEN

Mrs. FEINSTEIN. Madam President, today I wish to express my support for Vice Chairman Janet Yellen, nominee for Chairman of the Federal Reserve.

Dr. Yellen has dedicated her life to understanding the complex and evolving field of economics, and her background makes her an ideal candidate to replace Chairman Ben Bernanke and continue the Fed's efforts to boost economic growth, increase the pace of job creation, and ulitimately reduce the crushing unemployment that has been a drag on our recovery.

Dr. Yellen's academic credentials and experience in economics are first rate.

She graduated suma cum laude from Brown University in 1967 and later earned a doctorate in economics from Yale University in 1971.

She began her teaching career as an assistant professor at Harvard University, where she taught from 1971 to 1976.

In 1977 and 1978 she began her public service as an economist at the Federal Reserve Board of Governors.

In 1980, Dr. Yellen headed west to my home State of California to become an assistant professor at the University of California, Berkeley, She rose to professor emeritus of business and economics and was twice awarded teacher of the year at Berkeley's distinguished Haas School of Business.

During her time at Berkeley and elsewhere, Dr. Yellen published numerous research works, including the well-regarded ''Waiting for Work,'' a comprehensive study of unemployment she completed with her husband, the economist George Akerlof.

Dr. Yellen's research has been published in the Journal of Economics, Business Economics, and the Brookings Papers on Economic Policy, amongst others.

Her research has primarily focused on unemployment, monetary policy, and international trade—a perspective that will be vitally important as the Fed works to solve the complex issues facing the global economy.

In 1997, she left the Federal Reserve to chair the Council of Economic Advisers during the Clinton administration.

Before her appointment to Vice Chairman of the Fed she led the Federal Reserve Bank of San Francisco, keeping watch over financial conditions in the region as well as providing counsel on the direction of monetary policy.

In 2010, she was appointed by the president and confirmed by the Senate to be Vice Chairman of the Federal Reserve where she has ably served. She has been intimately involved with the Fed's interest rate policy and its continuation of the unprecedented program of quantitative easing.

I believe that this extensive experience working on monetary policy issues at the Federal Reserve will make for a seamless transition to Chairman and provide stability to financial markets.

Recently, a lot of attention is being paid to the issue of growing income inequality in our country.

Over the last few decades, middle-class incomes have stagnated while incomes for high earners have enjoyed a stratospheric rise. Increasingly, the owners of capital are reaping a greater and greater share of the profits, while hard working Americans struggle to keep up.

If this trend continues, it will make for a more volatile economy and put middle and lower income families in increasing financial strain.

Most importantly, if income inequality is really a product of inequality of opportunity, then the United States will no longer deliver on its most fundamental promise, one that serves as the foundation for our social contract.

To me, that outcome is unacceptable, and our leading economic thinkers should be working night and day to ensure that every hard-working American has the opportunity to be successful in this country.

The most direct way to address income inequality is to increase the rate of job creation in the United States. We have made significant progress in the recovery from the great recession, but the recovery has not been robust enough to translate into a robust labor market which increases wages for all Americans.

Dr. Yellen has demonstrated a consistent ability to balance the Fed's mission of increasing employment and maintaining stable inflation. Her academic work suggests that she is keenly aware of the devastating impact of persistently high unemployment, both for families and the economy writ large.

With her keen understanding of economics and a rigorous analytical process and a distinguished career in academia, Dr. Yellen is the right person to lead the Fed at this time.

And let me just say, a woman as Chairman of the Federal Reserve—a talented and extraordinarily well qualified woman—is a positive thing.

I enthusiastically support her nomination, and I encourage my colleagues to do the same.

CLOTURE MOTION

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

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

Harry Reid, Max Baucus, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Christopher A. Coons, Mazie K. Hirono, Kirsten E. Gillibrand, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Joe Donnelly, Heidi Heitkamp.

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

The question is, Is it the sense of the Senate that debate on the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''aye.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNS).

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

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

The yeas and nays resulted—yeas 56, nays 39, as follows:

[Rollcall Vote No. 287 Ex.]

YEAS—56

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

NAYS—39

Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Corker	Lee	Thune
Cornyn	McCain	Toomey
Crapo	McConnell	Vitter
Cruz	Moran	Wicker

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The PRESIDING OFFICER. On this vote the yeas are 56, the nays are 39.

The motion is agreed to.

The Senator from Illinois.

Mr. DURBIN. Madam President, that 10-minute rollcall took 18 minutes. If people stay on the floor we can move these a lot quicker.

NOMINATION OF JOHN ANDREW KOSKINEN TO BE COMMISSIONER OF INTERNAL REVENUE

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue?

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''aye.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNS).

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

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

The result was announced—yeas 59, nays 36, as follows:

[Rollcall Vote No. 288 Ex.]

YEAS—59

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

NAYS—36

Ayotte	Fischer	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Cornyn	Lee	Thune
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The nomination was confirmed.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, the last rollcall vote took 11½ minutes. Thank you all for your cooperation.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CHAMBLISS (when his name was called). ''Present.''

Mr. HATCH (when his name was called). ''Present.''

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''aye.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona, (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNS).

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

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

The yeas and nays resulted—yeas 56, nays 36, as follows:

[Rollcall Vote No. 289 Ex.]

YEAS—56

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

NAYS—36

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

ANSWERED ''PRESENT''—2

Chambliss	Hatch

NOT VOTING—6

Alexander	Flake	Johanns
Coburn	Isakson	Reid

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 36, with two Senators responding ''present.''

The motion is agreed to.

NOMINATION OF BRIAN J. DAVIS TO BE UNITED STATES DISTRICT COURT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Brian J. Davis, of Florida, to be United States District Court Judge for the Middle District of Florida?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''yea.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNS).

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

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

The result was announced—yeas 68, nays 26, as follows:

[Rollcall Vote No. 290 Ex.]

YEAS—68

Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Heller	Rockefeller
Boxer	Hirono	Rubio
Brown	Johnson (SD)	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Graham	Murkowski	

NAYS—26

Barrasso	Enzi	Paul
Blunt	Fischer	Risch
Boozman	Hoeven	Roberts
Coats	Inhofe	Scott
Cochran	Johnson (WI)	Shelby
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—6

Alexander	Flake	Johanns
Coburn	Isakson	Reid

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

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System.

Harry Reid, Tim Johnson, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie K. Hirono, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

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

The question is, Is it the sense of the Senate that debate on the nomination of Janet Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote ''yea.''

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), the Senator from Nebraska (Mr. JOHANNS), and the Senator from Georgia (Mr. CHAMBLISS).

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

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

The yeas and nays resulted—yeas 59, nays 34, as follows:

[Rollcall Vote No. 291 Ex.]

YEAS—59

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

NAYS—34

Ayotte	Cornyn	Heller
Barrasso	Crapo	Hoeven
Blunt	Cruz	Inhofe
Boozman	Enzi	Johnson (WI)
Burr	Fischer	Lee
Coats	Graham	McCain
Cochran	Grassley	McConnell
Moran	Rubio	Toomey
Paul	Scott	Vitter
Portman	Sessions	Wicker
Risch	Shelby	
Roberts	Thune	

NOT VOTING—7

Alexander	Flake	Reid
Chambliss	Isakson	
Coburn	Johanns	

The PRESIDING OFFICER. On this vote the yeas are 59, the nays are 34.

The motion is agreed to.

NOMINATION OF JANET L. YELLEN TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The PRESIDING OFFICER. Under the previous order, all time on the Yellen nomination is yielded back. The vote will occur on this nomination on January 6, 2014.

The clerk will report the nomination.

The legislative clerk read as follows:

Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

The PRESIDING OFFICER. The Senator from Illinois.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to legislative session.

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

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 265, S. 1845.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I have a cloture motion at the desk.

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

The legislative 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 proceed to Calendar No. 265, S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Jack Reed, Richard J. Durbin, Martin Heinrich, Thomas R. Carper, Charles E. Schumer, Dianne Feinstein, Patty Murray, Bernard Sanders, Angus S. King, Jr., Al Franken, Tom Harkin, Jeff Merkley, Elizabeth Warren, Sheldon Whitehouse, Barbara Boxer, Richard Blumenthal, Sherrod Brown.

MORNING BUSINESS

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

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

The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1882

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1882, a bill to extend the exclusion from income for employer-provided mass transit and parking benefits; that the bill be read three times and passed; and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate my colleague's commitment to this particular issue. However, this is just one of many tax provisions which will expire at the end of the year.

In the past, the senior the Senator from New York supported the extension of numerous provisions, as have I, particularly the State and local sales tax deduction in his case. I can only wonder if he is signaling that the State and local sales tax provision, along with all the others which are expiring, are no longer a priority for him.

In any event, the Senate Finance Committee has jurisdiction over all the tax extenders, including the one being offered here today. As of yet, the committee has not been able to fully consider and report a tax extenders bill. As a senior member of the Senate Finance Committee himself, I would hope my colleague would want to work with other members of the committee to preserve its jurisdiction.

Since the House of Representatives has been out for 1 week, my colleague's request—even if agreed to in the Senate—would not result in extending the mass transit provision. Finance Committee Republicans stand ready to work with our Democratic colleagues when we return in a couple of weeks, and the House will be back then too. If we want to enact this extension into law, rather than just sending out talking points, we ought to engage in regular order when we get back.

On that basis, I ask unanimous consent to modify my colleague's unanimous consent request.

I ask unanimous consent that the request be modified to refer this bill to the Finance Committee so it can be properly considered through regular order.

The PRESIDING OFFICER. Does the Senator from New York accept the modification request?

Mr. SCHUMER. I object.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. HATCH. I object.

The PRESIDING OFFICER. Objection is noted.

The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague. We are good friends and I know his heart is in the right place. I would just make a couple of quick points before I get into a little bit of the substance, and I will be brief.

The reason this extender has special weight and deserves being brought up today is the following: Most of the tax extenders—and I certainly support a large number of them—can be put into law retroactively with little harm done. Since most of them affect people's tax returns in 2015 if the law is changed, say, January or February of 2014, it doesn't affect this because the tax deduction would actually be filed before April 2015.

The one problem with the mass transit benefit is it is much harder to make retroactive. People try and we tried last year. We did it retroactively. But since the benefit goes each month to the commuter from his or her employer, retroactivity doesn't work quite as well.

That is why I felt it was important to try to get this passed now, so perhaps when the House returned immediately—there is good bipartisan support for this in the House support as well—they might enact it and we would not have to wait for the Finance Committee to go through a large number of other tax extenders hearings and whatever, because the longer it is retroactive, the harder it is.

I certainly appreciate my colleague's objection. I am going to fight very hard to try to get this done in January when we return. I would just make these following points about the benefit.

It is a win-win. It is a win for our mass transit commuters because then they get the same benefit—no more, no less—than those who drive to work and park. It was an anomaly in the law, pointed out by my late colleague, friend, and mentor, Senator Moynihan, that it was unfair to give people who drive their cars to work double the tax benefit of mass transit commuters. It is only fair to make them equal.

Right now, the law will raise the parking-driving benefit—those who drive to work—at the rate of inflation to $250. That is a good thing and I am all for that. But if the law is not renewed before December 31, the mass transit benefit, which I have worked hard to make equal to the park-and-drive benefit, will revert back to $130 a month, which is a lot less and unfair.

The second benefit is to people who drive. You say why would they benefit? They are getting theirs. The bottom line is, for every person who takes mass transit and doesn't take his or her car to work, that reduces congestion on the roads. So even if you never want to ride the train or the bus to work, you should be for this.

Finally, I would say the following: It benefits our environment. We all know that mass transit pollutes the air a lot less than people driving individual cars. In many places it is not possible to use mass transit, but in more and more parts of the country it is and we ought to be encouraging that. To have this benefit expire is bad, bad for people who take mass transit. Obviously there are a lot of them in my State—700,000—who get this benefit. It is bad for those who drive and bad for the clean air that we wish to breathe.

I will continue my quest because I think it is only fair and only right and it is good for all of America. As my colleague noted, it is a tax break. We generally can find more agreement on tax breaks than many other issues—fiscal and tax issues in this Congress. I will continue my quest to have this renewed as soon as possible, and I think it is not unfair to do it ahead of the other tax breaks because of the unique way that this benefit functions and how it is harder—not impossible but harder to enact retroactively.

Mr. President, I wish you, the entire staff who has done a great job here through the year, and all of my colleagues as well as those here in the gallery, a merry Christmas, a happy new year—not least of whom is my good friend and colleague from Utah who I know has a big and happy family. I wish them a merry Christmas and a happy new year as well.

I yield the floor, I guess with just about almost certainty for the last time in 2013.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate my colleague from New York. He is a great Senator. I understand his concern here, but we ought to do this in accordance with regular order, especially on the Finance Committee, to get to where we work on these matters and get them done in an exigent and good way, and I will certainly try to work with my colleague throughout this process.

Mr. President, I also would like to wish everybody who serves in this body a merry Christmas and a happy new year. This is a wonderful time of the year. We all feel pretty good today, having finally gotten through most of the work that we needed to get through.

Mr. SCHUMER. I thank my colleague.

OBAMACARE

Mr. HATCH. Mr. President, I rise today to discuss the debacle that is the so-called Affordable Care Act. I don't think there is anyone in this Chamber, Republican or Democrat, who would dispute that thus far the implementation of this law has been a disaster, particularly with regard to the healthcare.gov Web site and the President's promise that ''if you like your health care plan, you can keep it.''

The administration has admitted that it bungled the rollout and has tried to cover up for what PolitiFact dubbed ''the lie of the year,'' by passing the buck to States and insurers as to whether individuals would be able to keep their plans for the next year.

Let's be clear about this. ObamaCare's problems are deeply rooted in its DNA, and they are far larger, far bigger than just a Web site. Is the Web site causing the cost of health insurance premiums to go up dramatically? Is the Web site causing businesses to force more and more employees to work part-time? Is the Web site sending out cancellation notices to patients and consumers, telling them that their health care plans are no longer available? Of course not. Yet as the functionality of the Web site continues to improve, the administration is starting to talk as if every problem with the law has been fixed and that all the other issues are going to simply dissolve.

We know that is not the case. In reality the problems with ObamaCare are only beginning. I would like to take a few minutes to discuss some of the problems we are going to be seeing in the future as the President's health law continues to be implemented. I have to say that when it comes to ObamaCare, it is a little difficult to make predictions. That is because the administration has gone to great lengths to muddy the waters with delayed deadlines and unilateral policy changes. However, I think we can look through the opaque waters and identify at least six general areas where we can expect to see major problems in the coming months. These are six areas among many, but theses are six I want to talk about today.

No. 1, we are going to continue to see problems with the implementation of ObamaCare. Like I said, there have undoubtedly been improvements to the Web site. They should be able to resolve that problem. It is a technical problem. It is a shame it was not resolved to begin with. It is a shame that enough time wasn't given to resolve it, but there still are issues that are far from resolved besides that.

Let's just look at the enrollment in the exchanges to see how things are going. As of November 30, roughly 365,000 individuals enrolled in health insurance coverage through the State and Federal exchanges. That is a small improvement from the numbers that we saw at the end of October but still far short of the benchmarks that the Department of Health and Human Services had set for enrollment in the exchanges. Originally, HHS touted a goal of enrolling 7 million people in the exchanges by March of 2014. According to a memo obtained by the Associated press, HHS projected that on the way to reaching that goal of 7 million enrollees, they would enroll roughly half a million people in the first month. Yet after 2 months they were still more than 100,000 people short of that one-month benchmark, which is not a high benchmark in my opinion.

The same memo projected that they would have 3.3 million enrollees by the end of 2013. Yet, if they are going to reach that goal, they will have to enroll nearly 10 times as many people as they have enrolled so far in just the next week and a half.

Sure, many of these enrollment problems are due to a poorly designed and poorly executed Web site, but even with the Web site's improvements, it would take a substantial miracle for the administration to meet its enrollment goals for the coming months.

There are other significant problems to be concerned about, most notably those associated with the premium subsidy program administered by the IRS.

Earlier this month the Treasury Inspector General for Tax Administration issued a report that found that the IRS has an inadequate system in place for preventing fraudulent premium subsidy payments from occurring and that people's personal information will likely be at risk. That is the Inspector General for Tax Administration. That is not Republicans. There are real questions as to whether the IRS can effectively verify the income of those applying for these subsidies. I have also raised the concern on a number of occasions.

Similar tax subsidy programs, including, for example, the Earned Income Tax Credit, EITC, that are paid out before they are verified, have improper payment rates as high as 25 percent. Think of that.

If we see the same improper payment rate on these ObamaCare subsidies as we do on the EITC, it will end up costing taxpayers hundreds of billions of dollars over the next 10 years. As I have said in the past, the ObamaCare premium subsidies with the lack of security and safeguards are a fraudster's dream. We have warned the administration, and I personally warned the administration.

The administration may claim that with the recent improvement to the healthcare.gov Web site all is now right with the world. However, as you can see, there are a number of administrative problems that, even with a functional Web site, have yet to be resolved.

No. 2, Americans will be left without coverage due to the problems with ObamaCare. As a result of the dismal rollout of ObamaCare, many Americans, particularly those who have tried to enroll in the exchanges, could very well end up being uninsured for a time. Maybe a significant time.

Last week an article appeared in the Washington Post that told the stories of people had were forced out of their existing health plans due to ObamaCare's coverage mandates but are unable to sign up for the new plans on the exchange due to the failings of the Web site. The deadline for signing up for coverage that starts on January 1, 2014, is December 23, 2013. Anyone who has been kicked off their plan who is unable to sign up before that date, which is just a few days away, will find themselves facing a gap in medical coverage.

For the chronically ill or for people with expensive medical conditions, this gap in coverage will be particularly acute. These people are, according to the Washington Post, ''ObamaCare's biggest losers.'' Yet, ostensibly, these are the very people that this law was enacted for and supposed to help.

Another reason countless Americans may end up seeing gaps in coverage is simply because they will be unable to navigate the ever-changing landscape that is ObamaCare's dates and deadlines. Due to the failures of the rollout, the administration has delayed or shifted virtually every deadline associated with obtaining and paying for coverage. For example, like I said, the deadline for enrolling in insurance coverage that starts on January 1 is December 23, just a few days away. The deadline for actually getting the first premium payment to insurers is December 31. Both of these dates have been moved at least once already and could be moved again. They probably will be. On top of that, the administration has issued statements ''encouraging'' insurers to extend their own deadlines for payment and enrollment.

This is on top of the delays in the employer mandate, the SHOP exchanges, and the countless other provisions we have seen delayed or extended over the past year.

People are bound to be confused by all of these changes. It is nearly impossible for anyone, let alone those with serious medical conditions, to keep track of the ever-changing deadlines the administration keeps issuing. With no clarity as to when people should sign up and who they should pay and when, it is a virtual certainty that many consumers will find themselves uncovered for a period of time through no fault of their own.

The administration added to all of this uncertainty last night with the announcement it was going to allow people with canceled insurance plans to either buy catastrophic plans or avoid the requirement that they buy health insurance altogether. It has been less than a full day, and already this decision is causing confusion among insurers. It will almost certainly do the same for consumers.

It seems the Obama administration is making all of this up as they go along. Undoubtedly, many people will suffer the consequences of this ineptitude. The administration should be ashamed of the way this is bollixed up and messed up, and it is just going to get worse.

No. 3, there will continue to be spikes in premiums and other costs. We have already seen what is happening to the price of insurance in the individual market. Thanks to ObamaCare, millions of people have already lost their existing health insurance and have found that their options on the exchanges come with much higher premiums. This sticker shock has been widely reported. But that is not the end of the crisis problem.

Unfortunately, many people are also finding that their out-of-pocket costs will be dramatically increased thanks to higher copayments and prescription drug costs, included in plans on the exchanges. In many cases, it is difficult for patients to determine which medications are covered on the ObamaCare plans.

Unlike in Medicare Part D, the ObamaCare Web site does not have a plan finder that would enable consumers to search for plans based on coverage. These new costs are particularly high when compared with the insurance plans that were recently canceled.

But it is not just happening in the individual market. These price spikes are also hitting people with employer-provided insurance. According to a recent poll by the Associated Press, nearly half of Americans with job-based or other private insurance say their policies will be changing next year, mostly for the worse. So 69 percent say that the cost of their insurance will be going up; 59 percent say their annual deductibles or copayments are increasing. The Affordable Care Act did little to reign in the actual cost of health care.

When you add in the costs associated with the law's mandates and regulations, costs are going up, particularly for small businesses, our main job creators.

A recent survey of small business owners by the National Federation of Independent Business confirmed that this is already starting to happen. In the survey, 64 percent of small businesses reported that they paid more for employee health insurance premiums in 2013 than they did in 2012. Small business owners consistently cite the rising cost of health care as their top business concern.

This brings us to the next obvious prediction, No. 4. Millions of people will lose their existing employer-provided health insurance. Once again, we are all too familiar with President Obama's infamous promise, ''If you like your health care plan, you can keep it,'' but little has been said about the threats ObamaCare's mandates pose to people who get their health insurance from their employers.

Put simply, the health law was designed specifically to invalidate existing health care plans—those deemed inadequate by the drafters of the law—in order to force people into more expensive plans with expanded coverage they don't necessarily want or need. This applies to both individual market plans and employer-provided plans alike. The administration's own estimates, published in the Federal Register, predicted that tens of millions of Americans with employer-sponsored—keep in mind, employer-sponsored—insurance will see their plans invalidated by the

so-called Affordable Care Act's mandates and regulations.

According to a recent analysis by the American Enterprise Institute, as many as 50 to 100 million insurance policies in the employer-provided insurance market will see their plans canceled next fall when all business plans must be fully compliant with ObamaCare's insurance mandates. At that point businesses will have to face a difficult choice: Offer a more expensive health care plan to their employees or send employees into the exchanges. As we have already seen, that is not a great place to be.

No. 5, health insurers will either leave the market or face bankruptcy. One of the foundational assumptions made by the drafters of the Affordable Care Act was that the costs to insurers of providing vastly expanded coverage would be offset when more young and healthy patients are brought into the risk pools. Indeed, this is almost the entire basis for the individual mandate. The problem is that so far this doesn't seem to be happening, and I doubt it ever will. There is good reason to question whether it ever will. With the ever-increasing cost of insurance as a direct result of ObamaCare, there will likely be many who opt to stay out of the market altogether.

There is ample data right now to support this conclusion. For example, in a poll released earlier this month from the Harvard Institute of Politics, those in the millennial generation—the very people whom proponents of ObamaCare desperately need to add to the insurance pool—were shown to be highly skeptical of the law. In the poll, a majority of 18- to 29-year-olds disapproved of the Affordable Care Act and said it will increase their personal health care costs. Only 18 percent of respondents in that age group said they thought the law would improve their health care.

Clearly, the authors of ObamaCare thought that the individual mandate, along with the strong sense of civic duty, would coerce people into acting against their own interests and paying expanded costs for coverage they don't necessarily want or need; however, in the real world where people weigh costs and benefits before making a decision, millions of people are more likely to pay a fine instead of entering a skewed and unstable insurance market where costs are forever going up. A lot of these young people will not even pay the fine because there is no penalty for not doing so.

Without a greatly expanded risk pool of younger and healthier consumers, it is not going to be worth it for many insurers to stay in the market. Those insurers who do stay and try to stick it out will do so at greater risk to their financial future.

Insurers are not the only ones facing a dismal economic outlook as a result of ObamaCare, which brings me to my final prediction. Remember, I am just limiting it to six today. I will have more later.

No. 6, ObamaCare will continue to be a drag on business and our overall economy. It isn't just patients and consumers who are suffering under ObamaCare; employers are also facing difficulties as a direct result of ObamaCare. As I have discussed here on the floor at length in anticipation of the employer mandate, businesses all across the country have either reduced employment or have stopped hiring. Workers who had full-time jobs before the passage of ObamaCare are finding themselves moved into part-time work because under the law employers will be forced to provide coverage for full-time workers.

Even the unions, which were among the largest and biggest supporters of the health law when it was being debated in Congress, have come out and said the law is destroying the 40-hour workweek for American workers.

Last week the National Association of Manufacturers released its quarterly survey of its members which showed overwhelmingly that the President's health care law is having a negative impact on the manufacturing sector. According to that survey, more than 20 percent of manufacturers have cut or decelerated their business investment as a result of ObamaCare. Nearly one-quarter of them have either reduced employment or ceased hiring. Roughly one-third of them say they have reduced their business outlook for 2014 as a result of the so-called Affordable Care Act. And more than 77 percent—nearly 8 in 10—of manufacturers cited rising health insurance costs as a primary business challenge.

In other words, at a time when our economy is growing at a sluggish pace and job growth remains lackluster, the President and Democrats in Congress continue to support a health care law that is making America a much more difficult place to do business and to find and keep a job. It is only going to get worse as this wears on. These are just some of the problems we are going to see in the coming months as a direct result of ObamaCare, and they are not going to go away so long as the Affordable Care Act remains in place.

As I see it, with 2013 coming to a close, the President and his allies here in Congress are at a crossroads. As I see it, they have two choices: They can continue to double down on the same failed policy that is increasing the cost of health insurance in this country and causing millions of people to lose their existing coverage and will continue to wreak havoc well into the future or they can, for once, try to work with Republicans on replacing this failure with something that has a real chance of success. I hope that eventually my colleagues will choose the latter, but needless to say I don't think I can keep my hopes up.

Last but not least, I hope this is not leading to a throwing of the hands in the air, admitting this doesn't work, and then saying we have to go to socialized medicine, or what many call a single-payer system. If we do that, I have to tell you, we will never get out from under this mess.

We had a system that was working pretty well. There were up to 30 million people who did not have coverage. Why didn't we just concentrate governmentally on helping the 30 million people rather than doing this colossally bad bill that we are all going to rue the day we did? I am so concerned about it.

There are ways we can work together. I really believe we have to find some folks on the other side of the aisle who really understand this and who really understand that they are getting killed by this bill. Hopefully, we can find some folks who will sit down and work with people like myself. I have been instrumental in an awful lot of health care legislation over the last 37 years. Hopefully, we can work together in order to get this terrible problem resolved. I am concerned about it.

Health care should never have been a partisan issue, and in this case it is a totally partisan issue. Every Democrat in the House and Senate voted for it. Not a single Republican in the House or Senate voted for it. We all voted against it, knowing in advance that it would be a disaster. Frankly, I would like to get rid of the disaster, and I hope we can find some colleagues on the other side who will be willing to work to do that.

I hope the President will wake up. I think he thinks he is going to double down and fight for this, when, in fact, it is killing his reputation and the Democratic Party's reputation as well.

We clearly can't keep going the way we are.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Carolina.

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

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

Mr. GRAHAM. I ask unanimous consent to be able to engage the Senator from New Hampshire in a colloquy for about 20 minutes. I would appreciate it if the Presiding Officer would let us know when the 20 minutes has expired. I would like to discuss the military retiree position and the budget with Senator AYOTTE when she gets here.

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

MILITARY RETIREMENT

Mr. GRAHAM. The Presiding Officer is from Virginia, and I know he understands military men and women very well. It is a very patriotic State when it comes to their military footprint. I am confident that he and I—and others—will be able to fix the problem that occurred in the budget agreement.

Let me say about the agreement itself that I do appreciate the fact that we were able to find a bipartisan way forward to relieve sequestration from the military and nonmilitary for a couple of years. That is just a drop in the bucket as far as what we have to do to repair the military. GDP spending on the military is moving toward an all-time low over a 10-year period with sequestration. The historical average has been well over 4 percent, and we are going to hit below 3 percent if we continue sequestration. That is an issue for another day.

The budget agreement called for relieving sequestration in the pay-fors. Quite frankly, they were not big. They did not change the course of the country. They are not what the Senator from Virginia and I hoped for. We would have liked to have done entitlement reform. I would like to do Tax Code simplification. I am willing to eliminate deductions in the Tax Code and take some of the money to pay down the debt, even though some folks on my side say we have to put it all in tax reductions. And I think the Senator from Virginia would be willing to engage in commonsense entitlement reform to keep us from becoming Greece.

This was the best deal we could get. It didn't do the big deal, but it did provide some budget relief for a 2-year period, and it was about $60-something billion; I can't remember the number.

The bottom line is that one of the ways you paid for relieving pressure on the defense budget and nondefense spending was there was a provision that will affect military retirees, which nobody will own, that got into the budget agreement.

I am on the Budget Committee. I was not consulted about the agreement; I read about it in the paper. There is a fine line between having a bunch of people involved who kind of keep things from never developing to produce a product and having a handful of people doing something in a small room, not vetted.

So the bottom line is that $6.3 billion of the pay-fors came from adjusting military retirement cost-of-living allowances for those who have served our military for 20 years and are therefore eligible for retirement. What they did was they took the COLA and reduced it by 1 percent for every military retiree until they reach the age of 62.

The President, to his credit, has called for an adjusting CPI, the way COLAs are calculated, for everybody—for civilians, military, Social Security—to make it more consistent with sustainable inflationary increases. This didn't adjust the COLA, it left the formula as it is; it just reduced the military retiree's COLA by 1 percent until the military retiree reaches age 62, and that is the only group in the country that had that happen. So $6.3 billion is taken away from men and women who have served for 20 years, and no one else had the pleasure of that experience.

Civilian employees, new hires, had to contribute additional funds to the Federal retirement system to help pay for the deal, but it only affected new retirees; the people who are in the system were grandfathered. The only group that Congress found fit to single out for the retroactive application was the retiree community.

All I can say is that military pay—retirement, pension pay, health care benefits are going to be subject to being reviewed and they will be subject to reform, because a larger portion of our budget in DOD is personnel costs. The Congress, in its wisdom, set up a commission to look at this issue. They are supposed to report back in 2014—now maybe it is as late as 2015—about how to reform military pay and benefits as part of an overall restructuring of the Pentagon.

One thing Congress put into the commission's charter was that they had to grandfather people who are currently in the system. In the budget agreement we singled out military retirees for a 1-percent reduction of their COLA and nobody was grandfathered—$6.3 billion coming out of the pockets of those who have served. For an E–7 who is going to retire at 40 and has his or her COLA reduced to age 62, it is between $71,984 or $80,000, depending on who you talk to, in loss and benefits. And the E–7 receives in retirement pay after 20 years of faithful service about $25,000 a year—not exactly becoming independently wealthy.

We have one of the leading voices on this issue, Senator AYOTTE from New Hampshire, who took up this challenge and came up with some solutions early on and has been a great voice about how unfair this is. So I will yield to the Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I thank my colleague from South Carolina.

I picked up an editorial this morning from the Washington Post that calls the cuts to the cost-of-living adjustments to military retirees minuscule and demeans this criticism. It calls the cuts teensy-weensy.

I don't understand why anyone would want to support a measure that singles out—in other words, under this budget agreement, the group that got the cuts to their current benefits are those who have sacrificed the most for our country. To call this minuscule or teensy-weensy—I don't think it is so minuscule, as the Senator from South Carolina said, to an E–7 who makes about $25,000 a year in retirement and will lose close to $72,000 from the time he or she retires at 40 until they are 62. That is about 3 years of their retirement. That is not minuscule in a working family.

This is not a minor situation. It is not minuscule to our veterans, those wounded warriors who have given the most, and who have, unfortunately, suffered so much.

Mr. GRAHAM. Mr. President, will the Senator yield?

Ms. AYOTTE. I yield.

Mr. GRAHAM. This applies to disabled retirees as well, right?

Ms. AYOTTE. It does. We have all visited Walter Reed and we have all met our wounded warriors who are heroes. They have sacrificed more than we could ever ask anyone to sacrifice for our Nation. Some of them don't have arms, legs. They receive a medical retirement because of their service and their disability as a result of the service they have rendered so gravely for our country, and they get cut under this too. I don't think the cut to them is teensy-weensy or minuscule. Only in Washington would this be minimized in terms of how people are viewed as minuscule or teensy-weensy in light of the service they have given to our country. I thought this description of it was wrong and offensive and demoralizing in terms of the message it sends to our men and women in uniform.

I think the encouraging part of where we are right now is that so many in this body have come forward and said we need to fix this and recognize this does have an unfair impact on our military retirees and, of course, those who have received a medical retirement.

Whether I disagreed with my colleagues voting for the agreement, regardless of where my colleagues stand on the agreement, I think it is time for us to come together on a bipartisan basis and do the right thing and fix this on behalf of our men and women in uniform, especially our wounded warriors.

Obviously, this body realizes this is not minuscule and this is not teensy-weensy in terms of the impact on our heroes and those who have sacrificed so much for our country. I am very encouraged to see so many of my colleagues over the last couple of days coming forward with different ideas about how we can fix this and do the right thing on behalf of our men and women in uniform.

I have introduced a piece of legislation that would come up with billions of dollars for a pay-for to fix this. I know others have different ideas. But I know this: We can put politics aside. We can fix this for our men and women in uniform.

After we go home for the holidays, I think when we come back in January, this should be a No. 1 priority in this body, which is to do the right thing for our military retirees, for those who are our wounded warriors. The number of people I have seen speak out on this issue in the last few days gives me encouragement that we will be able to do this and do it quickly on their behalf, to right this wrong. Some of them are 19 years in. Maybe they have done multiple tours in Afghanistan and are thinking of retiring. We need to let them know we understand their sacrifice, we should not have singled them out, we will get this right, and that we understand that of all the people who should not have been singled out in this agreement are those who take the bullets for us and whose families have

had to go through multiple deployments.

I think about the fact that when someone has done a 20-year military career and one has had multiple deployments, the spouse can't have the same kind of career as if they were able to live in one place. They sacrifice so much because they are traveling around the world and the retirement they receive obviously recognizes that.

So as we leave for the holidays, I hope when we get back, we get this right, we take this up, we honor the service of our men and women in uniform and do what is right.

Mr. GRAHAM. Senator AYOTTE mentioned this Washington Post editorial. The Washington Post is, in my view, a very good newspaper. I like the editorial board. They have been right on Syria and a lot of other issues. Sometimes we disagree, that is for sure. But this one editorial has gotten my attention to the point that I have to respond and, quite frankly, ask my friends at the Washington Post to reevaluate their position and think a little bit about what they are saying in their editorial when it comes to military retirees.

As she said, the editorial says this is a ''teensy-weensy'' small cut. I said that we were screwing the military retirement community and maybe a better way of saying it was we are disrespecting the military retiree community, because when I said we were screwing the military retirees, it was sort of like the financial package. They are having to give up retirement benefits—the COLA reductions—that not one other person in the entire country has to go through. And it is not teensy-weensy. When it is 1 percent calculated from 40 to 62, it is $71,000 to $80,000; if you are an officer, $100,000. Again, you get about $25,000 in retirement when you are an E–7; some in the thirties if you are an O–5. But to get that you have to serve your country for 20 years, uprooting your family—probably the average number of moves has to be five or six. If you have been on Active Duty since 9/11, God knows how many times you have been to Iraq and Afghanistan and other places.

Here is the deal: Your children are not subject to being drafted. Why? Because we abolished the draft, and we put in place an all-volunteer force, and part of the deal was that we would take care of the military member and their family in an appropriate way if they would bear that burden for the rest of us.

Are these people really living large off the rest of us? Should we be offended at this ''great deal'' we are giving these people who retire at 40 or 45 or 38? You know, the ''My God, aren't they just sort of taking the rest of us for a ride'' attitude really offends the hell out of me.

To get that $25,000 in retirement for the rest of your life—and I hope you live to be 80, or you just name the number—you had to work for it, you had to risk your life for it, you had to ask of your children something that most people do not have to ask; that is, move and leave your friends every couple years. You had to do things for the rest of us that, apparently, we do not appreciate anymore at the Washington Post.

I do not know what the editorial board's makeup is. They are all patriotic, I am sure good people, and if they have veterans down there, boy, you let your fellow veteran down by approaching this issue in such a harsh, insensitive way. Their response was: No, the military retiree is not getting screwed. This is just a small step to something larger.

What they are trying to do—which offends me—is, one, they do not know what they are talking about, which is unusual for the Washington Post. Do not confuse my disgust with the singling out of military retirees in a retroactive fashion to pay for a budget deal that does not do a whole lot to change the course of the country with my desire and willingness to reform military pay and pension benefits in the future through a logical process. Now, that offends me. That is pretty clever.

So can you be for reform and be disgusted at the same time? Yes. And here is the good news. Very few U.S. Senators are taking the Washington Post tactic that these people deserve more cuts—not less—singled out. I think the Washington Post is on an island of its own, at least I hope so.

People who voted yes—Senator MCCAIN, God knows he has earned his retirement; Senator CHAMBLISS; Senator ISAKSON—have come up with a way to fix this, and all three of them will say: I will embrace military pay and pension benefit reform in the future. I am not just going to single out the military retiree and reduce their COLA when no one else gets that reduction retroactively, violating their own commission charter.

Senator SHAHEEN on the other side wants to fix it. Senator MURRAY wants to fix it. I am really pleased that a lot of people have said: Now that I understand how this works, we need to fix it.

I have not even mentioned the fact that it does apply to disabled retirees. If you had your legs blown off in Afghanistan, it might be pretty hard to get another job. Your COLA is reduced too.

What do you say to those people? Thank you? Itsy-bitsy, teensy-weensy? Really? But they did not mention in the editorial that it applies to the disabled retiree. Mr. President, $600 million of the $6 billion comes from that community.

Here is my point: It is not so much that we were insensitive. It just shows me how far we have fallen as a nation and how comfortable we are for other people to do the fighting and we see these folks almost as the hired help, even though we profusely praise them, and we should. We welcome them home when they come back. We cheer when they go away. We trip over ourselves as politicians to show our love and affection. The average person at the airport says: Thank you for your service. We are well-meaning people. But to believe that somehow they are being fairly treated in this budget deal and really we are just not doing enough from the Washington Post's perspective, I think loses sight of what they have done for the rest of us.

Let's say we never reformed a penny of military retirement in the future and we left it as it is. About $1.734 million is the package over the lifetime from the 20-year retirement point to death, which the average could be 40 years. We need to look at that. But let's say we did not change a penny. Over a 40-year period, at $25,000 a year, do you begrudge these people this package? After 20 years of service, they are now in their forties, their late thirties—the average is probably in the mid forties—they have to start over again. Go do that. Not so easy. And somehow we are suggesting that we are being too generous?

Would you send your kid? If I gave you $1.74 million over the next 40 years, is that worth it for you to have your kid sent over to Afghanistan or Iraq, if they did not want to go? That is what this is about.

So to my friends at the Washington Post, I do not know what happened here. I do not know how you could justify and defend this provision in the budget agreement that nobody wants to claim credit for. Again, I will reform military pay and pension benefits through the commission process prospectively, but I will not sit on the sidelines and watch these people, yes, get screwed financially but, more than that, be disrespected.

To my House and Senate colleagues, Republican and Democrats, we created this problem together. We will have to fix it together. And to the military retiree community, the disabled retiree, I am confident that Republicans and Democrats will right this wrong.

Having said that, there will come a day when we will sit down and look long and hard about the sustainable nature of personnel costs—TRICARE reform—pay and pension reform—but we are going to do it understanding you have a special place in our heart, but when it comes to balancing the budget and writing the Department of Defense long-term financial obligations, that we will look at this in a professional manner, and we will do it in the way least intrusive, and we will give people notice. We will not change the deal.

Can you imagine what it is like to have fought since 9/11; you are getting ready to retire in 2016, after 20 years of faithful service—or maybe longer—you are from your last deployment in Afghanistan; you have been to Iraq a couple times, Afghanistan a couple times; you had a couple buddies die; you have missed countless birthdays and Christmases, and every time a strange car

pulls up into the driveway, your spouse loses their breath, and you read that this is what the Congress is doing to you—changing the deal? You did your part of the deal, but all of a sudden we decide to change the deal because we have to find some money around this place to pay for a budget deal that does not do a whole lot for the long-term indebtedness of the country. And when we look to find money, we saw you as a source of money—not as the patriot, not as the front-line defender of freedom, not as the volunteer who took the burden off our backs and gave our families a pass. Shame on us all.

But the way you fix it is you fix it. To my friends at the Washington Post, Bowles-Simpson never said as part of their efforts to balance the budget—and I embrace their process—that we would eliminate military retiree COLAs as a recommendation. They set a target goal of saving $70 billion over 10 years from a Federal workforce entitlement task force to be set up to look at civilians and the military who work for the Federal Government, and they created the task force with a target goal of achieving $70 billion as a contribution toward reforming entitlements on that side of the ledger.

They gave examples of what the task force might look at: Use the highest 5 years of earnings to calculate civil service pension benefits for new retirees, rather than the highest 3 years. That could save $5 billion. Defer cost-of-living adjustments, as we are talking about here. That could save $5 billion. Adjust the ratio of employer-employee contributions to Federal employee pension plans to equalize contributions, $4 billion. These are examples of things to look at—not Bowles-Simpson recommendations. The recommendation of Bowles-Simpson was to find $70 billion from military and civilian retirement programs over 10 years through a task force.

What did the Congress do? We set up a commission—rather than a task force—to do exactly what Bowles-Simpson said to do. And to our wisdom, we told the commission, when it comes to the military, grandfather those who are currently in the system. That made sense to me. But under the budget agreement, we violated our own instructions to the commission by getting $6.3 billion from the military retirement community retroactively, from everybody in the system up to age 62, and only them. The civilian workforce had to make a contribution only for new hires.

If that is OK with the Washington Post, then I would suggest you have lost your way down there. I hope I never get so smart that taking $72,000, $80,000, $100,000—whatever the number is; the bottom line is, the minimum was $72,000 out of the E–7 cost-of-living adjustment; 3 years of their retirement—I hope I never get so smart about the budget that I find that to be itsy-bitsy, teensy-weensy. I hope I never get so callous that I could sit on the sidelines and allow the military retirement community to be singled out, unlike anybody else in the Nation, to find $6.3 billion when we are looking for money.

The bottom line is we will find the $6.3 billion. We are going to find it in a more acceptable way. And there will come a day when we reform benefits, but we are going to do it consistent with the charter that the Congress has created.

To our military community, you need to fight. You need to show up during the holiday break, and you need to remind all of us—just not Members of Congress—you need to toot your horn a little bit because it is so darn hard for you to do. You should humbly ask the U.S. House and Senate to reconsider this. You should humbly ask that the pay you received has been earned, and to change the deal in midstream is wrong. And you should remind us that: I have lived up to my end of the bargain. I am only asking that you live up to your end of the bargain. We need your voice.

So to the Senator from Virginia, who is presiding over the Senate, I know you will be part of the solution. There is a sweeping movement here in the Senate to try to find a way to right what I think is an injustice. Reform will come with it. But it sure as hell is not going to come this way.

I yield the floor. Merry Christmas.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, first I wish to thank my colleagues from New Hampshire and South Carolina.

There is at least an opportunity or a tradition at the end of a calendar year that we take the nominations pending in the Senate, both in committee and on the calendar, and literally return them to the White House. That means that in the beginning of the next year, we start over. It may mean a hearing, it may mean postponement, but we lose all we have achieved up to this point. We absolutely have to start over. I would argue at this point that we seriously consider changing that tradition, and I will make a unanimous consent request to change it.

There are some 238 total nominees who are at issue here. Eighty-three are on the Executive Calendar and 155 are pending in committee—nominations sent by the White House to Capitol Hill which have either been lost—not lost in committee but held in committee—or sent to the calendar. Of the group I have just mentioned, of the 238, 47 are judicial nominations, 36 are Ambassadors—and I have read through the list of countries here and they range from some of the smaller ones to larger countries as well—and 86 are nominees to Cabinet-level agencies. So it is a wide spectrum of appointments that have been sent for Senate consideration to Capitol Hill.

We are embroiled in an internal debate about the rules of the Senate concerning the filibuster and nominations. It is one that has not been resolved to the satisfaction of either side of the aisle, but we have labored through it over the last several weeks and will when we return.

I am going to make a unanimous consent request that those nominations—all of them; the military nominations as well as others—be held here on the calendar and in committee and not be returned to the White House, thereby requiring we repeat everything we have done in this previous year. We don't get high marks at the end of this year for our legislative performance, and to throw aside all of the effort that has been put into these nominees and require the White House to start over is literally a waste of time and unfortunate for these nominees, many of whom have been waiting for a long period of time for consideration and a vote by the Senate.

This is a chance, with this unanimous consent request, to get the next year off to a good start, where we can take what has been done with nominees, use it, take those nominations that are on the calendar, move forward; they will still be subject to an up-or-down vote. The Senate has to work its will, and that will not be compromised at all by the unanimous consent request I am making, but I am hoping we can get it through so that when we return on January 6, we will have an opportunity to move with a little more dispatch and a little more productivity in the Senate.

As in executive session, I ask unanimous consent that all nominations received by the Senate during the 113th Congress, first session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Yes. Reserving the right to object, to my good friend from Illinois, all I can say is that the normal way the Senate has operated for a couple of hundred years has been destroyed this year, and asking that normalcy come about now is beyond the pale, but we are where we are. So I object.

However, I urge the Senate to act to confirm the many military nominations pending for the Army, Navy, Air Force, and Coast Guard. So I object, with that understanding.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, I understand we are at a point of great emotions and feelings, stress in the Senate over the change in the rules about the use of the filibuster in the Senate. Unfortunately, it appears that we are going to stay in that state for at least a short period of time, and I am not holding my colleague from South Carolina accountable for that. I believe what he has done is reflect the feelings on that side of the aisle, not just his personal feelings. However, I believe he has made a valuable suggestion.

NATIVE AMERICAN MEMORIAL AMENDMENTS ACT

Mr. SCHATZ. Mr. President, last night the Senate passed the Native American Memorial Amendments Act of 2013. The bill now heads to the President for his signature. I introduced the Native American Memorial Amendments Act in May. I have worked with Representative MULLIN since he introduced an identical bill in the House in June.

This bill is needed to facilitate construction of a long-awaited Native American Veterans' Memorial on the National Mall. This memorial has languished for almost 20 years since the passage of the original Native American Veterans' Memorial Establishment Act. This legislation builds off of the great work of Senator MCCAIN, who introduced the initial bill to authorize the Native American Veterans' Memorial, and Senator Inouye, who as the Indian Affairs Committee chairman worked to enact the law in 1994.

My bill also continues Senator Akaka's great legislative effort to fulfill the promise of this memorial. Native Americans, including Native Hawaiians, Alaska Natives, and American Indians, serve and have always served at a higher rate in the Armed Forces than any other group of Americans per capita.

In every conflict since the Revolutionary War, Native Americans have answered the call to serve and defend our country. I introduced my bill so our Nation can recognize Native Americans' service and patriotism with a fitting memorial. A memorial to Native veterans will make sure future generations learn about the sacrifices Native Americans have made in service to our Nation.

It will commemorate their exceptional commitment to the principles of freedom and democracy. Last month, Congress awarded its highest honor, the Congressional Gold Medal, to the American Indians we know as code talkers. These brave men played a critical, and for too long unacknowledged, role in both World Wars. The celebration of our legendary code talkers in Emancipation Hall at the U.S. Capitol was a historic and proud moment.

But it is regrettable that most of the 216 honored did not live to see their heroic contributions acknowledged. Congress was decades late in recognizing the Native American code talker's work when we needed them most. We cannot make that mistake again. I believe now is the perfect time to move forward on a lasting tribute to all Native veterans, including the extraordinary contribution of Native Hawaiians.

My home State of Hawaii is second to none when it comes to patriotism, public service, and personal sacrifice. The heroic deeds of Anthony T. Kaho'ohanohano from Wailuku, Maui, prove just how true this is. He joined the Army to fight in combat in the Korean war.

He was assigned to Company H, 17th Infantry Regiment, 7th Infantry Division. Private First Class Kaho'ohanohano displayed extraordinary heroism near Chopra-Ri, Korea, on September 1, 1951. Due to the enemy's overwhelming numbers, troops were forced to execute a limited withdrawal. As the men fell back, Kaho'ohanohano ordered his squad to take up more defensible positions. He provided cover fire for them.

Although painfully wounded in the shoulder during the initial enemy assault, he gathered a supply of grenades and ammunition and returned to his original position to face the enemy alone. Kaho'ohanohano delivered deadly, accurate fire onto the advancing enemy. After going through all of his ammunition, he engaged the enemy in hand-to-hand combat until he paid the ultimate price fighting to protect his fellow soldiers.

President Obama awarded U.S. Army Private First Class Kaho'ohanohano the Presidential Medal of Honor, our Nation's highest military honor, posthumously. Private First Class Kaho'ohanohano, the thousands of Native Hawaiians, and Native Americans who have served our country with such honor deserve a memorial on the National Mall.

My Native American Memorial Amendments Act that passed last night will allow for a privately funded memorial to be located on grounds under the jurisdiction of the National Museum of the American Indian. The museum will have the much needed flexibility to raise funds and take on a more active role in planning and construction.

The Native American Memorial Amendments Act of 2013 was endorsed by the National Congress of the American Indians, Alaska Federation of Natives, the Council for Native Hawaiian Advancement, the largest three Native American membership organizations in the country. The National Museum of the American Indian and the National Park Service are in agreement as well.

I wish to thank the strong support of the bipartisan cosponsors of this bill: Senators BARRASSO, BEGICH, HEITKAMP, INHOFE, MURKOWSKI, TESTER, THUNE, and WYDEN. I also wish to thank especially chairwoman MARIA CANTWELL for her work to ensure the passage of this bill. It is long past time for our Nation to honor the uncommon contributions of Native Hawaiians, Native Alaskans and American Indians and other Native veterans. These brave men and women have served during war and peace to preserve our freedoms in remarkable high numbers. The valor of our Native American veterans, their dedication to duty and remarkable record of military service must forever be remembered. This memorial will do just that.

I yield the floor.

BIPARTISAN BUDGET RESOLUTION

PAYMENTS IN LIEU OF TAXES

Mr. BAUCUS. Madam President, I come to the floor today with my friend Chairman WYDEN to express support for extending natural resource programs that are critical to communities across the country. This week the Senate passed a bipartisan budget resolution. In January we will return to consider legislation to fund the government for the rest of the fiscal year.

This past October, Congress was able to extend critical payments to forested counties under the Secure Rural Schools, SRS, program for 1-year in a bipartisan fashion. Irrespective of the appropriations bill that we may take up in January, we now need to do the same for counties eligible for payments under the Payment in Lieu of Taxes Program, or PILT. PILT is a permanently authorized program created in 1976 that since 2008 has received direct spending. It is an essential source of funding for local governments that cannot collect taxes from Federal land within their borders.

A long-term solution to provide stable direct funding for PILT and other natural resource programs that buttress rural economies, like SRS and the Land and Water Conservation Fund, is our common goal. In the meantime, we remain committed to extending direct spending on PILT and look forward to finding an opportunity to do so in the first half of 2014. Does the distinguished senator from Oregon wish to express himself on these points?

Mr. WYDEN. Madam President, I wish to associate myself with the comment of my friend from Montana and affirm that I too share the commitments he described. These payments extend a vital lifeline to counties across America, many of which are perched on the edge of financial disaster. Securing that funding has been a top priority for me this Congress. I am pleased that Congress found a way to continue its commitment to the Secure Rural Schools Program thanks to the helium bill that I worked on with colleagues in the Senate Energy and Natural Resources Committee. There is still work to do for the 1,850 PILT-eligible counties, and I look forward to working with the majority leader and Chairman BAUCUS—who are both longtime champions of PILT—and other supportive colleagues to find a short-term extension and also a long-term solution for these communities.

FARM BILL CONFERENCE

Mr. LEAHY. Madam President, while the days are limited before the end of 2013, the Farm Bill Conference Committee presses on, working together in a bipartisan fashion to resolve differences and to take the steps necessary to enact a comprehensive and balanced farm bill. Under the leadership of Chairwoman STABENOW and

Chairman LUCAS, it now appears we are on target to complete our work on this bill early in the New Year.

Nonetheless, it has now been more than 440 days since the farm bill first expired. Farms are businesses, and farmers in Vermont and across the country are desperate to have a new farm bill enacted to give them the much-needed certainty for their planting and other farm decisions. Since the 2008 farm bill expired last year, we have seen parts of the country ravaged by blizzards that wiped out cattle herds while commodity prices slump. More than 20 programs, including the Organic Certification Cost Share Program, the Beginning Farmer and Rancher Development Grant Program, livestock disaster, renewable energy programs, and assistance for rural small business owners have been stranded without updated charters, and the USDA has had to press the pause button since these programs are stuck with no authorized funding. Those who participate in these programs are left hanging. That is as unwise as it is unfair.

Last week the House of Representatives quickly took up and passed a short-term extension of the farm bill with very little debate and has asked the Senate to do the same. I have heard a lot of concern here in the Senate that this short, 1-month extension could allow direct payment subsidies to continue for another full year. We have already agreed on a bipartisan and bicameral basis to get rid of these unnecessary and expensive direct payment subsidies to agribusiness, so we should not fall into this trap of extending them for a full year. That would be unacceptable, and, according to Secretary Vilsack, unnecessary.

Secretary Vilsack has indicated that if Congress completes the farm bill in early January, which can be done based on progress we have already made, we will not see the negative effects of the expiration of the dairy title, and implementation of the law should go smoothly. This is a reassuring, positive signal from the Secretary that consumers and our dairy farmers will not see the spikes in the cost of milk that we had all feared last New Year's Eve.

Of course, if the House of Representatives really wanted to get a farm bill done sooner, they would have kept the House in session this week instead of recessing for the year. Instead, they pushed forward a counterproductive short-term extension to make it seem that they are doing something for farmers. This comes after the House leadership spent much of the past 2 years dragging their feet on farm policy and reforms, while the Senate has now passed two overwhelmingly bipartisan and reform-oriented farm bills.

While we had first hoped to complete this work in 2012, the farm bill was pushed back to 2013, and it will soon become the 2014 farm bill. Over the last 2 years, the need for this comprehensive legislation has only grown. We have all heard stories from our home States about the real impacts caused by the failure of Congress to pass a new farm bill and the continued uncertainty for farmers and those who rely on USDA's nutrition programs. I regret that far too many hungry and food insecure families across America have to wonder whether this most basic assistance will still be in place to offer support in the new year. I have always been a strong proponent of nutrition assistance programs and the doors they open and will continue to oppose drastic and draconian cuts and damaging changes to these programs.

I look forward to returning in January and sitting down with the Conference Committee to work through the final details of this bill. We cannot delay any longer, and I am pleased that Chairwoman STABENOW and Chairman LUCAS have come together in a bipartisan way to move the farm bill forward. As a past chairman of the Senate Agriculture Committee, and a seventime farm bill conferee, I know the challenges they have faced. I look forward to helping with the final steps in conferencing this legislation—a bill that touches every American. Its passage will strengthen the Nation and grow our economy.

The Farm Bill has long stood as a model of bipartisan consensus. I look forward to the Senate and House reaching a final bipartisan agreement that will move the bill forward to the President's desk.

JUDICIAL NOMINATIONS IN 2013

Mr. LEAHY. Madam President, Republicans are once again—for the fifth year in a row—rejecting the longstanding Senate practice of scheduling confirmation votes on consensus nominees before the end of the session. Rather than working in a bipartisan fashion to confirm consensus nominees to fill judgeships as we wind down for the year, Senate Republicans have deliberately refused to agree to vote on consensus nominees who could and should be confirmed without delay. The result is that we will spend a significant portion of the next year on the Senate floor doing work that should have been completed this year. And now the Republican abuse of Senate rules has further escalated—Republicans have, for the first time ever, refused to allow any currently pending judicial nominees to be held over so that they could be ready for immediate action next year. For purely political reasons, Senate Republicans are forcing us to duplicate work next year that we have already completed in 2013. It is a waste of taxpayer dollars and valuable resources that could be spent addressing the difficult issues facing our Nation.

As it stands, nine judicial nominations pending on the Senate Executive Calendar—all reported by the Judiciary Committee unanimously or with significant bipartisan support—are being returned to the President. Another 15 judicial nominees who could have been reported to the full Senate and confirmed by the end of this year had Senate Republicans not blocked the Judiciary Committee's ability to meet to report these nominees to the full Senate are being returned to the President. Another 31 judicial nominees pending in the Senate Judiciary Committee will also be returned to the President. Each of these nominations represents a significant amount of work by the nominees themselves, the White House, the Department of Justice, and Senate staff on both sides of the aisle. The only judicial nomination not being returned to the President is Robert Wilkins' nomination to the U.S. Court of Appeals for the DC Circuit because the procedural posture of his nomination enables the Senate to hold his nomination over until next year. I am pleased that Judge Wilkins' nomination will not be returned, which allows for quick action next year, but there is no good reason to return any of the other 55 judicial nominations pending in the Senate.

Senate Republicans' persistent obstruction over the last 5 years has led to record-high vacancies in Federal courts throughout the country. At the end of 2009, Senate Republicans left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other eight. This resulted in the lowest 1-year confirmation total in at least 35 years. At the end of 2010 and again in 2011, Senate Republicans left 19 nominations on the Senate Executive Calendar. It then took nearly half the following years for the Senate to confirm these nominees. Last year they blocked 11 judicial nominees from votes and refused to expedite consideration of others who had already had hearings. And this year, they have escalated their obstruction and delay of judicial nominations by indiscriminately requiring that nominees be sent back to the President at the end of this first session of the 113th Congress, the effect of which is to needlessly cause delay in the Senate's ability to process these nominations and prevent more judges from getting to work for the American people.

Senate Republicans will argue that the change in Senate precedent a few weeks ago on nominations is the cause of their refusal to cooperate, but history shows that this is simply not true. The truth is, from the first day President Obama took office, Senate Republicans pursued a path of delay and obstruction on judicial nominees that departed dramatically from Senate tradition. That it took 5 years into this Presidency for the rules to change has been the result of certain Senators, including me, who have been reluctant to change prior Senate practice. But once the government stops functioning, the right course of action is to do what

needs to be done so that the American people have a government that works to make their lives better. The American people do not want to hear about tit-for-tat politics or their representatives playing the blame game. They are tired of Congress wasting time and resources when there is so much to be done. They want their representatives to work, vote, and fulfill their constitutional obligations. They want their representatives to fulfill their duty of advice and consent so that our courts have the necessary judges to provide speedy, quality justice.

The reality, unfortunately, falls short of the American peoples' expectation. During 2013, the same obstruction that has plagued the Senate during the first term of the Obama administration continued to delay the rate of confirmations to appointments on the Federal bench. The 113th Congress began with a high level of vacancies on the Federal Judiciary. As of January 2013, there were 77 vacancies in the Federal judiciary, and, of these, the Administrative Office of the U.S. Courts determined 27 of them to be ''judicial emergencies.'' Over the course of 2013, the number of vacancies has hovered around 90. Right now, at the end of the fifth year of the Obama administration, there are a total of 88 judicial vacancies, 36 of which are judicial emergency vacancies. In stark contrast, at the end of the fifth year of the Bush administration, there were less than 50 judicial vacancies, and only 16 of those were judicial emergency vacancies.

As the year closes, judicial vacancies remain at crisis levels. However, despite these high levels, Republican obstructionism continues to impose severe delays on the confirmations process, particularly in those States that faced significant obstruction from Republican home State Senators, such as Arizona and Texas.

A year after the American people voted to reelect President Obama, Senate Republicans decided to escalate their obstruction to an unimaginable level this year, preventing the President from filling any of the three vacancies on what is often considered the second most important court in the Nation—the U.S. Court of Appeals for the DC Circuit. Senate Republicans chose to filibuster all three nominees to that court without even considering their qualifications. This type of wholesale obstruction was simply unacceptable.

Republicans attempted to justify their opposition to filling any of the three vacancies on the DC Circuit by arguing that the court's caseload did not warrant the appointments. We all knew that this was a transparent attempt to prevent a Democratic President from appointing judges to this court. In 2003, the Senate unanimously confirmed John Roberts by voice vote to be the ninth judge on the DC Circuit—at a time when its caseload was lower than it is today. In fact, his confirmation marked the lowest caseload level per judge on the DC Circuit in 20 years. Not a single Senate Republican raised any concerns about whether the caseload warranted his confirmation, and during the Bush administration, they voted to confirm four judges to the DC Circuit, providing the court with 11 active judges. In light of this double standard, I finally agreed that past precedent had to be revisited because a faction of the minority party should not be permitted to nullify an election by blocking the President's nominees without regard to their qualifications.

I am pleased to say that in the last few weeks, after taking action, we were finally able to confirm Patricia Millett and Nina Pillard—two highly qualified attorneys—to the 9th and 10th seats on the DC Circuit. With the confirmation of these two women, there will now be five women and five men actively serving as judges on the DC Circuit—this is a historic first for any Federal appellate court. I am, however, disappointed that Senate Republicans refused to allow us to take a vote on Judge Robert Wilkins, another well qualified nominee whose confirmation would enable the DC Circuit to function at full strength, with 11 judges. I am hopeful that we will have a vote on his nomination early next year.

Other historic firsts for women serving on our Federal judiciary also occurred this year. In April, Jane Kelly became the first woman from Iowa to sit on the U.S. Court of Appeals for the Eight Circuit, and, in May, Shelly Dick was confirmed as the first woman to serve on the U.S. District Court for the Middle District of Louisiana. Late last week, after the majority leader was forced to file cloture over Republican opposition to moving forward on district court nominees, three more nominees were confirmed to serve as the first women on their respective courts: Elizabeth Wolford, to be U.S. district judge for the Western District of New York; Landya McCafferty, to be U.S. district judge for the District of New Hampshire; and Susan Watters to be U.S. district judge for the District of Montana.

After an extraordinarily long delay of nearly 22 months since his nomination, we were also finally able to confirm Brian Davis to fill a judicial emergency vacancy on the U.S. District Court for the Middle District of Florida. I am disappointed that it required overcoming a Republican filibuster on his nomination. He is a superb nominee. The ABA Standing Committee on the Federal Judiciary has unanimously rated him to be ''well qualified'' to serve on the Federal bench. For the past 20 years he has served as a State court judge, where he has presided over 600 cases in both civil and criminal matters that have gone to verdict or judgment. Prior to becoming a State court judge, he served for a total of 9 years as a state prosecutor, including 3 years as chief assistant State attorney. Judge Davis also has experience in private practice, where he was a partner at the law firm of Terrell Hogan. He will make a fine Federal judge.

I am pleased that despite continued Republican attempts to block or delay confirmation of judicial nominees, we were able to continue to move forward on these and other nominees this year. I have heard, however, some suggestion that Republicans will now seek to delay judicial nominations by exploiting a Senate tradition known as the ''blue slip.'' The Constitution requires that judicial appointments be made ''with the Advice and Consent of the Senate.'' For nearly 100 years, chairmen of the Senate Judiciary Committee have sought to give meaning to this constitutional edict by a blue slip policy to ensure that Senators are given an opportunity to advise the President about potential judicial nominees before they are nominated to fill lifetime positions in their home State. A blue slip is a piece of paper sent by the chairman to home State Senators asking that it be signed and returned with an indication of whether they approve of or oppose the judicial nomination made by the President.

Over the years, other chairmen have taken a more flexible view of the blue slips, but during my chairmanship of the Senate Judiciary Committee, I have protected the rights of Senators—whether Republican or Democrat—to be meaningfully consulted. Honoring the blue slip policy allows judicial nominations to move forward in committee only after receiving positive blue slips from home State Senators. Another improvement I made when I first became chairman of the Senate Judiciary Committee in 2001 was to make home State Senators more accountable for their blue slip decisions by making the process transparent for the first time. I will continue to honor the blue slip policy as it currently stands, but I hope that Republicans will not abuse this tradition and force me to reconsider.

As we approach the new year, I hope that reasonable Republicans will join us in restoring the Senate's ability to fulfill its constitutional duties and do its work for the American people.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. NELSON. Madam President, the Fiscal Year 2014 National Defense Authorization Act makes essential improvements for the well-being of the men and women serving in our armed services. It also seeks to ease the transition from active duty to veteran status for servicemembers by calling on the Department of Defense and the Department of Veterans' Affairs to fix the lack of communication between their electronic health records. This provision and countless others are why I was pleased to see this legislation pass last night with overwhelming bipartisan support. Unfortunately I was unable to record my vote but had I been in the

Chamber I would have voted in favor of this important piece of legislation. I supported this legislation when it was reported out of the Armed Services Committee. I would also like to thank Senator LEVIN and Senator INHOFE for their tireless efforts to complete this bill and fulfill our commitments to the men and women serving our country.

Mr. WARNER. Madam President, I would like to call attention to a provision within the National Defense Authorization Act for Fiscal Year 2014.

I would like to thank Chairman LEVIN, Ranking Member INHOFE, Chairman MCKEON, and Ranking Member SMITH, for including in this year's National Defense Authorization Act my amendment, with Senators COLLINS, KAINE, and GRASSLEY, to expand whistleblower and enhance protections for servicemembers who alert authorities to misconduct that includes sexual assaults and other sexual misconduct. I would like to thank my colleagues, Senators COLLINS, KAINE and GRASSLEY, for their partnership in winning this breakthrough in newly-strengthened free speech rights for our troops when they defend accountability in the military services. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, ''when appropriate.'' There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

Mr. UDALL of Colorado. Madam President, I rise today to welcome the final passage of the 2014 National Defense Authorization Act—frequently referred to as the NDAA. I would like to thank Armed Services Committee Chairman LEVIN and Ranking Member INHOFE, as well as Chairman MCKEON and Ranking Member SMITH in the House of Representatives, for their tireless and collaborative efforts in securing this critical piece of legislation. Although the NDAA did not go through the optimal amendment process, its passage today extends the necessary authorities to implement our national security strategy and support and protect Colorado's military community. As we head into the second session of the 113th Congress, I hope that we will remain mindful of the importance of a full and robust debate and ensure that the 2015 NDAA is open to amendments on the floor of the Senate.

As the chairman of the Strategic Forces Subcommittee, I also want to thank my friend and colleague on the committee, Ranking Member SESSIONS. Senator SESSIONS has a long tenure on the subcommittee, and I have benefited from his experience. I am grateful for the collegiality he has shown over the past year, and I look forward to starting our work together again in the next session.

I would also like to recognize the staff of the subcommittee for their tremendous support and dedication. For Senator SESSIONS and his subcommittee staff, I want to thank Dr. Robert Soofer, who advises on nuclear and missile defense matters, and Daniel Lerner, who advises on space, intelligence and cyber security. I also want to thank both Pete Landrum, Senator SESSIONS' senior defense policy adviser and Casey Howard, my military legislative assistant. On my subcommittee staff, Jonathan Epstein, deserves great credit for his work on nuclear weapons, space, and a host of other issues. Richard Fieldhouse, who advises on missile defense, and Kirk McConnell, who assists me on cyber and intelligence, also have my thanks and respect. Finally, special thanks to Lauren Gillis, the subcommittee's staff assistant, for her countless hours of preparation for our hearings, working with witnesses, and organizing our subcommittee markup.

In closing, I would like to highlight one provision of the 2014 NDAA, section 3112, which establishes an Office of Cost Analysis and Program Evaluation in the National Nuclear Security Administration, NNSA. I want to be clear that the establishment of this new office was not meant to in any way alter the responsibilities and oversight of the Naval Reactors Program—a division of the NNSA that has a long track record of producing high quality projects on time and within budget. The Naval Reactors Program has traditionally been semi-independent within the NNSA, being dual hatted with fleet activities of the Navy, whose overall responsibilities are found and carried out under Executive Order No. 12344. While section 3112 speaks to the NNSA as a whole, it was not our intent to include the Naval Reactors Program under the purview of the new Office of Cost Analysis and Program Evaluation. During the next session, I will work with my colleagues in both the House and the Senate to correct this provision and reflect that intent.

Mr. GRASSLEY. Madam President, it is a great pleasure to thank my colleagues, Senators WARNER, COLLINS, and KAINE, for their partnership in winning this breakthrough in newly-strengthened whistleblower protections for our troops. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, ''when appropriate.'' There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

BANGLADESH ELECTIONS

Mr. DURBIN. Madam President, last week Senators ENZI, MURPHY and I introduced a resolution on the political tensions in Bangladesh as that country prepares for a national election on January 5.

Since then, Senators BOXER, BOOZMAN, SHAHEEN, KAINE, BLUNT, and MENENDEZ have also cosponsored and yesterday the Senate Foreign Relations Committee voted unanimously in support of the measure.

The resolution calls for peaceful political dialogue between the country's various political factions in the hopes that the election will go forward in a credible and peaceful manner.

With so much else going on in the world from Ukraine to Iran, one might wonder why focus on elections in Bangladesh?

My interest is in part due to the role of Nobel Prize, Presidential Medal of Freedom, and Congressional Gold Medal winner Professor Mohammad Yunus, whom many may know from his pioneering work to help the world's poor through microfinance programs.

Professor Yunus has done so much to help the poor of Bangladesh and the world, particularly poor women, that former Senator Bob Bennett and I, as well as Congressman RUSH HOLT, led an effort several years ago to award him the Congressional Gold Medal. That bill passed both chambers of Congress in 2010, and earlier this year we gave him this award in the Capitol Rotunda.

It was a deeply moving event.

Sadly—and almost inexplicably—during the same period that Bangladesh was in such an international spotlight, its government pursued a mean-spirited and bewildering effort to undermine the Grameen Bank's independence and remove Professor Yunus from his leadership role.

I and others wrote repeatedly to Bangladeshi Prime Minister Sheikh Hasina urging her to not take such destructive and counterproductive measures.

Last year, Senator BOXER led a letter with all 17 women of the Senate to Hasina that called on the Bangladeshi government to stop interfering in the management of Grameen Bank.

Those Senators pointed out that its 8.3 million borrowers are mostly

women who gain financial independence and help support their families through its important programs.

I am sorry to report that the Government of Bangladesh ignored all such calls and just last month essentially imposed state control over the bank.

Yunus responded by saying, ''Grameen Bank was created as a bank owned by poor women, and managed by poor women. Its legal structure did not allow any government interference of any kind, except for regulatory oversight.'' The government-imposed changes, ''fundamentally changing the character of the bank. With these amendments, the government has opened the door for its ultimate destruction. What a shame for the nation, and the whole world!''

So understandably this Senate resolution calls on the government of Bangladesh to restore the independence of the Grameen Bank.

There is more at stake in Bangladesh that should be of concern to the United States and the world.

You see, Bangladesh is a relatively stable, moderate, Muslim democracy with the world's seventh largest population and the world's fourth largest Muslim population.

And despite many difficult years since its independence from Pakistan in 1971, it has often stood out as an example of a moderate and diverse Muslim democracy—one that deserves the world's attention and support.

Yet, tragically, as Bangladesh nears another national election, it has experienced considerable political unrest with hundreds perishing in violent clashes.

The country's opposition coalition has called for numerous nationwide strikes and transportation blockades, resulting in further violence, instability, and the disruption of students' abilities to attend school.

Last week United Nations Assistant Secretary General Oscar Fernandez Taranco visited Bangladesh to try and foster political dialogue between Bangladesh's political parties and leaders to bring a halt to the violence and allow for a credible and peaceful election period.

His efforts are to be supported, and this resolution reaffirms his call for peaceful political dialogue.

The squabbles between Bangladesh's political parties distract from the real progress that has been made—and should continue to be made—in alleviating the country's widespread poverty.

For example, between 2005 and 2010 Bangladesh reduced its poverty rate from 40 to 31 percent of the population.

This is where the country's political leadership should continue to focus, not on perpetuating personal animosity between the two main political parties.

So our resolution states the obvious:

It condemns the political violence,

It urges the country's political leaders to engage directly in a dialogue toward free, fair, and credible elections; it expresses great concern about the country's political deadlock that distracts from so many other pressing problems; and it urges the Government of Bangladesh to ensure judicial independence, end harassment of human rights activists, and restore the independence of the Grameen Bank.

The United States relationship with Bangladesh is strong and includes considerable trade and cooperation on such issues as counterterrorism, counter-piracy, food security, and regional stability.

Peaceful democratic elections and greater respect for the Grameen Bank will only further those ties.

I urge the full Senate to pass this resolution before we adjourn.

PEPFAR

Mr. COBURN. Madam President, PEPFAR has been and remains one of the most successful foreign policy achievements of the United States in the 21st century. This unprecedented humanitarian effort has touched millions, either through providing life-saving HIV/AIDS treatment, keeping together families impacted by the disease, caring for orphans, or improving the lives of others affected and infected by this horrible disease as well as tuberculosis and malaria. In an era of war abroad and deep political divisions at home, this program is one that has bipartisan support here and has generated good will toward the United States abroad. Every American should be proud of the success of this initiative as it represents what is great about our Nation and has restored hope for so many.

The Senate Foreign Relations Committee worked hard to get S. 1545, the PEPFAR Stewardship and Oversight Act, through this Chamber. I thank Chairman MENENDEZ and Ranking Member CORKER for their cooperation and attentiveness in the process. This bill, which became law on December 2, is a positive step toward increasing program transparency and accountability in PEPFAR's annual report. It also renews and strengthens several components of the last reauthorization, including Global Fund governance provisions and the requirement that more than 50 percent of PEPFAR's appropriations to be spent on treatment and essential medical care.

This latter component, the treatment spending requirement, is one of the key accountability provisions my colleagues and I fought for in the past. In short, PEPFAR is required to spend at least 50 percent of its appropriations on essential medical treatment and care. Members on both sides of the aisle voted for authorizations with this treatment floor. Congress sought to prevent the program from straying from its core mission of treating and caring for patients. If PEPFAR were to lose sight of this goal, the result would not just be a waste of money, it would be lives lost on account of mission creep. We cannot let PEPFAR become another well-intentioned but unfruitful and nebulous international development program.

This statutory treatment floor has changed somewhat over the last decade, but the purpose has remained the same throughout: to focus more than half of PEPFAR's total appropriations on essential treatment and medical care. Unfortunately, as I will discuss in a moment, the Office of the U.S. Global Coordinator, OGAC, at the Department of State has not been following this law. Rather, it has excluded a significant portion of its appropriations from the calculation and is now spending less than is statutorily required on treatment and care.

The original PEPFAR authorization in 2003, P.L. 108–25, first included a treatment spending floor that said, ''Not less than 55 percent of the amounts appropriated pursuant to the authorization of appropriations . . . shall be expended for therapeutic medical care of individuals infected with HIV, of which such amount at least 75 percent should be expended for the purchase and distribution of antiretroviral pharmaceuticals and at least 25 percent should be for related care.''

Similarly, the full reauthorization of PEPFAR in 2008, P.L. 110–293, included a treatment requirement that said, ''More than half of the amounts appropriated for bilateral global HIV/AIDS assistance . . . shall be expended for . . . (1) antiretroviral treatment for HIV/AIDS; (2) clinical monitoring of HIV-seropositive people not in need of antiretroviral treatment; (3) care for associated opportunistic infections; (4) nutrition and food support for people living with HIV/AIDS; and (5) other essential HIV/AIDS-related medical care for people living with HIV/AIDS.''

This version expanded somewhat on the original category of ''therapeutic medical care,'' but Congress maintained a minimum percentage of appropriations intended for direct care and treatment services.

Lastly, the recent PEPFAR legislation, S.1545, now P.L. 113–56, reiterates and even clarifies the treatment requirement further. This new law says more than half of the funds appropriated for activities under section 104A of the Foreign Assistance Act—which contains all of PEPFAR's functions ranging from drug treatment to training health professionals and capacity building—need to be going to these five categories of essential medical treatment and care.

None of these definitions from laws in 2003, 2008, or 2013 has allowed for an exclusion of certain components of PEPFAR's funding from the treatment calculation. No appropriations bill has implemented an exception to the calculation. The charge and requirement has always been to examine total PEPFAR appropriations in a given year and ensure at least half goes to services in these five categories.

As I said previously, PEPFAR management has not been abiding by the letter of the law. The Office of the U.S. Global AIDS Coordinator at the Department of State has been excluding several spending categories from the treatment and care calculation. A smaller denominator makes it easier for the program to meet the treatment calculation. In reality, hundreds of millions of dollars more should be going to treatment and care if the law were followed. Millions more patients could be receiving lifesaving antiretroviral treatment.

A Government Accountability Office report released in March 2013 highlighted how OGAC has been excluding a significant portion of PEPFAR appropriations, categorized as ''Other'' activities, from this calculation. In fiscal year 2008, this ''Other'' category accounted for about 15 percent of PEPFAR country budgets, or $574 million. By fiscal year 2012, the category increased to 21 percent of PEPFAR country budgets, or $710 million. Over the same timeframe, total spending on treatment and care decreased from $1.8 billion to $1.4 billion.

This ''Other'' category includes spending for health systems strengthening, strategic information, management and operations, and laboratory strengthening. OGAC told GAO it had excluded the ''Other'' category based on OGAC's interpretation of the intent of the treatment spending requirement. They have also not included any of OGAC's administrative costs.

As one directly involved with PEPFAR throughout my time in the Senate, I can say firmly the treatment spending requirement was intended for all of PEPFAR's appropriations, not just a portion.

PEPFAR's operational plan for fiscal year 2011 shows that PEPFAR received about $5.0 billion for all bilateral activities, including headquarters administrative costs. To be meeting the treatment spending requirement as written, PEPFAR should have planned to spend about $2.5 billion on treatment and care. Instead, it spent $1.6 billion. That figure about $900 million short of what should be going to direct treatment and care services that fit the categories already in law.

I understand the need for PEPFAR to invest in some capacity building and other ancillary development. A nation needs labs to check HIV test results, for example. Labs and clinics need health professionals, and a host government needs to be able to track the program results. However, we have seen time and again how development programs get off track, lose focus, and fail to meet their goals. They spend money on activities that are noble but ineffective. For example, in 2012, the U.S. Agency for International Development used millions of dollars to fund an economic development program in Morocco that included pottery classes, even though Moroccans have been making pottery for thousands of years. Not only so, but the classes were poorly designed. The instructor only used materials not available in Morocco, and the class's translator was not fluent in English. Ultimately, the development program failed.

To prevent mission creep and failure, Congress put a treatment and care requirement in law to ensure more than half of go to direct treatment and care services, which have a clear and measurable impact on the lives of those living with this HIV/AIDS.

I call on PEPFAR to follow the letter of the law when it comes to spending on treatment and care. All PEPFAR appropriations should be entered into the denominator of this equation. No funding will be lost from doing so. Rather, hundreds of millions of additional dollars will be going to essential treatment and care. Millions of new patients could start receiving new life.

I will continue to monitor whether PEPFAR is following this definition in the future. Given that 26 million people worldwide need antiretroviral treatment, we cannot afford to let PEPFAR get off track.

Mr. CORKER. Mr. President, first, I want to say I appreciate Senator COBURN's work on the PEPFAR Program. He has been a tireless advocate and has made this program better, more efficient, and more focused. PEPFAR has saved millions of lives since President Bush signed it into law in 2003. I was pleased to work with Chairman MENENDEZ and our colleagues in the House on legislation, the PEPFAR Stewardship and Oversight Act, which continues its important work, and I truly appreciate the support Senator COBURN offered to this critical effort. PEPFAR is the single most successful program to date to address the HIV/AIDS epidemic in Africa and the largest commitment by any nation to combat a single disease internationally. In fact, due to PEPFAR, almost 6 million people are receiving life-sustaining antiretroviral treatment, millions have avoided infection, and more than 11 million pregnant women received HIV testing and counseling last year. PEPFAR has also provided care and support to nearly 15 million people, including more than 4.5 million orphans and vulnerable children. This is significant progress, but there is still work to do. The PEPFAR Stewardship and Oversight Act renews Congress's commitment to this vital program and ensures this work will continue our progress towards an AIDS-free generation.

As my colleague Senator COBURN has stated, a provision in the PEPFAR Stewardship and Oversight Act extends authority from the Tom Lantos and Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 that requires ''more than half of the amounts appropriated for bilateral global HIV/AIDS assistance'' be spent on programs that provide treatment and care to HIV/AIDS patients. We included an extension of this authority in the 2013 bill because it is important to ensure the program remains focused on treating and caring for patients. The plain language of the provision requires the ''more than half'' calculation to be made on all ''amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961.'' We expect this requirement to be followed going forward.

I look forward to working with Senator COBURN and the Office of the Global AIDS Coordinator to ensure that the provision as intended by Congress is properly carried out.

Mr. CORKER. Mr. President, the Globe Fund to Fight AIDS, Tuberculosis and Malaria has recently made significant improvements and reforms, including building new data collection and reporting mechanisms. S. 1545, the PEPFAR Stewardship and Oversight Act, takes advantage of these reforms and provides for additional public reporting from the Global Fund on import duties and taxes on Global Fund services and commodities under section 4(b)(1)(F). This reporting is intended to identify discriminatory duties and taxes levied upon the Global Fund, and therefore should not be construed to require the reporting of de minimus administrative charges or nondiscriminatory fees. In addition, in order to allow the Global Fund time to develop the data collection systems required to implement this reporting, it is our intention that these requirements become fully effective as soon as is practicable, but no later than the end of the 2015 fiscal year. In the meantime, the Global Fund's efforts to meet the requirements of section 4(b)(1)(F) with additional reporting on these matters should be sufficient to meet the requirements in our legislation.

Mr. MENENDEZ. Mr. President, I thank the ranking member for his comments and work on this legislation. The reforms being made by the Global Fund are important and we both share the view that the reporting requirements for the Global Fund on import duties and taxes ought to be understood to provide flexibility until the end of the 2015 fiscal year.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT

Mr. BROWN. Madam President, I wish to praise the passage of the National Pediatric Research Network Act, signed into law by President Obama on November 27, 2013. I was proud to introduce this bipartisan legislation along with my colleague and friend Senator WICKER.

I am a longtime supporter of expanded pediatric medical research and, as a member of the House and later of the Senate, have fought to increase funding to carry out these essential efforts. This bipartisan bill promises to build on the important body of work in pediatric research that the National

Institutes of Health, NIH, already supports.

This law authorizes the NIH to establish a number of multi-institution consortia conducting high-impact research into the most challenging pediatric issues of our day. These research networks will allow for the participation of multiple institutions through the use of a ''hub and spoke'' arrangement, with one or more central pediatric medical centers collaborating with other supporting sites.

Network applicants can focus on any type of pediatric research agenda, from basic laboratory research through later stage translational research and clinical investigations on a variety of pediatric disorders and diseases.

Importantly, the act will bridge the research gap between pediatric and adult conditions. Only 5 to 10 percent of the NIH's annual research budget is devoted to pediatric research, despite children comprising approximately 20 percent of the U.S. population.

Additionally, this act promises to strengthen our collective focus on pediatric rare diseases or conditions, such as spinal muscular atrophy, muscular dystrophy, Down syndrome, and Fragile X.

We are all aware that the NIH faces tight budgets and that these fiscal challenges are not going away overnight. Thus, Members on both sides of the aisle came together in support of this research model to promote efficiency and the sharing of resources. Modeled after the successful Cancer Centers and other successful networked initiatives, this law reflects the current fiscal climate and seeks to do more with less.

The National Pediatric Research Network Act could not have been enacted without the support of thousands of families, care providers, pediatric researchers and research institutions across the country. I would especially like to thank FightSMA and the Coalition for Pediatric Medical Research for organizing a grassroots effort that led to strong bipartisan support in both houses of Congress, and to Cincinnati Children's Hospital Medical Center, Nationwide Children's Hospital in Columbus, and Akron Children's Hospital for their endorsement and hard work in support of the bill.

The legislation received the strong support of Parent Project Muscular Dystrophy, the Children's Hospital Association, Federation of Pediatric Organizations, Kakkis EveryLife Foundation, National Down Syndrome Society, and the National Organization for Rare Disorders.

Finally, I would like to recognize Madison Reed, a valiant Ohio teenager living with SMA, for sharing her story with me when I visited Nationwide Children's Hospital earlier this year. The National Pediatric Research Network Act has given hope to thousands of families like hers, across Ohio and the country, that collaborative pediatric research will speed knowledge from bench to bedside, allowing young people with medical concerns to lead healthier and fuller lives.

TRIBUTE TO JACK HANNA

Mr. PORTMAN. Madam President, today I wish to honor ''Jungle'' Jack Hanna for his 35 years of service to the Columbus Zoo and Aquarium. Jack is a world-renowned conservationist, author, television personality, lifelong adventurer, and champion of the Columbus Zoo.

In 1978, Jack Hanna joined a small zoo in Columbus, Ohio as the executive director. The challenges he faced as director were staggering. The zoo was outdated, the animals had little contact with the outside world, and the attendance was low. Jack worked to increase attendance by offering educational and entertainment programs at the zoo. Under his leadership, the Columbus Zoo and Aquarium became the world-class facility it is today. The Columbus Zoo is a state-of-the-art park with exceptional attractions such as Zoombezi Bay waterpark and Jungle Jack's Landing. The park has also expanded its reach outside of Columbus to include The Wilds near Cambridge, OH.

Jack's work as a conservationist has saved endangered animals and habitats around the globe. He helped found Partners in Conservation, and is an active supporter of St. Jude Children's Research Hospital, the Mountain Gorilla Veterinary Project, and the SeaWorld Busch Gardens Conservation Fund.

Jack was named director emeritus in 1992 of the Columbus Zoo but has continued to spur economic development and promote central Ohio since that time. Jack has made countless television appearances since 1983 on shows such as ''Good Morning America,'' the ''Late Show with David Letterman,'' FOX News programs, and CNN News programs. We still watch him today on his latest syndicated TV series, ''Jack Hanna's Into the Wild.''

I have had the opportunity to meet with Jack over the years and have witnessed his genuine love of animals and wildlife firsthand. He is a passionate advocate for conservation, and his skill for sharing the majesty of nature has opened the minds of millions of readers, viewers, and listeners.

The Columbus Zoo is an asset to central Ohio because of Jack Hanna's work and inspiration. I congratulate him on his service to our State.

TRIBUTE TO NICHOLE DISTEFANO

Mrs. McCASKILL. Madam President, as we come to the end of 2013, I wish to pay tribute to a friend and a stellar long-term staff member of mine, Nichole Distefano. Nichole left my office earlier this year to pursue an exceptional opportunity with the Environmental Protection Agency. She spent more than 6 years as an indispensable member of my Washington, DC, staff and was an exceptional member of staffs of mine going back to 2004.

Nichole is affectionately known as ''H'' in our office, initially because of the ''h'' in her first name and later for reasons best not shared on the Senate floor but related to her tenacity and direct nature. Nichole was the absolute rock and foundation of our legislative staff during her tenure.

She was, in fact, the first legislative aide that I hired. It did not matter—although was a shock to some—that she had no previous experience in DC. I knew she would dive right into her responsibilities with attention to detail and skill. In fact, within 2 years on the staff, she assumed responsibility for my government reform portfolio, which encompassed the issues that I focused on most intently during my first 6 years in the Senate. During that time we promoted her four times and continually increased her responsibility. In each case, she performed beyond even my highest expectations. There was no challenge and no issue Nichole could not tackle.

Nichole's policy accomplishments are too many to number. She was our lead staffer on earmark reform work; whistleblower legislation for both Federal employees and contractors; our complex regulatory reform efforts; everything and anything that had to do with empowering our inspectors general. She led all the office work on screening policies at the airports along with handling innumerable challenging situations with the GSA in regards to Missouri and was the lead staffer in writing bills to curb some of the excesses that we discovered in that Agency. She also patiently waded through all of the difficult policy and politics of energy issues, including the challenging and politically sensitive debate on cap and trade. There was no detail too small for Nichole to master and no nuance she could not grasp. One of her earliest policy responsibilities had to do with an energy issue much smaller than cap and trade, however. She prepared legislation dealing with the measurement of gasoline as it relates to temperature—hot gas was not the most exciting issue. It involved no bright lights and no headlines, just hard, complicated, solid, public policy work—the exact kind of thing Nichole thrived at. Those issues that take more than a cut-and-paste memo were Nichole's specialty.

I have known Nichole since she was 8 years old, as the granddaughter of a strong public servant, Carole Roper Park Vaughn, who served with me in the Missouri State Legislature. As Nichole ran around Carole's Jefferson City office, Carole helped instill in her that leadership spark. In 2004, when I ran for Governor, I hired Nichole for the first time to help run our Kansas City volunteer crew. By the end, most people on staff thought she was the one really running our KC office—and for all intent and purposes, she was.

By our 2006 Senate race, she became my rural outreach director, helping us

find some of the gems of our campaign, like Sweet Corn Charlie. On both campaigns she was always willing to do whatever was needed at any level from literally boosting me up onto an RV so we could grab a picture of our ''McCaskill for Senate''-wrapped RV in front of my family's old flour mill in Houston, MO, to walking into a field office unannounced one day and saying she was there to go door-to-door, despite her senior role on the campaign.

She is a take-charge kind of woman but taking charge by immersing herself in a subject. That became her trademark. We all grew to expect her remarkable technical competence on very complicated issues and her penchant for digging deeper to find the real answer. Of course, at times, she let her desire to dig deep bleed into her personal life, too. Just ask her new husband Ryan what her first two responses to his marriage proposal were: ''Are you serious?''

Because of this knack for asking the right questions and learning the detailed answers, I always listened to what she had to say—I did not always agree, of course, but listened nonetheless. As one of her male colleagues said, ''She looks tiny and sweet, but everyone is a little terrified of her because she's tougher and smarter than most everyone out there.'' And have no doubt, when Nichole believes something, she will let you know, and she will fight for it. I cherish this attribute because in this kind of job you need people who aren't just smart, aren't just aggressive, but who are real and honest.

Now no one stays terrified of Nichole for too long because they figure out how genuine she is, and funny too. The gifted members of our staffs are both intense and blessed with great humor.

Our legislative correspondents have been lucky to have her as a mentor, as well—someone who expects a high level of performance, gives praise when it is due, and encourages professional development. It is no accident that one of the first LC's to work for her grew into one of my staff's most important legislative assistants today.

It is always bittersweet for me when these kinds of junctures happen—these times when you want your staff to blast forward and make you proud as much as you want them to stay—because they have been so essential to your work.

With Nichole now working as a senior advisor within the Office of Congressional and Intergovernmental Relations at the EPA, she is providing the kind of public service that embraces intellect, curiosity, and precision. It is why they brought her on, of course. They quickly saw what we already knew. They are benefiting greatly from her deep vein of common sense and her refusal to stop working until she has asked every question and gotten every answer.

I am proud to say thank you to Nichole Distefano as 2013 comes to an end, to express my deep gratitude for all she has done for me, for Missouri, and for our great Nation over so many years. I am proud to see her continue to grow and excel. I know she is doing exceptional things in her new position. She is my friend. She is a rock. And I miss her.

REMEMBERING PETTY OFFICER OBENDORF

Ms. MURKOWSKI. Madam President, I am here today to pay tribute to the life of PO3 Travis Obendorf, a Coast Guard boatswain mate, who passed away on December 18, 2013, from injuries he sustained during the successful rescue of 22 individuals from the disabled fishing vessel Alaska Mist in the Bering Sea on November 11, 2013.

Petty Officer Obendorf, whose nick name was ''Obie,'' gave the ultimate sacrifice for his Nation, and in doing so he assisted in the rescue of 22 mariners who otherwise may have been lost to the sea.

Petty Officer Obendorf was a native of Idaho Falls, IA. He enlisted in the Coast Guard in 2004 and quickly became a leader within his boot camp platoon. He proudly served aboard the Coast Guard Cutters Alert and Waesche and deployed to Bahrain as member of Coast Guard Patrol Forces Southwest Asia. He also served at Coast Guard Station Boston, MA.

Upon reporting aboard Coast Guard Cutter Waesche on 26 June 2013, Petty Officer Obendorf quickly integrated into the Deck Division and began rapidly pursuing his qualifications. During Waesche's shakedown cruise prior to an Alaska deployment, Petty Officer Obendorf qualified as a helmsman and lookout and made significant progress in all other qualification areas. One month into Waesche's August to November 2013 Alaska deployment, Petty Officer Obendorf qualified in basic and advanced damage control, as boatswain's mate of the watch, helicopter tie-down crewmember, and boat crewmember on all three of Waesche's cutter boats. Less than a month later, Petty Officer Obendorf added boarding team member and antiterrorism force protection watch stander to his list of qualifications. Petty Officer Obendorf's rapid qualification in a wide variety of watch stations resulted in him being significantly involved in almost all aspects of Waesche's operations. His efforts as a boat crew and boarding team member were critical in the Waesche's execution of over 40 fisheries and recreational law enforcement boardings during the 2013 Alaska deployment.

When Waesche was diverted for the search and rescue case involving fishing vessel Alaska Mist, Petty Officer Obendorf was selected as a boat crewmember for what would be a challenging rescue operation. Petty Officer Obendorf immediately began assisting his shipmates and preparing for the operation, which would involve removing 14 nonessential Alaska Mist personnel as well as passing a towing line to the vessel in order to take it in tow.

Once on scene, Waesche launched Petty Officer Obendorf and the rest of the boat crew aboard a Coast Guard small boat to begin the rescue operation. As the Coast Guard small boat came alongside Alaska Mist, one boat crewmember went aboard the vessel to brief the crew and rig the rescue ladder. Once this was complete, Petty Officer Obendorf began guiding Alaska Mist crewmembers down the ladder and into the Coast Guard small boat. Petty Officer Obendorf showed exceptional skill and focus as he timed the rolls of both vessels and a significant swell to ensure the safety of the crewmembers descending the ladder. Despite deteriorating weather conditions, Petty Officer Obendorf courageously and successfully guided five Alaska Mist crew members to safety.

The Coast Guard small boat returned to Waesche with the first group of passengers and entered the stern notch with Petty Officer Obendorf positioned on the bow to assist in securing the boat for recovery. During the recovery evolution, Petty Officer Obendorf received a severe head injury. Waesche completed the operation, ultimately rescuing 22 people and towing the fishing vessel to safety, but despite the lifesaving first aid of his shipmates and the excellent care of two medical centers, Petty Officer Obendorf succumbed to his injuries on 18 December 2013.

Petty Officer Obendorf will surely be missed by his family, loved ones, and shipmates. I am thankful for his service and honored by his sacrifice.

TRIBUTE TO NELLIE FREEMAN

Mr. CARDIN. Madam President, staff turnover is part of life in the Senate, just as it is in any other institution. But some departures are particularly bittersweet. Today is the last day Helen Eleanor Freeman will be working in my office; she is retiring after more than 23 years of faithful—and joyful service—to me and to former Senator Paul Sarbanes, to the Senate, and to the people of Maryland.

Her name is Helen Eleanor Freeman, but throughout the Senate and beyond Capitol Hill, everyone knows her as Nellie. She is an avid volleyball player and her recreational activity led, through another player, to her first job in the Senate, with Senator Sarbanes, in 1989. When Senator Sarbanes retired and I was elected to replace him, he was adamant that I must hire Nellie as I filled out my Senate staff. He told me, ''There is no one quite like Nellie,'' and over the past 7 years I have been fortunate to have Nellie on my staff, I certainly have come to agree with that assessment. Nellie is unique. She is the ''glue'' that holds our office together. While I am happy for her, I am sad she will be leaving the office and I know the rest of my staff shares that assessment.

Nellie is an avid fan of the local teams, especially the Baltimore Orioles. So I will use a sports analogy from baseball. Nellie is like the super utility infielder—the person who can play any position well, the consummate team player. Name just about any task or function in the office, and Nellie has performed it—manning the phones, sorting and responding to constituent correspondence, helping to select, train, and supervise the interns—you name it and Nellie has done it.

So there are the official duties and there are the unofficial duties. With regard to the unofficial duties, Nellie has been the go-to person when it comes to organizing office parties to celebrate birthdays, afterhours social events, staff book clubs, and so forth. That is the ''glue'' I was talking about a moment ago. The Senate can be a difficult place in which to work, both for Senators and staff. Nellie has played a critical role in helping my staff feel more like a welcoming family and that redounds not only to my benefit, but to the benefit of the Senate.

Nellie is unfailingly calm, courteous, solicitous, kind, and happy. Her personality shines through and her cheerfulness is infectious, much appreciated, and an example for all of us. Nellie makes friends with everyone: constituents, colleagues, other Senate staff, Senators. She makes it easier and more pleasant for everyone to work here. That is no small accomplishment.

Nellie is retiring today, but she is far from having a ''retiring'' personality so I know she will remain as busy and engaged as ever. She has volleyball and book clubs and volunteer activities and the Orioles. During the season, I didn't need to read the sports page to determine whether the Orioles had won the night before. If they had won, Nellie would be at work in the morning resplendent in black and orange attire.

Most of all, Nellie has her beloved husband Bob Ham and the rest of her large family—her parents Bob and Molly Freeman; her siblings David, Mary, Emily, and Teddy; in-laws Jessica, Andy, and Nadia; and her nieces and nephews Rachel, Zach, Francesca, Koby, Saul, Ben, Molly, and Amelie and most of them live in the area. It is a big, raucous family filled with the same love and good cheer Nellie exudes.

So to Nellie Freeman on the occasion of her retirement after more than 23 years of serving the people of Maryland and all Americans, thank you for your exemplary service and, above all, thank you for your friendship. Go O's!

ADDITIONAL STATEMENTS

JUVENILE JUSTICE REFORM SUCCESS

• Mr. MURPHY. Madam President, as a longtime advocate for youth in the juvenile justice system during my time in the Connecticut State Legislature and in Congress, I congratulate my home State of Connecticut on new evidence that its major juvenile justice reforms over the past 10 years have been a resounding success. These reforms are based on the principle that children are fundamentally different from adults, and they should not be criminalized just like adult offenders. While other States have begun to recognize this principle and put it into practice, my home State has led the way. I am proud to note that Connecticut has achieved the largest reduction in its confinement of minors of any state in the United States over the last decade.

Like many other States, Connecticut adopted tough-on-crime policies that drastically increased the number of children locked up through its juvenile court system in the 1990s and early 2000s. But in the mid-2000s, the State recognized that these policies were ineffective, costly, and worst of all, ended up harming children more than helping them. Connecticut began to reform its juvenile system, passing a law in 2005 that prohibited the detention of youth for violating a court order in any status offense case.

Then, in 2007, Connecticut passed Raise the Age, a law that has ended the prosecution of most 16- and 17-year-old teenagers in the adult criminal system and returned them to the juvenile system where they belong. Not an easy victory, Raise the Age took more than a decade of efforts by children and families, youth advocates, and State legislators to pass and fully implement.

Together with other State reforms, the status offense change and Raise the Age have led Connecticut to cut its rate of juvenile incarceration by 60 percent between 2001 and 2011. This drop—documented in a report by the National Juvenile Justice Network and the Texas Public Policy Foundation entitled ''The Comeback and Coming-from-Behind States: An Update on Youth Incarceration in the United States'' and released just this week—is the largest in the Nation. More than any other State, Connecticut has succeeded in locking up fewer children and turning to more effective policies instead, such as relying increasingly on community-based treatment and cutting back on law enforcement referrals for school discipline issues.

One of the key architects of the Raise the Age effort in Connecticut was Liz Ryan, a nationally known and leading juvenile justice advocate. Liz is the president and CEO of the Campaign for Youth Justice, an organization she founded in 2005, around the same time that advocates in Connecticut first formed the Connecticut Juvenile Justice Alliance, CTJJA. Liz consulted with the founders of CTJJA to mobilize the Raise the Age campaign, and our State was one of the first to receive her expertise and support.

Throughout her career, Liz has worked tirelessly to build and strengthen the juvenile justice field by guiding and supporting other advocates and organizations. She serves on the National Juvenile Justice & Delinquency Prevention Coalition, cochairs the Act 4 Juvenile Justice campaign, and serves on the working groups for the National Girls Institute and the National Center for Youth in Custody. Along with these advocacy organizations, Liz has worked closely with us in Congress to raise the profile of juvenile justice issues and push for greater reform.

Unfortunately for the many who have worked with Liz over the years, she is now stepping down from her current role. While she is irreplaceable and will certainly remain involved in the advocacy field, I congratulate her on the work she has accomplished over the course of several decades. On behalf of those of us in Connecticut, I also thank Liz for her commitment to our State's reform efforts. As was said best by the director of CTJJA, Abby Anderson, ''If movements have best friends, Liz is the best friend of the Connecticut juvenile justice reform movement.''

Connecticut's success in improving how it treats its youth is an example for the rest of the country. More and more evidence shows that my home State should be a model for other States as they look to reduce costs and improve outcomes for children. I will continue to highlight Connecticut's success and to expand its best practices at the Federal level so that we can help support other States make these same commonsense and humane reforms.•

BATAAN CORREGIDOR MEMORIAL BRIDGE

• Mr. BLUMENTHAL. Madam President, today I wish to commemorate the dedication of Bataan Corregidor Memorial Bridge in Weatogue, CT, earlier this month.

Crossing over the Farmington River in Connecticut, this bridge will now honor the patriotism and courage of the brave men from Connecticut and across the nation who fought in the Battles of Bataan and Corregidor in 1942 in the Pacific during World War II. From January to April 1942, American and Filipino forces fought Japanese soldiers along the Bataan Peninsula and the island of Corregidor in the Philippines. When both fell to the Japanese, an estimated 10,000 American and Filipino troops were killed and 20,000 wounded. Another 15,000 American and 60,000 Filipino troops were taken prisoner and forced to endure the Bataan Death March.

Dan Crowley of Simsbury and Darrel Stark of Stafford Springs, who were there in combat, are the last two surviving residents of Connecticut who fought in these historic battles in the United States Army following the attack on Pearl Harbor. After Mr. Crowley fought in the Battle of Bataan, he refused to surrender and swam to the island of Corregidor where he was later

taken prisoner by the Japanese and endured 42 months in Japanese prison camps. His story is one of many heroic accounts from this theater during World War II.

The moving dedication ceremony included a flyover, musical performances, blessing of the bridge, ribbon cutting, and a stirring, closing bugle taps. I deeply appreciate the work of Mr. Crowley, State Senator Kevin Witkos, and the Connecticut Department of Transportation in creating this important symbol of our Nation's stalwart gratitude for the tremendous sacrifices of countless men during this series of battles. The Bataan Corregidor Memorial Bridge is vivid in its simplicity and elemental strength. It is not a grand structure, but like the men whose unimaginable courage we celebrate, it is there in its simple, physical strength.

We can never forget the service of the Greatest Generation, who protected our freedom and liberty—all who lost their lives and those who lived to pay tribute to their fellow comrades. This bridge will always be a memorial—a living memorial—used every day by all of us who will continue to remember and thank the brave patriots who fought so gallantly at Bataan and Corregidor.●

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1961. An act to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Commerce, Science, and Transportation.

H.R. 3102. An act to amend the Food and Nutrition Act of 2008; and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3174. An act to authorize the Secretary of Transportation to obligate funds for emergency relief projects arising from damage caused by severe weather events in 2013, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3350. An act to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3521. An act to authorize Department of Veterans Affairs major medical facility leases, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1859. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

S. 1881. A bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 180. An act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

H.R. 520. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

H.R. 723. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2019. An act to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4014. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Emergency Rule Extension, Georges Bank Yellowtail Flounder and White Hake Catch Limits and GOM Cod Carryover Revisions'' (RIN0648–BC97) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4015. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New Jersey'' (RIN0648–XC998) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4016. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; Kwajalein Island, Marshall Islands, RMI'' ((RIN2120–AA66) (Docket No. FAA–2013–0817)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4017. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Removal of 2,000-lb (907.2-kg) Herring Trip Limit in Atlantic Herring Management Area 2'' (RIN0648–XC894) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4018. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XC926) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4019. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer'' (RIN0648–XC921) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4020. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XC929) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4021. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; Reopening of the Commercial Harvest of Gray Triggerfish in the South Atlantic'' (RIN0648–XC900) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4022. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery'' (RIN0648–XC897) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4023. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Monkfish Fisheries Management Plan; Reallocation of 2013 Monkfish Research Set-Aside Days-at-Sea'' (RIN0648–XC884) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4024. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New York'' (RIN0648–XC878) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4025. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management Area 3'' (RIN0648–XC906) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4026. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Blue Runner'' (RIN0648–XC871) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4027. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC977) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4028. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean'' (RIN0648–XC922) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4029. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Tilefish Fishery; 2014 Tilefish Fishing Quota Specification'' (RIN0648–XC887) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4030. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC944) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4031. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC943) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4032. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC945) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4033. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC946) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4034. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Accessibility of User Interfaces, and Video Programming Guides and Menus; Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010'' (FCC 13–138) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (42); Amdt. No. 3558'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4036. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (130); Amdt. No. 3556'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4037. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (66); Amdt. No. 3555'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4038. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (20); Amdt. No. 3560'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4039. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (12); Amdt. No. 3561'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4040. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (30); Amdt. No. 3559'' (RIN2120–AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4041. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Minor Editorial Corrections and Clarifications'' (RIN2137–AF03) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4042. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Curtis, NE'' ((RIN2120–AA66) (Docket No. FAA–2013–0608)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4043. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Ennis, MT'' ((RIN2120–AA66) (Docket No. FAA–2013–0280)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4044. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Cut Bank, MT'' ((RIN2120–AA66) (Docket No. FAA–2013–0664)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4045. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Glasgow, MT'' ((RIN2120–AA66) (Docket No. FAA–2013–0529)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4046. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Prineville, OR'' ((RIN2120–AA66) (Docket No. FAA–2013–0576)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4047. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Salmon, ID'' ((RIN2120–AA66) (Docket No. FAA–2013–0531)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4048. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Rome, OR'' ((RIN2120–AA66) (Docket No. FAA–2013–0533)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4049. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E

Airspace; Cut Bank, MT'' ((RIN2120–AA66) (Docket No. FAA–2013–0532)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4050. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Carlsbad, NM'' ((RIN2120–AA66) (Docket No. FAA–2013–0173)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4051. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Kankakee, IL'' ((RIN2120–AA66) (Docket No. FAA–2013–0176)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4052. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Wadena, MN'' ((RIN2120–AA66) (Docket No. FAA–2013–0172)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4053. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Washington, KS'' ((RIN2120–AA66) (Docket No. FAA–2013–0584)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4054. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; St. George, UT'' ((RIN2120–AA66) (Docket No. FAA–2013–0600)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4055. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mandan, ND'' ((RIN2120–AA66) (Docket No. FAA–2013–0275)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4056. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; White Mountain, AK'' ((RIN2120–AA66) (Docket No. FAA–2013–2012–1185)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4057. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Cody, WY'' ((RIN2120–AA66) (Docket No. FAA–2013–0517)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4058. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Glasgow, MT'' ((RIN2120–AA66) (Docket No. FAA–2013–0529)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4059. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Akutan, AK'' ((RIN2120–AA66) (Docket No. FAA–2013–0516)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4060. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Comanche, TX'' ((RIN2120–AA66) (Docket No. FAA–2013–0775)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4061. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction'' (RIN0648–XC885) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4062. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Mesquite, TX'' ((RIN2120–AA66) (Docket No. FAA–2012–0580)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4063. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D and E Airspace; Kenai, AK'' ((RIN2120–AA66) (Docket No. FAA–2012–1174)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4064. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area R 2515; Muroc Lake, CA'' ((RIN2120–AA66) (Docket No. FAA–2013–0802)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4065. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Using Agency for Restricted Areas R–2309 and R–2312, AZ'' ((RIN2120–AA66)(Docket No. FAA–2013–0816)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4066. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Using Agency for Restricted Areas R 2916, FL and R–7105, PR'' ((RIN2120–AA66)(Docket No. FAA–2012–0580)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4067. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Using Agency for Restricted Areas R–5115, NM, and R–6316, R6317, and R–6318, TX'' ((RIN2120–AA66)(Docket No. FAA–2013–0771)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4068. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Restricted Areas R–6901A and R 6901B; Fort McCoy, WI'' ((RIN2120–AA66)(Docket No. FAA–2013–0838)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4069. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0328)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4070. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0546)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4071. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0666)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4072. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0667)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4073. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0625)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4074. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0155)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4075. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–20132–0985)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4076. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2012–0723)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4077. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0303)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4078. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2013–0863)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4079. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2012–1320)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4080. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–20132–0998)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4081. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2012–0680)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4082. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2012–1041)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4083. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0090)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4084. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0425)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4085. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0211)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4086. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Type certificate currently held by AgustaWestland S.p.A.) (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0518)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4087. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0543)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4088. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0052)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4089. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0029)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4090. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0562)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4091. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation-Manufactured (Sikorsky) Model Helicopters (type certificate currently held by Erickson Air Crane Incorporated)'' ((RIN2120–AA64) (Docket No. FAA–2013–0454)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4092. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0514)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4093. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0352)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4094. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0334)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4095. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0461)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4096. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0693)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4097. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0976)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4098. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0420)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4099. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1229)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4100. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0499)) received in the Office of the President of the Senate on December 16, 2013; to

the Committee on Commerce, Science, and Transportation.

EC–4101. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0475)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4102. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1313)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4103. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0812)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4104. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1311)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4105. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0594)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4106. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0332)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4107. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0833)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4108. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0526)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4109. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4110. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0490)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4111. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0491)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4112. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0488)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4113. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2008–0288)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4114. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0500)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4115. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0446)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4116. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0479)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4117. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH (ECD) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0519)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4118. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0480)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4119. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0807)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4120. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0878)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4121. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AgustaWestland S.p.A. (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0640)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4122. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AgustaWestland S.p.A. (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0881)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4123. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0665)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4124. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0360)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4125. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0832)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4126. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0465)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4127. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0539)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4128. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hamilton Standard Division and Hamilton Sundstrand Corporation Propellers'' ((RIN2120–AA64) (Docket No. FAA–2013–0262)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4129. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company (Robinson)'' ((RIN2120–AA64) (Docket No. FAA–2013–0380)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4130. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0481)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4131. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0936)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4132. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0597)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4133. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lycoming Engines and Continental Motors, Inc. Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1245)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4134. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PILATUS Aircraft Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0928)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4135. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2013–0927)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4136. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AugustaWestland'' ((RIN2120–AA64) (Docket No. FAA–2012–0529)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4137. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4138. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2013–0929)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4139. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc., Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0401)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4140. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc., (MDHI) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0486)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4141. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE SYSTEMS (OPERATIONS LIMITED Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0631)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4142. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR—GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0624)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4143. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Guides for Private Vocational and Distance Education Schools'' (16 CFR Part 254) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4144. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts—III''; to the Committee on Commerce, Science, and Transportation.

EC–4145. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Atlantic Fleet Training and Testing Study Area'' (RIN0648–BC53) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4146. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's ninth annual report on ethanol market concentration; to the Committee on Commerce, Science, and Transportation.

EC–4147. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers'' ((RIN2120–AJ00) (Docket No. FAA–2008–0677)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–4148. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0487)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1271. A bill to direct the President to establish guidelines for the United States foreign assistance programs, and for other purposes (Rept. No. 113–131).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 1882. A bill to amend the Internal Revenue Code of 1986 to extend parity for exclusion from income for employer-provided mass transit and parking benefits; to the Committee on Finance.

By Mrs. HAGAN:

S. 1883. A bill to extend duty-free treatment for certain trousers, breeches, or shorts imported from Nicaragua, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY:

S. 1884. A bill to establish a Pay It Forward model for funding postsecondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, and Mr. CORKER):

S. 1885. A bill to place conditions on assistance to the Government of Burma; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. KING, Ms. HEITKAMP, and Ms. LANDRIEU):

S. 1886. A bill to ensure that individuals who attempted to, or who are enrolled in, qualified health plans offered through an Exchange have continuity of coverage and to require Exchanges to make coverage under qualified health plans retroactive to January 1, 2014; to the Committee on Finance.

By Mrs. McCASKILL:

S. 1887. A bill to clarify terms of cooperation between the Consumer Product Safety Commission and foreign government agencies in order to improve safety of imported products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 1888. A bill to facilitate a land exchange involving certain National Forest System land in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mr. HATCH):

S. 1889. A bill to direct the United States Sentencing Commission with respect to penalties for the unlawful production of a controlled substance on Federal property or intentional trespass on the property of another that causes environmental damage; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 1890. A bill to ensure that decisions by the Secretary of Education to award grants or other assistance to States or local educational agencies are not contingent upon the adoption of specific educational curricula; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself and Mr. JOHANNS):

S. 1891. A bill to require a study and report by the Comptroller General regarding the restart provision of the Hours of Service Rules for Commercial Truck Drivers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. KING):

S. 1892. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at or underwent training at Canadian Forces Base Gagetown, New Brunswick, Canada, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE:

S. 1893. A bill to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COCHRAN (for himself, Mr. BARRASSO, Mr. BURR, Mr. CHAMBLISS, Mr. ENZI, Mr. INHOFE, Mr. ROBERTS, and Mr. WICKER):

S. 1894. A bill to provide for the repeal of the Patient Protection and Affordable Care Act if it is determined that the Act has resulted in increasing the number of uninsured individuals; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PRYOR (for himself and Mr. BOOZMAN):

S. Res. 325. A resolution designating the week of December 22 through December 28, 2013, as ''National Toy Week''; considered and agreed to.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. Res. 326. A resolution congratulating the 2013 Southern New Hampshire University men's soccer team on winning the National Collegiate Athletic Association Division II Men's Soccer Championship; considered and agreed to.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 327. A resolution congratulating Sporting Kansas City for an outstanding 2013 season in Major League Soccer and for winning the Major League Soccer Cup 2013; considered and agreed to.

By Mr. DURBIN:

S. Con. Res. 30. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 456

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 456, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 456, supra.

S. 876

At the request of Mr. BLUMENTHAL, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 876, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers.

S. 896

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1269

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1269, a bill to amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes.

S. 1291

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1391

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1391, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 1406

At the request of Ms. AYOTTE, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1491

At the request of Mr. COONS, his name was added as a cosponsor of S. 1491, a bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes.

S. 1523

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1523, a bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the

private business contribution requirement for qualified zone academy bonds.

S. 1599

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1599, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1645

At the request of Mr. BROWN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1645, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 1710

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1710, a bill to require Amtrak to propose a pet policy that allows passengers to transport domesticated cats and dogs on certain Amtrak trains, and for other purposes.

S. 1723

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1723, a bill to clarify that the anti-kickback laws apply to qualified health plans, the federally-facilitated marketplaces, and other plans and programs under title I of the Patient Protection and Affordable Care Act, and for other purposes.

S. 1827

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1827, a bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1844

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1844, a bill to restore full military retirement benefits by closing corporate tax loopholes.

S. 1845

At the request of Mr. REED, the names of the Senator from Delaware (Mr. CARPER), the Senator from Oregon (Mr. MERKLEY), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1848

At the request of Mr. ROBERTS, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1848, a bill to amend section 1303(b)(3) of Public Law 111–148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges.

S. 1867

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1867, a bill to provide protection for consumers who have prepaid cards, and for other purposes.

S. 1880

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1880, a bill to provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities.

S. 1881

At the request of Mr. MENENDEZ, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from West Virginia (Mr. MANCHIN), the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER), the Senator from Idaho (Mr. RISCH), the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1881, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. RES. 75

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1888. A bill to facilitate a land exchange involving certain National Forest System land in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Inyo National Forest Land Exchange Act.

This legislation will facilitate a land exchange between the operators of the Mammoth Mountain Ski Area in the Eastern Sierra Nevada region of California and the Inyo National Forest. Enactment of this bill will allow the ski resort to redevelop the parcel of land it currently leases from Forest Service, while providing the Forest Service with a combination of high resource value lands and a cash payment equal to the value of the exchanged land.

Since the Mammoth Mountain Ski Area, LLC, MMSA, began operations in 1953, Mammoth Mountain has grown to be one of the most popular ski areas in the United States, attracting up to two million visitors a year.

However, the Main Lodge area, which is located on approximately 21 acres of land leased by MMSA, has become outdated and inadequate to meet visitor needs. The Main Lodge building and Mammoth Mountain Inn are now more than 50 years old and require significant improvements and upgrades. Insufficient employee housing, parking and guest amenities must be corrected and skier staging and lift line queuing areas must be modernized. In order to make the necessary long-term investments, resort operators are seeking fee title to the land and have been working with the Inyo National Forest since 1998 to complete a land exchange.

Equal-value land exchanges involving Forest Service land are permitted under the Exchange Act. However, the typical land exchange procedures do not conform well to this particular exchange due to the complexity, size and scarcity of large, high resource value parcels in the Inyo National Forest. Consequently, this legislation would authorize a one-time exception to the Exchange Act to accomplish the proposed land exchange. Specifically, the bill would require the Secretary of Agriculture to acquire two parcels of private land outside, totaling approximately 1,500 acres, the boundary the Inyo National Forest in exchange for the conveyance of the 21 acre parcel within the forest currently leased to MMSA; accept a cash equalization payment in excess of the 25 percent value of the federal lands to fully compensate the Forest Service for the exchanged lands; and use the cash payment to acquire land or interests in land for additions to the National Forest System as such lands become available.

This bill will provide both economic and environmental benefits. The new construction that this bill will help facilitate will not only create new construction jobs during renovations, but will also allow the Ski Area to expand and improve its operations, creating more sustainable and permanent jobs. Additionally, the land MMSA will be transferring to the Forest Service includes high resource value lands that have long been desired for protection by local environmentalists and the Forest Service. This includes lands within the view shed of the Mono Basin

National Scenic Area, the first designated National Scenic Area and a place of incredible natural beauty.

This legislation has bipartisan support. The bill was first introduced by Rep. BUCK MCKEON in June 2011 and passed the House in April 2012 by a vote of 376—2. It was reintroduced by Rep. PAUL COOK earlier this year with the support of both Democratic and Republican cosponsors and passed the House a second time on December 3, 2013.

Local government and community organizations also support this legislation, including the Mono County Board of Supervisors, the Mammoth Lakes Town Council, the Mammoth Lakes Chamber of Commerce, Mammoth Lakes Tourism, the Mono Lake Committee, and the Eastern Sierra Land Trust.

This trade has long been supported by noted environmentalists, including the late Andrea Mead Lawrence, after whom Congress earlier this year named a mountain in the nearby Sierra Nevada.

I urge my colleagues to support this legislation. Enactment of this bill will ensure the long term success of one of the Nation's top ski resorts and benefit the local and regional economy, while allowing the Forest Service to acquire high resource value lands that will be enjoyed by Americans for generations to come.

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. 1888

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 ''Inyo National Forest Land Exchange Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to modify the use of land exchange authorities available to the Secretary of Agriculture as of the date of enactment of this Act with respect to certain land in the Inyo National Forest, California.

SEC. 3. DEFINITIONS.

In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means certain National Forest System land located within the boundaries of the Inyo National Forest, California, as depicted on the map entitled ''Federal Parcel'' and dated June 2011.

(2) NON-FEDERAL LAND.—The term ''non-Federal land'' means certain non-Federal land in California located outside the boundaries of the Inyo National Forest, California, as depicted on the maps entitled ''DWP Parcel–Interagency Visitor Center Parcel'' and ''DWP Parcel–Town of Bishop Parcel'' and dated June 2011.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 4. SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE.

(a) AUTHORITY TO ACCEPT LAND OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.—In any land exchange involving the conveyance of the Federal land, the Secretary may accept the conveyance of the non-Federal land in exchange for the conveyance of the Federal land, if the Secretary determines that acquisition of the non-Federal land is desirable for National Forest System purposes.

(b) CASH EQUALIZATION PAYMENT; USE.—

(1) IN GENERAL.—In an exchange of land under subsection (a), the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the Federal land.

(2) DISPOSITION AND USE OF FUNDS.—Any cash equalization payment received by the Secretary under this subsection shall be—

(A) deposited into the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(B) available to the Secretary for the acquisition of land or interests in land for addition to the National Forest System.

(c) NO NEW LAND EXCHANGE AUTHORITY.—Nothing in this section grants the Secretary new land exchange authority.

By Mrs. FEINSTEIN (for herself and Mr. HATCH):

S. 1889. A bill to direct the United States Sentencing Commission with respect to penalties for the unlawful production of a controlled substance on Federal property or intentional trespass on the property of another that causes environmental damage; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Protecting Lands Against Narcotics Trafficking or PLANT Act of 2013 with my colleague and friend, Senator ORRIN HATCH.

This bill, which is similar to House legislation introduced by Representative JARED HUFFMAN, will help curb the severe environmental damage caused by illegal marijuana grows. I thank my friend and fellow Californian, Representative HUFFMAN, for his leadership on this issue.

Across our Nation, but especially in California, drug traffickers cultivate marijuana with zero regard for the environmental destruction it causes. Motivated solely by profits, these criminals illegally divert streams, poison wildlife, pollute watersheds and destroy the natural heritage that we have worked so hard to protect.

Recognizing the destructive ecological impact of illegal marijuana cultivation, this legislation directs the United States Sentencing Commission to review and amend Federal sentencing guidelines to account for the environmental crimes drug traffickers commit on public and trespassed lands.

Specifically, the bill instructs the Sentencing Commission to put in place sentencing guidelines that increase penalties for individuals who engage in any of the following activities while cultivating illegal drugs on Federal lands or while trespassing on another person's property:

Use of poisons or hazardous chemicals, such as pesticides and rodenticides; the diversion, redirection, obstruction, draining or impoundment of local aquifers, rivers or bodies of water; or significant removal of vegetation or clear cutting of timber.

In addition to environmental concerns, this legislation addresses the safety of our public lands. It directs the Sentencing Commission to provide guidelines increasing penalties on drug traffickers who use or possess a firearm while producing illegal drugs on federal or trespassed lands.

Last year alone, over 900,000 marijuana plants were eradicated at 471 sites on National Forest Lands. Sadly, this represents only a fraction of the total marijuana illegally grown in our National Parks, Forests and other public lands. In California, Operation Pristine, a recent effort to combat the environmental damage caused by illegal marijuana production, resulted in the removal of over 8,700 tons of trash including pesticides, batteries, fertilizers and propane tanks from environmentally sensitive lands.

Drug traffickers often use illegal pesticides smuggled in from Mexico, such as carbofuran, which contaminate California's water resources. They also use pesticides and rodenticides in an illegal manner, often on protected lands. These poisons are having a devastating impact on California's wildlife, including the Pacific Fisher, a member of the Weasel family being considered for listing as an endangered species.

Taxpayers are also being hit hard by the millions of dollars needed to clean up the environmental damage caused by illegal marijuana grows. Estimates put the cost of reclaiming land damaged by illicit marijuana growth at approximately $15,000 per acre. As you might expect, drug traffickers are not setting aside funds for this work, and the cost is passed on to the American people.

Illicit marijuana cultivation also damages the economy and hurts legitimate businesses. Timber companies, farmers and ranchers have had their operations disrupted by criminals growing marijuana illegally. Marijuana growers on agricultural lands, particularly in the Central Valley, divert thousands of gallons of scarce water from legitimate agriculture. In 2013 alone, California has identified over 1,800 grow sites in the Central Valley, including 406 in Tulare County and 537 in Fresno as of November.

As Chairman of the Senate Caucus on International Narcotics Control and also as a Senator who has worked to safeguard our country's natural resources, I believe that we cannot allow drug traffickers to destroy our public lands, pollute our waters and kill our wildlife with impunity. It is time that sentencing guidelines take into account the environmental damage that drug traffickers all too often cause. This legislation, directing the Sentencing Commission to review and amend its guidelines, will do just that.

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. 1889

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 ''Protecting Lands Against Narcotics Trafficking Act of 2013'' or the ''PLANT Act''.

SEC. 2. CONTROLLED SUBSTANCES ACT PENALTY AMENDMENTS.

(a) CULTIVATING OR MANUFACTURING CONTROLLED SUBSTANCES ON FEDERAL PROPERTY.—Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended, in the matter preceding subparagraph (A), by striking ''as provided in this subsection'' and inserting ''for not more than 10 years, in addition to any other term of imprisonment imposed under this subsection''.

(b) USE OF HAZARDOUS SUBSTANCES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend and review the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) while on Federal property or intentionally trespassing on the property of another if the offense—

(1) includes the use of a poison, chemical, or other hazardous substance to cultivate or manufacture controlled substances on Federal property;

(2) creates a hazard to humans, wildlife, or domestic animals;

(3) degrades or harms the environment or natural resources; or

(4) pollutes an aquifer, spring, stream, river, or body of water.

(c) STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—

(1) PROHIBITION ON STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)), as amended by subsection (a), is amended by adding at the end the following:

''(8) DESTRUCTION OF BODIES OF WATER.—Any person who violates subsection (a) in a manner that diverts, redirects, obstructs, or drains an aquifer, spring, stream, river, or body of water or clear cuts timber while cultivating or manufacturing a controlled substance on Federal property or while intentionally trespassing on the property of another shall be fined in accordance with title 18, United States Code.''.

(2) FEDERAL SENTENCING GUIDELINES ENHANCEMENT.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the diversion, redirection, obstruction, or draining of an aquifer, spring, stream, river, or body of water or the clear cut of timber while cultivating or manufacturing a controlled substance on Federal property or while intentionally trespassing on the property of another.

(d) BOOBY TRAPS ON FEDERAL LAND.—Section 401(d)(1) of the Controlled Substances Act (21 U.S.C. 841(d)(1)) is amended by inserting ''cultivated,'' after ''is being''.

(e) USE OR POSSESSION OF FIREARMS IN CONNECTION WITH DRUG OFFENSES ON FEDERAL LANDS.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the possession of a firearm while cultivating or manufacturing controlled substances on Federal lands or intentionally trespassing on the property of another.

By Ms. COLLINS (for herself and Mr. KING):

S. 1892. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at or underwent training at Canadian Forces Base Gagetown, New Brunswick, Canada, and for other purposes; to the Committee on Veterans' Affairs.

Ms. COLLINS. Mr. President, today I am introducing a bill addressing an issue important to Maine veterans who served at Canadian Forces Base, CFB, Gagetown. Veterans who served there may have suffered from adverse health impacts due to exposure to the herbicide Agent Orange, which was used at CFB Gagetown in 1966 and 1967. This bill would require the Secretary of Veterans Affairs, VA, to establish a registry of U.S. veterans who served or trained at CFB Gagetown between 1956 and 2006 and have subsequently experienced health issues, which may have resulted from exposure to these chemicals. It also directs the VA to commission an independent study investigating any possible linkage between the spraying of Agent Orange at CFB Gagetown and subsequent health problems among the American soldiers who served or trained there. The legislation I am offering with Senator KING is similar to another bill that has been introduced by Congressman MIKE MICHAUD in the House of Representatives.

Protecting the health of those who have served our Nation is a solemn responsibility. I have heard from veterans in Maine about how they have suffered from diabetes, cancers, and respiratory illnesses. Many of these veterans fear their illnesses are linked to the use of Agent Orange in the 1960s. These veterans, however, have had difficulty in persuading the VA that their health problems are related to this chemical exposure.

By requiring the VA to establish a registry of these veterans, we recognize these widespread concerns and provide veterans with a way to make their claims known to the VA and to identify commonalities among their shared experiences. It also provides the VA with the ability to reach out to veterans on this issue of critical importance.

Last month, I personally raised this issue with the Canadian Minister of Defence. Many Canadian veterans who served or trained at CFB Gagetown voiced similar concerns with their government. He described how the Government of Canada found a way to appropriately compensate service members affected by the toxic chemicals used at Gagetown. Ultimately, the Canadian government approved one-time ex gratia payments of $20,000 for qualifying veterans who demonstrated that they were at CFB Gagetown during the days when the toxic agents were sprayed.

A crucial provision in this legislation requires the VA to commission an independent study that investigates the connection between health problems and exposure to Agent Orange at CFB Gagetown. Previously, I requested that the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry conduct an investigation into whether Maine veterans were exposed to toxic chemicals while training at CFB Gagetown. A significant deficiency with the CDC report, however, was that it relied solely on existing Canadian government studies on this subject rather than conducting interviews of those who trained there. Many Maine veterans feel strongly that they suffered negative consequences from exposure to Agent Orange while training at Gagetown. The United States Government should conduct its own independent study with interviews.

This legislation keeps faith with our veterans by demonstrating that our government takes the allegations of exposure to Agent Orange seriously. The bill will help identify and bring together the shared experience of those who trained at CFB Gagetown. This bill will make it easier for the VA to conduct outreach on this issue pending any new developments. I look forward to working with Senator KING and all of my colleagues to pass this important bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 325—DESIGNATING THE WEEK OF DECEMBER 22 THROUGH DECEMBER 28, 2013, AS ''NATIONAL TOY WEEK''

Mr. PRYOR (for himself and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 325

Whereas the goal of ''National Toy Week'' is to recognize toys as the ''tools of play'', enriching the lives of young people for generations;

Whereas through play, children develop active minds, active bodies, and necessary social skills;

Whereas National Toy Week encourages recognition of play as a universal pastime that gives children of all ages the opportunity to spend time together and have fun;

Whereas according to the Toy Industry Association, the toy industry supports over 600,000 full-time jobs, accounting for more than $26,000,000,000 in wages;

Whereas the toy industry is estimated to have an economic impact of over $75,000,000,000 in 2013 alone; and

Whereas throughout the history of the toy industry, such industry has provided a wealth of creativity and innovation across the United States: Now, therefore, be it;

Resolved, That the Senate—

(1) designates the week of December 22 through December 28, 2013, as ''National Toy Week'';

(2) recognizes the necessary role of toys and play in the development of children across the United States;

(3) recognizes that, for 97 years, the toy industry has promoted fun and safe play; and

(4) encourages the people of the United States to observe the week by enjoying toys and play.

SENATE RESOLUTION 326—CONGRATULATING THE 2013 SOUTHERN NEW HAMPSHIRE UNIVERSITY MEN'S SOCCER TEAM ON WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II MEN'S SOCCER CHAMPIONSHIP

Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 326

Whereas, on December 7, 2013, the Southern New Hampshire University (SNHU) men's soccer team, known as the Penmen, won the National Collegiate Athletic Association (NCAA) Division II national championship in Evans, Georgia, becoming the second men's soccer team in the history of SNHU to win a national title;

Whereas, with their victory over the Carson-Newman University Eagles, the Penman capped off a 23-game unbeaten streak as they ended their season with 22 wins, 1 loss, and 1 draw, tying the SNHU men's soccer program's record for most wins in a season;

Whereas the State of New Hampshire and the City of Manchester are immensely proud of the SNHU men's soccer team, and recognize the teamwork and dedication required to win a national championship;

Whereas the student-athletes of SNHU demonstrate the same dedication to their studies as they do to athletics, having previously received the USA Today NCAA Foundation Academic Achievement Award in recognition of the high graduation rate of SNHU student-athletes;

Whereas the SNHU men's soccer team was honored in 2013 with the Northeast-10 Team Academic Excellence Award for having the highest team grade point average in the Northeast-10 Conference for men's soccer, and SNHU sophomore Brad Campion received the Elite 89 award for the highest cumulative grade point average at the 2013 NCAA Division II Men's Soccer Championship;

Whereas SNHU men's soccer head coach Marc Hubbard, a native of Durham, New Hampshire, has led the Penmen to NCAA tournament berths in each of his 6 seasons as a coach, in addition to 2 Northeast-10 regular season and tournament titles, and has twice been honored as the Northeast-10 Coach of the Year;

Whereas assistant coaches Josh Taylor, Rich Weinrebe, Dave Williams, and Phil Tuttle leveraged their years of experience playing and coaching the game of soccer to support Coach Hubbard and the team;

Whereas the 2013 Southern New Hampshire University men's soccer team is comprised of—

(1) 1 graduate student: Callum Williams;

(2) 4 seniors: Dom DiMaggio, Christian Rodriguez, Pierre Omanga, and Brian Francolini;

(3) 9 juniors: Yannick Kabala, Joe Mahr, Mohamed Toufik, Danillo Andrade, Kenny Doublette, Kyle Logan, Miguel Carneiro, Keegan Campbell, and Chris Pereira;

(4) 7 sophomores: Myles Groenloh, Jonathan Lupinelli, Brad Campion, Ryan Simpson, Sebastian Stezewski, Julian Omeally, and Dominic Samuel; and

(5) 5 freshmen: Andrew Pesci, Ryan Reynolds, Nate Fournier, Curtis Pereira, and Eddie Legg;

Whereas 4 members of the 2013 SNHU men's soccer team hail from the State of New Hampshire; and

Whereas the SNHU men's soccer team should be recognized for both its athletic and scholastic accomplishments: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Southern New Hampshire University men's soccer team on winning the National Collegiate Athletic Association Division II Men's Soccer Championship;

(2) recognizes the positive environment of scholastic and athletic achievement fostered at Southern New Hampshire University; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to—

(A) Southern New Hampshire University;

(B) Paul J. LeBlanc, the president of Southern New Hampshire University; and

(C) Marc Hubbard, the head coach of the Southern New Hampshire University men's soccer team.

SENATE RESOLUTION 327—CONGRATULATING SPORTING KANSAS CITY FOR AN OUTSTANDING 2013 SEASON IN MAJOR LEAGUE SOCCER AND FOR WINNING THE MAJOR LEAGUE SOCCER CUP 2013

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 327

Whereas on December 7, 2013, Sporting Kansas City won the Major League Soccer Cup 2013 by defeating Real Salt Lake in a penalty shootout, after 120 minutes of play concluded with a draw;

Whereas the Major League Soccer Cup 2013 occurred in a sold-out stadium of 21,650 people at Sporting Park, in Kansas City, Kansas;

Whereas the recorded temperature at the kickoff of the Major League Soccer Cup 2013 was 20 degrees Fahrenheit, the coldest kickoff-temperature of any game in the history of Major League Soccer;

Whereas Sporting Kansas City defender Aurelien Collin was named the Major League Soccer Cup Most Valuable Player;

Whereas Sporting Kansas City finished the Major League Soccer regular season of 2013 in second place, a single win short of securing the Major League Soccer Supporters' Shield, with a record of 17 wins, 10 loses, and 7 draws;

Whereas Sporting Park, in Kansas City, Kansas, has hosted the qualifying matches for the 2014 FIFA World Cup, the Confederation of North, Central American and Caribbean Association Football Gold Cup, the 2013 Major League Soccer All-Star Game, and the Major League Soccer Cup 2013;

Whereas several Sporting Kansas City players represent the United States in international soccer games;

Whereas Sporting Kansas City will play as one of the soccer clubs representing the United States in the 2014–2015 Confederation of North, Central American and Caribbean Association Football Champions League;

Whereas Sporting Kansas City manager Peter Vermes was elected to the National Soccer Hall of Fame in 2013;

Whereas Kansas City has a rich soccer history, participating as the Kansas City Wiz in the first season of Major League Soccer in 1996;

Whereas Kansas City locals Neal Patterson, Cliff Illig, Pat Curran, Greg Maday, and Robb Heineman own Sporting Kansas City;

Whereas Sporting Kansas City supporters are passionate, numerous, and diverse, and belong to associations that include La Barra KC, the Kansas City Cauldron, the Brookside Elite, the Fountain City Ultras, the Mass St. Mob, the King City Yardbirds, the Sporting Militia, the Omaha Boys, Northland Noise, the Trenches of SKC, JPOP, the Ladies of SKC, KC Futbol Misfits, the Wedge, Ad Astra KC, Wichita Wanderers, 417 Loyal, Aggievillains, CoMo Cauldron, and the Kansas City Chapter of the American Outlaws; and

Whereas Sporting Kansas City players Matt Besler, Seth Sinovic, Christian Duke, Jon Kempin, and Kevin Ellis are natives of the Kansas City area and grew up playing soccer in the community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and extends congratulations to Sporting Kansas City for winning the Major League Soccer Cup 2013; and

(2) commends the players, manager, coaches, owners, support staff, and club supporters whose efforts and spirit made the 2013 season a historic success.

SENATE CONCURRENT RESOLUTION 30—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DURBIN submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:00 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Sec. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House

shall again stand adjourned pursuant to the first section of this concurrent resolution.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 460 through and including Calendar No. 477, and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Paul S. Dwan

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Catherine A. Chilton
Brigadier General Stayce D. Harris
Brigadier General William B. Waldrop, Jr.
Brigadier General Tommy J. Williams

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Josef F. Schmid, III

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel Talentino C. Angelosante
Colonel James R. Barkley
Colonel Thomas G. Clark
Colonel Michael J. Cole
Colonel Samuel C. Mahaney
Colonel Brett J. McMullen
Colonel Jose R. Monteagudo
Colonel Randall A. Ogden
Colonel John P. Stokes
Colonel Stephen D. Vautrain

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203 and 12212:

To be brigadier general

Col. Stephen E. Rader

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203 and 12212:

To be brigadier general

Col. Michael T. McGuire

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John W. Raymond

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Charles A. Flynn

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. David G. Perkins

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Colonel James T. Iacocca
Colonel Daniel G. Mitchell
Colonel Kurt L. Sonntag

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203 and 12211:

To be brigadier general

Col. Anthony L. Hall

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624, 3037 and 3064:

To be brigadier general, judge advocate general's corps

Col. Paul S. Wilson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert S. Ferrell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Joseph Anderson

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Rebecca J. McCormick-Boyle

The following named officer for appointment as Vice Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

To be admiral

Vice Adm. Michelle J. Howard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Mark E. Ferguson, III

The following named officer for appointment in the Reserve of the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph P. Mulloy

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN949 AIR FORCE nominations (40) beginning STANTON J. J. APPLONIE, and ending RICHARD J. ZAVADIL, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN950 AIR FORCE nominations (61) beginning JAMES D. ATHNOS, and ending STEPHEN M. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN951 AIR FORCE nominations (114) beginning PAIGE T. ABBOTT, and ending RENO JOSEPH ZISA, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN965 AIR FORCE nominations (4) beginning SCOTT A. HABER, and ending YVES P. LEBLANC, which nominations were received by the Senate and appeared in the Congressional Record of November 7, 2013.

IN THE ARMY

PN934 ARMY nomination of Jesus M. Munozlasalle, which was received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN935 ARMY nominations (18) beginning WAYNE J. AARON, and ending ANN H. ZGRODNIK, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN936 ARMY nominations (2) beginning JOHN R. DOOLITTLE, II, and ending BAUCUM W. FULK, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN952 ARMY nominations (5) beginning STEVEN T. GREINER, and ending CHERYL D. SOFALY, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN953 ARMY nominations (3) beginning STANLEY T. BREUER, and ending DEYDRE S. TEYHEN, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN954 ARMY nominations (34) beginning KIMBERLEE A. AIELLO, and ending JEFFREY S. YARVIS, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN955 ARMY nominations (23) beginning ROBIN M. ADAMSMASSENBURG, and ending VERONICA A. VILLAFRANCA, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN998 ARMY nominations (5) beginning DAVID A. CENITI, and ending EDWARD M. REILLY, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1026 ARMY nominations (40) beginning NACY J. ALOUISE, and ending D011605, which nominations were received by the Senate and appeared in the Congressional Record of December 12, 2013.

IN THE NAVY

PN987 NAVY nomination of Corey N. Doolittle, which was received by the Senate and appeared in the Congressional Record of November 13, 2013.

PN988 NAVY nominations (38) beginning CHRISTOPHER W. ACOR, and ending AMANDA H. ZAWORA, which nominations were received by the Senate and appeared in

the Congressional Record of November 13, 2013.

PN999 NAVY nomination of Julie A. Meier, which was received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1000 NAVY nomination of Krysten J. Pelstring, which was received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1027 NAVY nomination of Michael R. Saum, which was received by the Senate and appeared in the Congressional Record of December 12, 2013.

NOMINATIONS DISCHARGED

Mr. DURBIN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of PN 877 and 878; that the nominations be confirmed; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the Record; and that the President be immediately notified of the Senate's actions and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE U.S. COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203a:

To be rear admiral (lower half)

Capt. Francis S. Pelkowski, 9110

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C. section 271(e):

To be rear admiral (lh)

Capt. Meridith L. Austin, 2762
Capt. Peter W. Gautier, 7093
Capt. Michael J. Haycock, 0599
Capt. James M. Heinz, 3785
Capt. Kevin E. Lunday, 2704
Capt. Todd A. Sokalzuk, 8840
Capt. Paul F. Thomas, 4877

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AMENDING THE DISTRICT OF COLUMBIA HOME RULE ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3343, which was received from the House and is at the desk.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3343) to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.

There being no objection, the Senate proceeded to the bill.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The bill (H.R. 3343) was ordered to a third reading, was read the third time, and passed.

FEDERAL ELECTION CAMPAIGN ADMINISTRATIVE FINES PROGRAM EXTENSION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3487, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3487) to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, that the motion to reconsider be made, and laid upon the table, with no intervening action or debate.

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

The bill (H.R. 3487) was ordered to a third reading, was read the third time, and passed.

CONDEMNING THE GOVERNMENT OF IRAN

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 269, S. Res. 75.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 75) condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations with an amendment and an amendment to the preamble.

(Omit the part in boldface brackets and insert the part printed in italic.

(Strike the preamble and insert the part printed in italic.)

S. RES. 75

[Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2012 Report stated, ''The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number at least 300,000, are viewed as 'heretics' by Iranian authorities and may face repression on the grounds of apostasy.'';

Whereas the United States Commission on International Religious Freedom 2012 Report stated, ''Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs.'';

Whereas the United States Commission on International Religious Freedom 2012 Report stated, ''Baha'is may not establish places of worship, schools, or any independent religious associations in Iran.'';

Whereas the United States Commission on International Religious Freedom 2012 Report stated, ''Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha'i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed.'';

Whereas the United States Commission on International Religious Freedom 2012 Report stated, ''The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from employment in the private sector.'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''The government prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face.'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''According to [Iranian] law, Baha'i blood is considered 'mobah', meaning it can be spilled with impunity.'';

Whereas the Department of State 2011 International Religious Freedom Report stated that ''members of religious minorities, with the exception of Baha'is, can serve in lower ranks of government employment'', and ''Baha'is are barred from all leadership positions in the government and military'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''Baha'is suffered frequent government harassment and persecution, and their property rights generally were disregarded. The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials belonging to Baha'is.'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''Baha'is also are required to register with the police.'';

Whereas the Department of State 2011 International Religious Freedom Report stated that ''[p]ublic and private universities continued to deny admittance to and expelled Baha'i students'' and ''[d]uring the year, at least 30 Baha'is were barred or expelled from universities on political or religious grounds'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''Baha'is are regularly denied compensation for injury or criminal victimization.'';

Whereas, on March 6, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/19/66), which stated that ''the Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha'i community, in violation of international conventions'' and expressed concern regarding ''an intensive defamation campaign meant to incite discrimination and hate against Baha'is'';

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that ''the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion'';

Whereas, on August 22, 2012, the United Nations Secretary-General issued a report (A/67/327), which stated, ''The international community continues to express concerns about the very serious discrimination against ethnic and religious minorities in law and in practice, in particular the Baha'i community. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed alarm about the systemic and systematic persecution of members of the Baha'i community, including severe socioeconomic pressure and arrests and detention. He also deplored the Government's tolerance of an intensive defamation campaign aimed at inciting discrimination and hate against Baha'is.'';

Whereas, on September 13, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/67/369), which stated, ''Reports and interviews submitted to the Special Rapporteur also continue to portray a disturbing trend with regard to religious freedom in the country. Members of both recognized and unrecognized religions have reported various levels of intimidation, arrest, detention and interrogation that focus on their religious beliefs.'', and stated, ''At the time of drafting the report, 105 members of the Baha'i community were reported to be in detention.'';

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, ''[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i faith.'';

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran ''[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities,'' and ''to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed'';

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated, ''110 Bahai's are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin and Mrs. Taraneh Torabi, who are reportedly nursing infants in prison.'';

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms on charges of ''spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth'';

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her successors as defense counsel were provided extremely limited access;

Whereas these seven Baha'i leaders were targeted solely on the basis of their religion;

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of ''membership of the deviant sect of Baha'ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country'';

Whereas six of these educators remain imprisoned, with Mr. Mortezaie serving a 5-year prison term and Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr. Sobhani, and Mr. Zibaie serving 4-year prison terms;

Whereas, since October 2011, four other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian serving a 5-year prison term;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to ''subtly and in a confidential manner'' collect information on Baha'i students;

Whereas the Baha'i community continues to undergo intense economic and social pressure, including an ongoing campaign in the town of Semnan, where the Government of Iran has harassed and detained Baha'is, closed 17 Baha'i owned businesses in the last three years, and imprisoned several members of the community, including three mothers along with their infants;

Whereas ordinary Iranian citizens who belong to the Baha'i Faith are disproportionately targeted, interrogated, and detained under the pretext of national security;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) authorizes the President and the Secretary of State to impose sanctions on individuals ''responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009'': Now, therefore, be it]

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2013 Report stated that ''[t]he Baha'i community has long been subject to particularly severe religious freedom violations,'' and that ''[s]ince 1979, the government has killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs,'' in addition to prohibiting them from establishing ''places of worship, schools, or any independent religious associations'';

Whereas the United States Commission on International Religious Freedom 2013 Report found that Baha'i marriages and divorces are not recognized and Baha'i holy places and community properties are often seized or destroyed, and stated, ''The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from private sector employment.'';

Whereas the Department of State 2012 International Religious Freedom Report stated that the Government of Iran ''prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups'' and ''requires Baha'is to register with the police'';

Whereas the Department of State 2012 International Religious Freedom Report stated that ''[the] government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials,'' and found that ''Baha'is are regularly denied compensation for injury or criminal victimization'';

Whereas the Department of State 2012 International Religious Freedom Report stated that ''[the] government, since the Islamic Revolution, formally denies Baha'i students access to higher education,'' and ''[p]ublic and private universities continued to deny admittance and expel Baha'i students'';

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that ''the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion'';

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, ''[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i [F]aith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the

continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i [F]aith.'';

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran ''[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities,'' and ''to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed'';

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated that ''110 Bahai's are currently detained in Iran for exercising their faith,'' and found that Baha'is in the cities of Semnan, Gorgon, and Hamadan have especially faced increasing persecution over the last three years, including raids, arrests, physical violence, arson, vandalism to their homes, business, and grave sites, and government closings of Baha'i-owned businesses;

Whereas, on February 28, 2013, the United Nations Secretary-General issued a report (A/HRC/22/48), which stated, ''An ongoing anti-Baha'i media campaign resulted in increasing attacks on its members and their properties. This national campaign that consists of [a]nti-Baha'i pamphlets, posters, seminars and the broadcasting of anti-Baha'i speeches on radio networks appears to be tacitly condoned by the authorities. In addition, anti-Baha'i speeches [were] reportedly delivered to different audiences including schools, youth organizations and the general public.'';

Whereas, on October 4, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/68/503), which stated, ''The Special Rapporteur continues to observe what appears to be an escalating patter of systematic human rights violations targeting members of the Baha'i community, who face arbitrary detention, torture and ill-treatment, national security charges for active involvement in religious affairs, restrictions on religious practice, denial of higher education, obstacles to State employment and abuses within schools.'';

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran, known as the Yaran-i-Iran, or ''friends of Iran'';

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms, the longest sentences given to any current prisoners of conscience in Iran, on charges of ''spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth'';

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her colleagues and successors as defense counsel were provided extremely limited access, and Ms. Ebadi stated that there was no evidence to sustain the charges against the seven;

Whereas, on May 13, 2013, four United Nations human rights experts, the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, the head of the Working Group on Arbitrary Detention, El Hadji Malick Sow, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, and the Independent Expert on Minorities issues, Rita Izásk, released a statement ''call[ing] on the Iranian authorities for the immediate release of seven Baha'i community leaders, known as the Yaran, nearing the fifth anniversary of their arrests, whose detentions were declared arbitrary by the UN Working Group on Arbitrary Detention, on 20 November 2008'';

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of ''membership of the deviant sect of Baha'ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country,'' with six of them remaining imprisoned;

Whereas, since October 2011, six other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian, Dr. Foad Moghaddam, and Mr. Amanollah Mostaghim serving 5-year prison terms;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to ''subtly and in a confidential manner'' collect information on Baha'i students;

Whereas, since September 2013, the Government of Iran has imprisoned four Baha'i mothers, Taraneh Torabi, Zohreh Nikayin, Neda Majidi, and Elham Rouzbehi, along with their infant children, and Ms. Torabi, Ms. Nikayin, and Ms. Rouzbehi remain imprisoned with their children;

Whereas, on August 24, 2013, Mr. Ataollah Rezvani, an active member of the Baha'i community of Bandar Abbas, Iran, was found shot in his car on the outskirts of the city, in what may be a religiously motivated murder during a time of increased pressure on Iran's religious minorities and a surge in anti-Baha'i rhetoric by various clerics;

Whereas, in September 2013, the Government of Iran released a number of prisoners of conscience, and none of the prisoners released were known to be Baha'is;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) authorizes the President and the Secretary of State to impose sanctions on individuals ''responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009'': Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the [ten] *twelve* imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

Mr. DURBIN. I further ask that the committee-reported amendment to the resolution be agreed to; the resolution, as amended, be agreed to, the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

The committee amendment was agreed to.

The resolution (S. Res. 75), as amended, was agreed to.

The committee amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution (S. Res. 75), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 75

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2013 Report stated that ''[t]he Baha'i community has long been subject to particularly severe religious freedom violations,'' and that ''[s]ince 1979, the government has killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs,'' in addition to prohibiting them from establishing ''places of worship, schools, or any independent religious associations'';

Whereas the United States Commission on International Religious Freedom 2013 Report found that Baha'i marriages and divorces are not recognized and Baha'i holy places and community properties are often seized or destroyed, and stated, ''The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from private sector employment.'';

Whereas the Department of State 2012 International Religious Freedom Report stated that the Government of Iran ''prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups'' and ''requires Baha'is to register with the police'';

Whereas the Department of State 2012 International Religious Freedom Report stated that ''[the] government raided Baha'i

homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials,'' and found that ''Baha'is are regularly denied compensation for injury or criminal victimization'';

Whereas the Department of State 2012 International Religious Freedom Report stated that ''[the] government, since the Islamic Revolution, formally denies Baha'i students access to higher education,'' and ''[p]ublic and private universities continued to deny admittance and expel Baha'i students'';

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that ''the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion'';

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, ''[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i [F]aith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i [F]aith.'';

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran ''[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities,'' and ''to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed'';

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated that ''110 Bahai's are currently detained in Iran for exercising their faith,'' and found that Baha'is in the cities of Semnan, Gorgon, and Hamadan have especially faced increasing persecution over the last three years, including raids, arrests, physical violence, arson, vandalism to their homes, business, and grave sites, and government closings of Baha'i-owned businesses;

Whereas, on February 28, 2013, the United Nations Secretary-General issued a report (A/HRC/22/48), which stated, ''An ongoing anti-Baha'i media campaign resulted in increasing attacks on its members and their properties. This national campaign that consists of [a]nti-Baha'i pamphlets, posters, seminars and the broadcasting of anti-Baha'i speeches on radio networks appears to be tacitly condoned by the authorities. In addition, anti-Baha'i speeches [were] reportedly delivered to different audiences including schools, youth organizations and the general public.'';

Whereas, on October 4, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/68/503), which stated, ''The Special Rapporteur continues to observe what appears to be an escalating patter of systematic human rights violations targeting members of the Baha'i community, who face arbitrary detention, torture and ill-treatment, national security charges for active involvement in religious affairs, restrictions on religious practice, denial of higher education, obstacles to State employment and abuses within schools.'';

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran, known as the Yaran-i-Iran, or ''friends of Iran'';

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms, the longest sentences given to any current prisoners of conscience in Iran, on charges of ''spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth'';

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her colleagues and successors as defense counsel were provided extremely limited access, and Ms. Ebadi stated that there was no evidence to sustain the charges against the seven;

Whereas, on May 13, 2013, four United Nations human rights experts, the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, the head of the Working Group on Arbitrary Detention, El Hadji Malick Sow, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, and the Independent Expert on Minorities issues, Rita Izásk, released a statement ''call[ing] on the Iranian authorities for the immediate release of seven Baha'i community leaders, known as the Yaran, nearing the fifth anniversary of their arrests, whose detentions were declared arbitrary by the UN Working Group on Arbitrary Detention, on 20 November 2008'';

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of ''membership of the deviant sect of Baha'ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country,'' with six of them remaining imprisoned;

Whereas, since October 2011, six other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian, Dr. Foad Moghaddam, and Mr. Amanollah Mostaghim serving 5-year prison terms;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to ''subtly and in a confidential manner'' collect information on Baha'i students;

Whereas, since September 2013, the Government of Iran has imprisoned four Baha'i mothers, Taraneh Torabi, Zohreh Nikayin, Neda Majidi, and Elham Rouzbehi, along with their infant children, and Ms. Torabi, Ms. Nikayin, and Ms. Rouzbehi remain imprisoned with their children;

Whereas, on August 24, 2013, Mr. Ataollah Rezvani, an active member of the Baha'i community of Bandar Abbas, Iran, was found shot in his car on the outskirts of the city, in what may be a religiously motivated murder during a time of increased pressure on Iran's religious minorities and a surge in anti-Baha'i rhetoric by various clerics;

Whereas, in September 2013, the Government of Iran released a number of prisoners of conscience, and none of the prisoners released were known to be Baha'is;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) authorizes the President and the Secretary of State to impose sanctions on individuals ''responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009'': Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the twelve imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration en bloc of the following resolutions, submitted earlier today: S. Res. 325, S. Res. 326, and S. Res. 327.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the measures en bloc.

Mr. DURBIN. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DURBIN. I ask unanimous consent the Senate proceed to S. Con. Res. 30, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 30) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the consent the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 30) was agreed to, as follows:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

MEASURES PLACED ON THE CALENDAR—S. 1859 and S. 1881

Mr. DURBIN. I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1859) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

A bill (S. 1881) to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

Mr. DURBIN. I object to any further proceedings with respect to these bills en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

MEASURE READ FOR THE FIRST TIME—H.R. 2019

Mr. DURBIN. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 2019) to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

Mr. DURBIN. Madam President, I now ask for a second reading, and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

MEASURES INDEFINITELY POSTPONED—H. Con. Res. 72 and H.R. 219

Mr. DURBIN. Madam President, I ask unanimous consent that the following items be indefinitely postponed, H. Con. Res. 72 and H. Res. 219.

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

SIGNING AUTHORITY

Mr. DURBIN. Madam President, I ask unanimous consent that during the adjournment or recess of the Senate from Friday, December 20 to Monday, January 6, the majority leader and Senators WARNER and ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

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

THE MAJORITY LEADER

Mr. DURBIN. Madam President, as I mentioned earlier today, I spoke with Majority Leader REID this morning. He sounds hale and hearty and anxious to get home and then back to work. We look forward to that happening when he returns to his desk early in the new year in 2014.

CLOSING THE FIRST SESSION OF THE 113TH CONGRESS

Mr. DURBIN. Madam President, there are many traditions around this holiday season that I cherish, but I must confess that the tradition of spending Christmas Eve or New Year's Eve on the floor of the Senate is not one of those traditions. Happily, this year we won't be repeating that practice from previous years. We are leaving here shortly—some have already—to spend the holidays at home with family.

As we close this first session of the 113th Congress, I wish to personally thank our majority leader Senator HARRY REID—and let me add his wife Landra—for their leadership and their resolve that helps to make this Senate work.

I also thank the minority leader Senator MITCH MCCONNELL. Although we may disagree on many issues and have our debates on the floor of the Senate, I have a great respect for my colleagues and particularly their leader Senator MCCONNELL. We all know we can't do this work alone. It takes a lot of dedicated people to keep the Senate functioning.

On behalf of Leader REID, I wish to acknowledge and thank the Senate Parliamentarians and clerical staff and doorkeepers. I also thank the cloakroom staffs, the members of our floor staffs who put in even longer than usual hours these past few weeks, and all of the Senate staffers, Democratic and Republican.

I thank the Capitol Police officers for keeping us safe. We have to remember they risk their lives every day for us and all the people who work and visit this great Capitol.

A special thanks to our Senate pages. We ask a lot of them—long hours for a lot of young people. We want them to know that their work is greatly appreciated. We wish them the best of luck. They will be coming back in January to finish their current assignment as pages. I hope they have a great time at home with their families. Perhaps someday they will return here, maybe as Senators themselves.

Part of the magic of this holiday season is that it enables many of us, even just for a few moments, to consider a new world, to look at it with a little less cynicism. I hope all of my colleagues will have a few moments like that in the coming holidays, and I hope we are all going to come back and try to preserve some small measure of good will and make it part of our life's work in the next year of the Senate session.

The budget agreement we passed this week was a good beginning to a less

partisan, more productive Senate. I hope that is a portent of good things to come.

There is a lot more we need to do. The American people are still counting on us to work together on measures that will help to create good jobs and strengthen America's economy, strengthen working families in Wisconsin and Illinois and all across America.

And particularly at this Christmastime, let's remember the message of Pope Francis and religious leaders all over the world: to remember the needy and the help they need that we can provide and must provide in this caring world.

We all only serve in this body for a finite period of time. After we are gone, we want to look back on our service in the Senate and we all want to be able to say: I was part of something important. I helped meet the great challenges of my time, and I helped to preserve the American dream. I hope that is part of our new year's resolve on both sides of the aisle.

SENATE AGENDA

When we return in January, the Senate will continue working on nominations, starting with confirmation of Janet Yellen to head the Federal Reserve when we vote on January 6. Our first order of legislative business will be to vote to extend unemployment benefits for those who have exhausted their benefits and still can't find work through no fault of their own. This is a matter of simple fairness. It affects more than 1 million Americans and their families. We will not give up on them and on our responsibility to help them through this difficult time.

In closing, let me wish all of my fellow Senators and our staffs, those who transcribe our remarks, and many others who make the Senate work every single day, as well as our fellow Americans, a Merry Christmas, Happy Holidays, and a Happy New Year.

ORDERS FOR TUESDAY, DECEMBER 24, 2013 THROUGH MONDAY, JANUARY 6, 2014

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session, unless the Senate receives a message from the House that it has adopted S. Con. Res. 30, the adjournment resolution: Tuesday, December 24, at 12 noon; Friday, December 27, at 12 noon; Tuesday, December 31, at 12 noon; and Friday, January 3, at 11:45 a.m.; and that when the Senate adjourns on Friday, January 3, 2014, it stand adjourned until 2 p.m., on Monday, January 6, 2014; further, that if the Senate receives a message that the House has adopted S. Con. Res. 30, the Senate adjourn until Friday, January 3, at 11:45 a.m. for a pro forma session only with no business conducted, and that following the pro forma session, the Senate adjourn until 2 p.m., on Monday, January 6, 2014; that on Monday, January 6, 2014, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 1845, the unemployment insurance extension, with Senators permitted to speak for up to 10 minutes each; further, that at 3 p.m., the Senate proceed to executive session to resume consideration of Executive Calendar No. 452, the nomination of Janet Yellen to be Chairman of the Federal Reserve System, with the time until 5:30 p.m. equally divided and controlled in the usual form prior to a vote on confirmation of the Yellen nomination; and, finally, that following the vote on confirmation of the Yellen nomination, the Senate resume legislative session and proceed to vote on cloture on the motion to proceed to S. 1845, the unemployment insurance extension bill.

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

PROGRAM

Mr. DURBIN. Madam President, there will be two rollcall votes beginning at 5:30 p.m., on Monday, January 6.

CONDITIONAL ADJOURNMENT UNTIL TUESDAY, DECEMBER 24, 2013

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:10 p.m., conditionally adjourned until Tuesday, December 24, 2013, at 12 noon.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATION OF CAPT. FRANCIS S. PELKOWSKI, TO BE REAR ADMIRAL (LOWER HALF).

COAST GUARD NOMINATIONS BEGINNING WITH CAPT. MEREDITH L. AUSTIN AND ENDING WITH CAPT. PAUL F. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 19, 2013.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 20, 2013:

THE JUDICIARY

BRIAN J. DAVIS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

DEPARTMENT OF HOMELAND SECURITY

ALEJANDRO NICHOLAS MAYORKAS, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

DEPARTMENT OF THE TREASURY

JOHN ANDREW KOSKINEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM EXPIRING NOVEMBER 12, 2017.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL S. DWAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL CATHERINE A. CHILTON
BRIGADIER GENERAL STAYCE D. HARRIS
BRIGADIER GENERAL WILLIAM B. WALDROP, JR.
BRIGADIER GENERAL TOMMY J. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOSEF F. SCHMID III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COLONEL TALENTINO C. ANGELOSANTE
COLONEL JAMES R. BARKLEY
COLONEL THOMAS G. CLARK
COLONEL MICHAEL J. COLE
COLONEL SAMUEL C. MAHANEY
COLONEL BRETT J. MCMULLEN
COLONEL JOSE R. MONTEAGUDO
COLONEL RANDALL A. OGDEN
COLONEL JOHN P. STOKES
COLONEL STEPHEN D. VAUTRAIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. STEPHEN E. RADER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MICHAEL T. MCGUIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. RAYMOND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL CHARLES A. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DAVID G. PERKINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JAMES T. IACOCCA
COLONEL DANIEL G. MITCHELL
COLONEL KURT L. SONNTAG

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ANTHONY L. HALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 3037 AND 3064:

To be brigadier general, judge advocate general's corps

COL. PAUL S. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT S. FERRELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOSEPH ANDERSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) REBECCA J. MCCORMICK–BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MARK E. FERGUSON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. MULLOY

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH STANTON J. J. APPLONIE AND ENDING WITH RICHARD J. ZAVADIL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JAMES D. ATHNOS AND ENDING WITH STEPHEN M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH PAIGE T. ABBOTT AND ENDING WITH RENO JOSEPH ZISA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT A. HABER AND ENDING WITH YVES P. LEBLANC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 2013.

IN THE ARMY

ARMY NOMINATION OF JESUS M. MUNOZLASALLE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH WAYNE J. AARON AND ENDING WITH ANN H. ZGRODNIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2013.

ARMY NOMINATIONS BEGINNING WITH JOHN R. DOOLITTLE II AND ENDING WITH BAUCUM W. FULK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2013.

ARMY NOMINATIONS BEGINNING WITH STEVEN T. GREINER AND ENDING WITH CHERYL D. SOFALY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH STANLEY T. BREUER AND ENDING WITH DEYDRE S. TEYHEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH KIMBERLEE A. AIELLO AND ENDING WITH JEFFREY S. YARVIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH ROBIN M. ADAMSMASSENBURG AND ENDING WITH VERONICA A. VILLAFRANCA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH DAVID A. CENITI AND ENDING WITH EDWARD M. REILLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2013.

ARMY NOMINATIONS BEGINNING WITH NACY J. ALOUISE AND ENDING WITH D011605, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 12, 2013.

IN THE NAVY

NAVY NOMINATION OF COREY N. DOOLITTLE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER W. ACOR AND ENDING WITH AMANDA H. ZAWORA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2013.

NAVY NOMINATION OF JULIE A. MEIER, TO BE COMMANDER.

NAVY NOMINATION OF KRYSTEN J. PELSTRING, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MICHAEL R. SAUM, TO BE CAPTAIN.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203A:

To be rear admiral (lower half)

CAPT. FRANCIS S. PELKOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C, SECTION 271(E):

To be rear admiral (lh)

CAPT. MEREDITH L. AUSTIN
CAPT. PETER W. GAUTIER
CAPT. MICHAEL J. HAYCOCK
CAPT. JAMES M. HEINZ
CAPT. KEVIN E. LUNDAY
CAPT. TODD A. SOKALZUK
CAPT. PAUL F. THOMAS