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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Eternal Lord God, as we make the August exit, may we hear the words of the poet Longfellow when he said:

Art is long, time is fleeting and our hearts though stout and brave still like muffled drums are beating funeral marches to the grave.

May our lawmakers remember that history will not judge them so much on what they say as on what they accomplish. They will be known by their fruits. Teach them to number their days, that they may have hearts of wisdom. As the seasons come and go, may this wisdom keep them from majoring in minors and minoring in majors. Working together may they avoid the frivolous and reap a harvest worthy of their high calling.

Lord, we thank You for the service of our faithful pages.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 488, S. 2648.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 488, S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to proceed to S. 2648, the emergency supplemental appropriations bill, postcloture. The time until 10 a.m. will be equally divided between the two leaders or their designees. The ranking member of the Budget Committee, Senator SESSIONS, will control the time from 10 a.m. to 11 a.m. and the majority will control the time from 11 a.m. to 12 noon.

We will notify all Senators when votes are scheduled.

MEASURE PLACED ON THE CALENDAR—S. 2709

Mr. REID. Mr. President, I understand that S. 2709 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2709) to extend and reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. Mr. President, I respect, admire, and applaud Senators CANTWELL and MANCHIN for the work they have done on this most important bill. We need to find a way forward on it.

There are some in the House of Representatives and a few over here who have made this very difficult to do, and it is so important to the economic stability of our country.

I met yesterday with the head of Boeing aircraft, and they have 800,000 jobs directly and indirectly connected to this—I shouldn't say ''to this.'' But it is a significant part of what they do and need to do to get their finances in order. It would be a shame if we weren't able to renew this. It expires at the end of September.

SEPTEMBER WORK SCHEDULE

Before we finish our business and Senators return for the work period at home, I want everyone to know about what is going to happen when we come back.

Following the August recess, when we convene on September 8, we will be here for 1 week, 2 weeks, and 2 days. That is it. September 23 is our target date to adjourn until after the election. I hope we can do that. This leaves us little more than 2 weeks and 2 days. That is not a lot of time for the workload we have to do.

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

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We need to pass appropriations measures to keep the government from shutting down. We need to pass a temporary extension to the Internet Tax Freedom Act. We need to do something about the items I just mentioned about the Ex-Im Bank. We have to do the Defense authorization bill, which is extremely important for the fighting men and women of this country. We are going to address the Udall constitutional amendment on capping finance reform. And we are going to reconsider a number of issues: college affordability, minimum wage, Hobby Lobby, student debt.

We have a lot of work to do. So everyone needs to know that when we come back on September 8, there will be no weekends off. There are only 2 weeks until we go home, and everyone should not plan things on these weekends. So no one can say: You need to give us notice.

You have been given notice.

I had a chairmen's lunch yesterday. Every chairman there said we should work those two weekends. So everybody, this isn't me trying to dictate a schedule. At lunch yesterday, the chairmen of this institution said we should work those two weekends.

I just mentioned a few things we have to do. So again, Saturday, September 13; Sunday, September 14; Saturday, September 20; Sunday, September 21, we need to be here, including the Fridays that precede those dates that I gave. Every day between September 8 and September 30 is fair game. Friday, Saturday, Sunday, we need to be here.

I repeat for the third time here this morning: There is so much to do and so little time to do it. We have not had a productive Congress. We can't push everything back to the so-called lame-duck. Much of what we are able to accomplish in September depends on the Republicans in the House. Will they get their business done and pass legislation that is important for our country and including the economy?

Here we have lamented the fact that they refuse to take up and pass our comprehensive immigration reform. What a good piece of legislation, a bipartisan bill passed out of this body by an overwhelming margin, and Republicans refuse to take it up. Among other things, it will reduce the debt by $1 trillion.

We have no extension of long-term unemployment benefits. I have talked about minimum wage and I have talked about student debt. I have talked about Hobby Lobby. I have talked about equal pay for women, getting paid equally for the work they do that is the same as men. But they have no interest in these issues. They certainly have no interest in getting corporate bosses out of health care for women.

No, they are busy turning the House floor into a theater. And it is a double feature like we used to go to when they had double features—at least I don't think they do anymore. It is a double feature.

House Republicans are, first of all, going to sue the President. And, above all, the Republicans in the House and the Senate—the most anti-trial-lawyer group of legislators in the history of the country—who are they going to? Trial lawyers. Who is going to pay those trial lawyers? The American taxpayers. And if that isn't enough, once their lawsuit gets going, they are going to try to impeach the President.

So that is what it is all about. We have a lot to do. A lot depends on the political theater in the House. If the House Republicans are serious and focus their time on legislation to help American families, then it could be a very productive month in September. If they keep up the sue-and-impeach show, we will stay right here working until they finally get serious about giving the American people a fair shot.

RESERVATION OF LEADERSHIP TIME

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

Under the previous order, the time until 10 a.m. will be equally divided and controlled between the two leaders or their designees.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BORDER CRISIS

Mr. MCCONNELL. Mr. President, the ongoing humanitarian crisis at our Nation's southern border demands a solution. It really just boggles the mind that the President of the United States would rather fund raise in Hollywood than work with members of his own party to forge a legislative response to this tragic situation and to do something to prevent more young people from making the perilous and potentially life-threatening journey across the desert.

The President initially laid out reforms that, while modest, represented a step in the right direction. But evidently the politicos who increasingly have the President's ear these days couldn't go along with that, so the President stopped defending his own policy reforms. Instead, he demanded a blank check that would literally preserve the status quo, a blank check he knew wouldn't fix the problem, a blank check he knew couldn't pass Congress, and a blank check he knew members of his own party in Congress didn't even support.

Faced with a national crisis, he listened once again to his most partisan instincts instead of uniting Congress around a common solution so he could lay blame for that crisis on somebody else. Apparently no crisis is too big to be trumped by politics in the Obama White House. It is exasperating for those of us who want to work toward bipartisan solutions; it is confusing, I am sure, to the Democrats who share our desire to get something accomplished; and it is emboldening to Democrats who don't, including the Senate Democratic leadership.

When faced with a crisis, a President's job is to show Presidential leadership and to get his party on board with the reforms necessary to address it. Scuttling reform and prolonging the crisis is not part of the job description.

So what I am suggesting, Mr. President, is that you spend a little more time actually doing the job you were elected to do. Press ''pause'' on the nonstop photo-ops and start demonstrating some real leadership instead. The barbecue joints and the pool halls will still be there after we solve this problem.

Mr. President, it is a dangerous journey to the border. Children are suffering at the hands of some seriously bad actors down there. News reports suggest you even knew about this long before it started making national news. You could have intervened before this turned into a full-blown humanitarian crisis, but you didn't. You could have worked with us to get a bipartisan solution. You didn't.

Mr. President, you have a special responsibility to help us end this crisis in a humane and appropriate way. Congress cannot do it without your leadership or your engagement. It is literally impossible to do this without you. So pick up the phone you keep telling us about and call us. Call your fellow Democrats and lobby them to get on board. Work with us, and let's address this crisis.

FOREIGN POLICY

Recently I expressed deep concern that the President pursued a foreign policy based on withdrawing from America's forward presence and alliance commitments, hollowing out our Nation's conventional military forces, placing an overreliance upon personal diplomacy and international organizations, and literally abandoning the war on terror. I believe this will leave his successor to deal with a more dangerous world and with fewer tools to meet the threats.

Later this morning several Members of Congress charged with leading national security committees and policymaking will meet with the President to discuss national security. I don't expect the President to brief us on his plan for rebuilding the military, especially in a way that would allow us to meet our commitments in Europe and the Middle East or that would allow for an effective strategic pivot to Asia, nor do I expect the President to lay out for us his plans to provide the intelligence community with all the tools it will need to deal with the threat of international terrorism from Al Qaeda and its affiliated groups over the next decade. Those are strategic threats best addressed by integrating all the tools of our Nation's power, and, candidly, it would require the President to revisit the policy stances he took as a candidate back in 2008.

I do hope that at a minimum the President will discuss two near-term issues:

First, I hope he will explain his plan or efforts to assist the Israelis in demilitarizing Gaza and ensuring that Hamas is not left with the ability to launch indirect fire attacks against the civilian populace or to infiltrate Israel through tunnels. In coordination with Israel, we can assist the Palestinian Authority with any programs to assume responsibility for monitoring those access points into Gaza.

Absent any active efforts by the administration, I would at least like assurances that the President is not working to impose a cease-fire upon Israel that is harmful to the objectives of the current military campaign.

Second, earlier this month a group of Republican Senators wrote to the President imploring him to craft a plan for containing the threat posed to Iraq and Jordan by the Islamic State of Iraq and the Levant. Specifically, we asked the President to deploy an assessment team to Jordan to develop a plan to prevent the spread of ISIL in a way that threatened our ally Jordan.

Although Ambassador Susan Rice responded to our letter, her letter did not address how the administration intends to combat ISIL. Instead, Ambassador Rice renewed the administration's request for a new counterterrorism partnership fund. To this point, the administration has failed to provide the Congress with any plan for how this new counterterrorism fund would assist our ally, further our own interests, or train and equip a moderate opposition within Syria. That would be a good starting point for today's discussion with the President.

OPIATE ADDICTION IMPACTS

Prescription drug and heroin abuse have risen to epidemic levels in my home State of Kentucky. More Kentuckians now lose their lives to drug overdose—largely driven by painkillers—than to car crashes. It is a huge problem.

Earlier this year I convened a listening session in the Commonwealth to hear from those closest to the problem, from professionals across the medical, public health, and law enforcement spheres, as well as a brave young man who managed to break his heroin addiction after watching his own friends overdose. We discussed the extent of the problem, and one issue in particular that grabbed my attention was the increasing number of infants being born in Kentucky dependent on opiates. Researchers estimate that more than one baby every hour—one baby every hour—is now born dependent on drugs and suffering from withdrawal—a number that has increased in my home State by more than 3,000 percent since the year 2000. We have gone from 29 infants identified as suffering from drug withdrawal annually to more than 950. Experts believe there are even more cases that go unreported. This is heartbreaking. I say this especially as a father of three daughters. These children are the most innocent members of our society. We have to protect them.

Thankfully, the Commonwealth is taking this problem seriously. Both the Kentucky Perinatal Association and the Kentucky Perinatal Quality Initiative Collaborative have made as their primary focus reducing the number of infants born dependent on opiates and other drugs. I certainly commend their efforts, but there is more we can do at the Federal level.

Maternal addiction and infant opiate dependency are epidemics that can best be overcome by effective coordination between stakeholders at the State and Federal levels.

One bill that was recently introduced in the House, the CRIB Act, would help address the need for greater coordination between doctors, nurses, hospitals, and governments at the State and Federal level. I commend the sponsors of that legislation for their leadership.

Today in the Senate I will introduce the Protecting Our Infants Act, which seeks to address not only infants suffering from opiate withdrawal but maternal opiate addiction as well. It would help identify and disseminate recommendations for preventing and treating maternal addiction so that we can reduce the number of infants born dependent on opiates and other drugs.

My bill would also promote recommendations as to how to pinpoint those babies suffering from withdrawal and how best to treat them. Because I have heard from so many experts in Kentucky on the need for more research into infant withdrawal and its long-term effects, my bill would shine a light on those areas as well.

The Protecting Our Infants Act would also encourage the Centers for Disease Control and Prevention to work with States to improve the availability and quality of data so that they can respond more effectively to this public health crisis.

My legislation is certainly no silver bullet, but it is a step in the right direction, and it would help ensure that our public health system is better equipped to treat opiate addiction in mothers and in their newborn children. Together we can overcome this tragic problem. I am going to remain focused on it until we do.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

FAMILY MEDICAL LEAVE

Mrs. FISCHER. I thank the Chair.

Mr. President, I rise today to discuss the need to strengthen American families and enhance workplace flexibility, and I am very pleased to be joined here on the floor of the Senate this morning by my good friend the junior Senator from Maine.

In Nebraska and all throughout the country, too many families continue to struggle in this weak economy. Even with moms and dads working two or three jobs, some families find it hard to get ahead. Household income has plummeted by more than $3,300, and 3.7 million more women are in poverty. The average price for a gallon of gas has nearly doubled, and the labor force participation rate has declined by 2.9 percentage points since 2009.

Many economists agree that the surest way to generate sustained economic growth and empower struggling families is to pass comprehensive tax reform. Addressing overregulation should also be a top priority. Moreover, it is a simple truth that less government spending means families will keep more of their own money. Agreement on how exactly to achieve these needed fiscal reforms remains elusive and, unfortunately, unlikely in a Capitol paralyzed with election fever. Nonetheless, there are reasonable policy changes we can all agree on, and those changes will make life easier for families.

I have been working on a number of commonsense measures—my Strong Families, Strong Communities plan—to empower working families, increase take-home pay, and ensure flexibility in the workplace. Today I would like to discuss part of that plan.

The Strong Families Act is a bipartisan proposal I introduced with Senator KING to address the challenge of paid leave. It is no secret that balancing responsibilities at home with duties at work is a common struggle for working parents. For an increasing number of Americans these pressures include raising young children while also caring for aging parents.

While I believe we must do more to help these working families, the usual Washington answers of one-size-fits-all Federal mandates and higher taxes are not a part of the solution we are proposing. Instead, I believe we should focus on a more balanced approach that respects both family obligations and the employer's costs of doing business. There are ways to increase the options for working adults without hurting existing employment arrangements or threatening job security.

The Family and Medical Leave Act—FMLA—of 1993 requires employers of 50 or more employees to provide up to 12 weeks of unpaid leave, which can be used for events such as the birth or adoption of children, serious medical issues, or providing care to close family members.

The problem for many families is that current law does not require paid time off. Unpaid leave is practically impossible for countless Americans, especially hourly workers who live paycheck to paycheck. Many employers voluntarily offer generous compensation packages that include paid parental or medical leave. A survey of more than 1,100 employers found that 68 percent of large employers provide paid parental leave. At the same time not all workers enjoy these options despite increasingly complex family demands. Again, this is especially true for low-wage workers. With more than half of women working as the primary breadwinners, workplace flexibility has become a necessity for our 21st-century families.

It is not just children who require personal care and attention; it is also

our aging parents. Nearly half of middle-aged adults have elderly parents, and they are still supporting their own children. Over 43 million Americans provide direct care to older family members, with women serving as 66 percent of all primary caregivers. As the baby boomer generation ages, the number of senior citizens requiring care will likely spike. Less take-home pay for these caregivers means tighter finances, more stress, and lost opportunities—all at a time when families are confronting health crises or dealing with unique challenges of starting a new family. With such events often coinciding with high medical bills, the last thing a stressed family needs is a smaller working budget.

Senator KING and I have offered a proposal that would enable working families to have continued access to pay while they are meeting necessary family obligations. Our plan would create a tax credit to encourage employers to voluntarily offer paid leave for workers. To be eligible for that tax credit, the employer must at a minimum offer 4 weeks of paid leave, but they could offer more. Paid leave would be available on an hourly basis and would be separate from the other vacation or sick leave. For each hour of paid leave provided, the employer would receive a 25-percent nonrefundable tax credit. The more pay the employer offers, the greater the tax credit. This tax credit will be available to any employer with qualified employees regardless of size. Importantly, our bill is reasonable. It is a balanced solution that can make a real difference in the lives of working families.

When we do this without new mandates or new taxes, it creates an incentive structure to encourage employers to offer that paid leave, specifically targeting those who hire lower income hourly paid workers. This should not be just another election-year issue. This is a middle-class issue and our bill takes the partisan politics out of it and offers a meaningful solution we can pass.

I wish to thank my friend from Maine, Senator KING, who joined me in offering this bill.

Once again, this now famous surf-and-turf caucus is working together on a commonsense proposal, and it is a proposal that can help American families. I am grateful for the Senator's input, his hard work and friendship, and I look forward to closely working with him in the future so we can advance this measure in the Senate.

I thank the Presiding Officer and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Mr. KING. Mr. President, I am delighted to join my colleague from Nebraska to introduce what I think is an important and commonsense and workable bill that could be passed in the next several weeks, and I think there will be broad agreement across the political spectrum.

The question we are answering is: What does Suriname, Papua-New Guinea, and the United States have in common? The answer is: They are the only three countries in the world that we have been able to turn up that don't have any provision for paid maternity leave. Every member of the industrialized world, except the United States, has some kind of coverage for paid maternity leave.

This chart gives the various levels. You will see in red is the United States, Suriname, Papua New Guinea, and that is it in the whole world. This is something we can do that will not affect our competitiveness, will not be a problem in our economic growth, and in fact I believe it will contribute to it.

Today a family who has a health crisis with an elderly parent, a child or has the joyful issue of a new child in their family has a terrible dilemma. The dilemma is: Do I stay home to take care of the child or the elderly parent in a health crisis or do I have to put food on the table by going to work because for every hour of work I miss I lose an hour of pay. That is a dilemma we should not put our people through.

As I have said, I believe this is a productivity issue. All of the discussions we have had in recent months about pay and gender inequity often come down to the issue of workplace flexibility, particularly in the case of women who are often the ones who are put in the dilemma I mentioned of having to choose between their earnings and family obligations. Women are the ones who are often trapped in this dilemma, and they are the ones who are asking for and seeking—quite reasonably—the same kind of flexibility that virtually every other working person in the world already enjoys.

I like this bill and agreed with my colleague from Nebraska to join in it because it is voluntary. It is not a mandate from Washington, it is not something that says every employer in the country has to do this, and there will be rules and bureaucracy and adjudications and all those kinds of things. No, this is a voluntary, incentive-based program that says every employer—not just those 50 and above or 100 and above or 500 and above—in the country will have this tax credit available to them that will allow them to offer paid leave to their employees.

I think this is the way we should approach this and not, as my colleague has said, with a one-size-fits-all mandate emanating from Washington. I think incentives are always better than mandates.

The other element that is important about this bill is it focuses on the people who are currently least likely to have some kind of paid leave available to them, and usually those are people who work on an hourly basis. That is whom this bill is focused on. The interesting aspect of the data is that as it goes up the income scale into salaried employees, more than two-thirds of American workers in this category already have a paid leave policy. It is when you get down into the working people—the hourly workers—that we have discovered the real problem lies. That is why I think this bill has an important focus on hourly workers, people who are covered by the Fair Labor Standards Act and people who otherwise are not going to have this kind of protection.

This is about flexibility. As I have talked to and listened to women's groups and advocacy groups, flexibility is always first on the agenda, and that is exactly what we are talking about, so people—men or women—don't have to make that agonizing decision, people who are living paycheck to paycheck don't have to make the agonizing decision between being able to put food on the table and pay the rent or staying home to take care of an ill child or an elderly parent or to stay home a reasonable period after the joyous occasion of the arrival of a new child.

It is also about productivity. I believe we will see an increase in productivity because people will not be preoccupied when they are at work. They know they are going to be there and they know they are going to have this protection and it takes away that agonizing worry and anxiety. It also—by giving people paid leave—will enable them to continue to contribute to the economy, and I believe it will actually be a positive stimulus to our economy.

Of course everybody says we are in competition with the rest of the world. Not on this. Every place else in the world provides this level of benefits so we are in a catchup situation, and I believe, as I said, I think we will see an increase in productivity and in economic activity.

Finally, it is about fairness. Frankly, to some extent it is about gender fairness. It is about fairness to working women who are expected in our culture to be the ones to take care of a sick child. That may not be fair, that may not be the wave of the future, but that is a fact today. It is about fairness to those working women who have to make a choice between putting food on the table or taking care of a sick child or taking the necessary time off after the birth of a child in order to have that event be a happy one and not an economic strain on the family.

I am delighted to join my colleague from Nebraska—the leader of the surf-and-turf caucus—on her brilliant bill that I believe is something we can come together on, on a bipartisan basis, and actually do something about and not just talk about the problem of income equality and not just talk about the problem of fairness and not just talk about the problem of flexibility in the workplace but actually do something about it in a practical and commonsense way that I think will have tremendous ramifications across the country.

I am delighted to be able to join her. I compliment the Senator from Nebraska for her work in bringing this

forward, and I look forward to what I hope will be an expeditious consideration of her bill in the Senate and in the Congress. This is a change we can make that will make a real difference in people's lives across America.

I thank the Presiding Officer and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, the people of the United States have truly begged and pleaded with their lawmakers for years to create a lawful system of immigration—one that works, one that is fair, one that serves the national interest, one that we can believe in. They have been justly and rightly convinced of that fact, and they have demanded it of their elected officeholders to secure their communities and protect the integrity of our national borders. Some say there is something wrong with that. I say there is absolutely nothing wrong with that. That is the right thing. That is the moral thing. That is the responsible thing. That is the decent thing. That is what any great nation should have—an immigration policy that serves its national interest and is fairly and lawfully conducted.

But these pleas have fallen on deaf ears. Our border is absolutely not secure. It is in a state of crisis. Our communities are not safe. Preventable crimes occur every day because our laws are not being enforced and our sovereignty, at its base level, is not being protected. And, we have a President planning to issue sweeping executive amnesty in violation of law, in ways in which he has no power, and threatens the constitutional separation of powers. Congress passes laws; the President must execute the laws. The President is not entitled to make laws, to conduct actions contrary to plain laws. The President simply cannot say Congress didn't act, so I have to act.

Well, Congress decided not to act in a way he wanted. They considered legislation, rejected it, and now he is going to—it appears from article after article—go forward and carry out an action anyway. It would be fundamentally wrong. This cannot stand. It will not stand.

My position has been and remains that Congress should not pass border legislation that does not foreclose the possibility of these unlawful Executive orders. As an institution, this Congress has a duty to protect this institution and our constituents.

Currently, the President has issued approximately half a million grants of administrative amnesty and work permits to individuals unlawfully present in the country up to 30 years of age. Now the President wants to issue another 5 to 6 million work permits to illegal immigrants of any age, despite a clear prohibition in the Immigration and Nationality Act. He is not entitled to do that. Plain law says you cannot employ someone in the country unlawfully.

People think: Well, it is one thing to say you will not deport somebody. But, colleagues, what was done previously was to provide, under the DACA legislation, an ID card with the words ''Work Permit'' across the top, ''Work Authorization'' across the top.

So the President is providing, in violation of plain law, the ability of people in the country to work who are not entitled to work, who will be able to take jobs from any American today. We have a lot of Americans today struggling for work. At a time when millions of Americans are out of work, the President's plan is a direct affront to them—to every single unemployed American, to people around the world who have applied to come to the United States and have not been admitted, so they did not come unlawfully. What do we say to them when this happens?

It is particularly damaging to those in the poorest and most vulnerable communities in America. So who is speaking for them? Who will give them a voice in Congress? Will Members hear? Will we hear their pleas? I have been shocked that we have not seen a willingness in the Congress to resist more effectively than what we are seeing today.

So let's consider a bit more deeply for a moment what the President's Executive action would do to immigration enforcement in America. Let me say clearly, colleagues, we are not making this up. We are not having some idea that he might do something for 5 or 6 million more people. It has been repeatedly leaked from the White House—not leaked; they have discussed it. The President has promised it to activist groups like La Raza and the ACLU that he has been meeting with. He has told them he intends to do this. It is only a question of how and the time. The latest article yesterday in the Wall Street Journal—a big article—said it would happen shortly after Labor Day. Well, this is not something we are making up. It is a direct threat, a direct promise, a statement, it appears, from the White House.

I hope they will not go forward with it. Surely cooler heads in the White House will push back. Surely his Attorney General will say: Mr. President, you cannot do this. His legal counsel in the White House will say: Mr. President, do not do this. This is not lawful. The Department of Homeland Security needs to be saying: This would be devastating, Mr. President. How can we enforce any laws? Please do not do this.

I do not think it is absolutely certain to happen. But it seems to me that by every indication it is an absolute intention right now of the President to go forward with this or they would not have had at least a half a dozen articles on it—the National Journal, Time magazine, and others.

I have spoken many times with a great American by the name of Chris Crane, a former marine. He is also an ICE officer and president of the officers' ICE Council—the Immigration and Customs Enforcement Council. He has explained how his officers are ordered not to do their job. They have even sued the Secretary of Homeland Security for blocking them from fulfilling their oath to enforce the laws of the United States of America. Can you imagine that? I was in Federal law enforcement for 15 years. I have never heard of a situation in which a group of law officers sue their supervisor saying, in Federal court: Mr. Judge, my supervisor is ordering me not to do what my duty and my oath requires on a daily basis.

That is a stunning development. Their morale for years has been one of the lowest in the Federal Government. Now I think it is the lowest because they have been demeaned and rejected in a duty they believe is worthwhile for them to carry out.

One of the things Mr. Crane explained is that the President's previous Executive amnesty for the so-called DREAMers basically halted enforcement for anyone who asserted protections under that new administration policy. Mr. Crane would report that ICE officers would come into contact with individuals unlawfully present in the country—individuals they would encounter in prisons and jails. They would be called by a local police department that they have arrested someone for a serious crime. They would tell the ICE officers. Routinely they are supposed to go and pick them up and deport them. They would encounter people in jail—that is one of the big jobs they have—and they would be forced to release them simply because they assert: I came here as a youth. Nobody is going to do any investigation on this. How do you investigate it? The effect is to demoralize and make it difficult, and almost impossible, to enforce the law.

Now imagine, then, what would happen if the President expands this administrative amnesty and work authorization program to cover millions of unlawful immigrants of all ages. Everyone ICE comes in contact with will assert these protections: I am qualified under the President's amnesty. And any who fail the application will say they are eligible for this amnesty.

So what then? Will the FBI open investigations, check when they entered the country or whom they entered the country with, and where they came from? They are not going to do that—of course not. The officers are going to be totally unable to resist false claims from applicants, who happen to be the people they have arrested. It is going to demoralize immigration enforcement officers. ICE officers will again be

issued orders basically to stand down. No enforcement is going to occur. It will be the effective end of immigration enforcement in America, in my opinion.

You cannot maintain an effective, lawful, consistent, fair immigration enforcement policy with these kinds of regulations occurring and these kinds of orders from the White House, who is the Chief Executive Officer of America, who is empowered and directed to ensure that the laws of the United States are carried out—not empowered to violate the laws of the United States.

We have also heard from officers who have processed immigration applications. These are people who receive applications to come to the United States in a lawful way. These dedicated folks at the U.S. Citizenship and Immigration Services are people who have to process all of these millions of applicants if the President issues his order.

So let me read at length from a statement from the President of the USCIS Council, who represents these CIS officers who have an awesome duty. He wrote last year—this is what he said:

> USCIS adjudications officers are pressured to rubber stamp applications instead of conducting diligent case review and investigation.

This is the officers saying that their bosses are pressuring them to just rubber stamp applications right now—not to investigate, not to ask questions—just approve them. He goes on:

> The culture at USCIS encourages all applications to be approved, discouraging proper investigation into red flags and discouraging the denial of any applications. USCIS has been turned into an ''approval machine.''

That is what the top CIS officer said in a statement last fall. They have been turned into an approval machine. No wonder the American people are unhappy with what goes on here. Does anyone really know how serious this is? It is amazing that we would undermine the very integrity, really, of the entire process, and that is why they have protested. That is why they have come forward. It hurts them. They feel bad to see the great laws of the United States being routinely eviscerated.

He went on to say this:

> USCIS has created an almost insurmountable bureaucracy which often prevents USCIS adjudications officers from contacting and coordinating with ICE agents—

Who know something about these people, perhaps—

> and officers in cases that should have their involvement. USCIS officers are pressured to approve visa applications for many individuals ICE agents have determined should be placed into deportation proceedings.

That is a very serious charge, and that is happening. He is not making that up. It goes on:

> The USCIS officers who identify illegal aliens that, in accordance with law should be placed into immigration removal proceedings before a federal judge, are prevented from exercising their authority and responsibility to issue Notices To Appear.

This is a notice to appear in court. They are being obstructed and told not to do it. He goes on to say:

> The attitude of USCIS management is not that the Agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them. While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

What a devastating critique. Does anyone care? Has the President done one thing to respond to these allegations? Is the Senate bill that is offered by Senator REID and our Democratic colleagues, with the blessings of the President—does it do one thing to fix one of these problems? No. They have no intention of fixing these problems. They do not want to fix these problems. This is their policy: to foment more lawlessness and to see that the laws are undermined in such a way they cannot be effectively enforced.

It is just wrong, colleagues. Republicans and Democrats need to stand up to this. Don't we need to respond to the desires of the American people for a lawful system of immigration? Isn't that right and just and decent that they ask of us? Yet we go along in total ignorance and ignore these kinds of statements from our own enforcement officers, which anybody who looks at the border and sees what is happening could believe every bit of. And indeed it is true.

It goes on to say:

> This agency is tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

In virtually every article we see the President is meeting with some group, such as La Raza, which has very extreme policies on immigration—basically an open borders policy. They have opposed every policy of lawfulness. Another similar group, the ACLU, was commenting recently on what they thought the President had told them he was going to do about not enforcing the law.

These are the kinds of groups he is meeting with. He is not meeting with the law officers. He never sat down with them to ask: Tell me what it is like on the border. Let's see if we fix this thing. Let's make this system work. He has never done that. That is very indicative. This legislation that would spend $2.7 billion, proposed by the Democratic leadership in the Senate, and totally blessed by the President. This is the President's bill and it does nothing to fix any of the problems. It just asks for more money.

The President of the United States Citizenship and Immigration Services wrote last year:

> DHS and USCIS leadership have intentionally established an application process for DACA—

That is his first amnesty for DREAMers that the President issued.

> —that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers. These practices were put in place to stop proper screening and enforcement,—

He is saying that these practices were put in place to stop proper screening and enforcement.

> —and guarantee that applications will be rubber-stamped for approval, a practice that virtually guarantees widespread fraud and places public safety at risk.

This is the head of the USCIS Officers Association. He is laying out event after event, action after action, that demonstrates we are dealing with an administration that does not want the law enforced. Can you believe these words?

The president of USCIS goes on to say:

> U.S. taxpayers are currently tasked with absorbing the cost of over $200 million worth of fee waivers bestowed on applicants for naturalization during the last fiscal year. This is in addition to the strain put on our Social Security system that has been depleted by an onslaught of refugees receiving SSI benefits as soon as their feet touch U.S. soil.

So the story that there are no Social Security benefits is not correct. The refugees who enter our asylum system through the refugee program are entitled to these benefits when they hit the soil.

He goes on to say:

> Large swaths of the Immigration and Nationality Act are not effectively enforced for legal immigrants and visa holders, including laws regarding public charges as well as many other provisions as the USCIS lacks the resources to adequately screen and scrutinize legal immigrants and non-immigrants seeking status adjustment. There is also insufficient screening and monitoring of student visas.

These are breathtaking reports from our top officers, from the front lines of law enforcement, from people who screen and review applications every day for the United States of America.

Now think—just imagine what will happen to our system if the President goes forward with his executive action. It would overwhelm a system that is already buckling under the weight of massive illegality on our southern border.

We must end this lawlessness. We can end this. We can do so. Let me repeat. I know it can be done. But to do so, we must first stop doing more damage. We must prevent the President's massive executive amnesty from going forward. The public, once riled to these issues, will not be ignored this time, in my opinion. They will not let the representatives of either party acquiesce to lawlessness. That is why I have said that Congress as an institution must not support any border bill that come forward that does not expressly prohibit the President's executive amnesty ideas that he has been talking about, and would block him from spending any money to execute an unlawful plan of this kind.

How can we not take this position, colleagues? What basis do we have to

say we will not take any action when we were being told on a daily basis what the President plans to do? Are we ready to go to recess for August having done nothing, said nothing, offered nothing to oppose the stated intentions of the President in this way?

There is currently no legislation pending for a vote in either Chamber, House or Senate, which passes this test. Senator CRUZ has offered language, but they are not willing to allow it to come up for a vote. As a result, both the House and Senate packages should not be supported. Congress should not adjourn until it has firmly stood against the President's unconstitutional and dangerous action.

The American people are asking for us to help. They are pleading with us to help. We must answer their call. We must fight for the lawful and just system of immigration that we can be proud of. Let's put this into a bigger picture. Wages are down. Labor force participation is declining. The percentage of people in the working ages who are actually working has been declining steadily. Indeed, it has not reached a level this low since the 1970s.

Since 2000, the Federal Government has lawfully issued nearly 30 million immigrant and foreign work visas—for people to come to this country to work—almost 30 million visas to legally work in the United States or permanently reside in the United States. During this time, the number of Americans with jobs—Americans with jobs—declined on net. On net, fewer U.S.-born workers ages 16 to 65 had jobs in 2014 than in 2000. Amazing.

There are fewer people working today—even though the population has increased—than in 2000. The President's planned work permits for illegal immigrants is in addition then to the already huge flow of low-wage labor into the United States.

We have a problem, colleagues, with Americans needing jobs. We do not have too few workers. We have too few jobs. I would contend that that is pretty clear because wages are down.

If we had a shortage of workers, wages would be up. When you have a surplus of labor and surplus of workers, wages decline. According to the Wall Street Journal, in 2007, a family income of 4 would amount to about $55,000, on average. It has now dropped to $50,000. That represents a huge diminishment of the wealth of America. Is it not time we did something for American workers? Who do we represent? Do we not represent the people of this country? Do we not know we cannot—while we believe in immigration, we respect and admire and love immigrants, we ought to have a lawful system. The number of people who come ought not to be so large that it destabilizes our labor market. Is that not the right policy for a great country to pursue? The American people have begged and pleaded for this system. I believe we ought to give it to them.

Let me sum up one more time here. What we are seeing in the bill presented by the majority, and demanding that it pass the Senate today, is a bill that just provides money. It does not deal with any of the policy problems in any real way that would end the lawlessness and end the belief by people around the world that if they can just come to the United States, particularly if they come as a young person, they will be allowed to stay. We have not acted to end this belief in any effective way.

It could easily be done. We do not need a law to fix that. We have looked at it. Some legal changes could help. But, first of all, the President needs to act.

The House is putting up some money. They are saying it has got to be used for some of the things that would be beneficial to ending this flow. But even then, we have seen the President does not have to use it and does not have to comply with their vision to end immigration into America.

So the President has set this up. He issued his amnesty documents, his policies, and encouraged more people to come to America. If he does this new Executive order amnesty, it would encourage more adults to come to America. It just will. It will weaken the moral authority of all our immigration laws. You cannot take these kinds of actions—as somebody who has been in law enforcement for a long time, you cannot take these actions and think there are not ramifications on them, that there are not impacts throughout the entire world and throughout the entire law enforcement community, for our ICE officers and our USCIS officers working every day dealing with hundreds of these cases.

You have to have clarity. You have to have integrity. You have to have consistency. You have to mean what you say. You cannot say: I am for strong borders, and I am for legal immigration, and then present a bill that is going to do nothing to change the path we are on. It is something I hope our people will look at and pay attention to it.

This bill is going to go down. It is not going to pass. It should not pass. It will be blocked. It will have no chance to pass in the House if it were to get out of the Senate. What I want to say to colleagues is: It is indicative of the lack of seriousness from the majority party when they produce such a poor piece of legislation.

I wish to remind my colleagues of one more thing. The only way the administration can run out of money is if it refuses to spend the money that is currently available to it for the border disaster. There is no law, no regulation preventing the administration from spending money in the current fiscal year. Even the bill they submitted to us, when it was examined, showed it only asked for $25 million for this fiscal year, through September 30. So it is not the kind of crisis we have to rush out and pass a bill today, tonight, or the country is going to shut down. They can reallocate funds. But what we need is, and what Congress needs to do as a representative of the American people, is to say: We are prepared to provide some money, but we need to know, Mr. President, that you are serious. We need to know, Mr. President, you are going to let your officers do their duty and not block them from doing their duty. We need to know, Mr. President, you are not, in a few weeks, going to issue a massive administrative amnesty to millions of people who will be given work permits to compete in America for any job that is out there—any job.

We need to know where you stand on this. We represent our people. We cannot just throw money at this problem, which is what this legislation does.

Let me take a moment to go back and discuss how we got here. We have had the current law basically in effect for a number of years: 5, 6, 7 years. We did not see a spike in entries of young people until the President issued an Executive order basically legalizing people of youth—up to 30 years of age—who came to America. That was seen around the world as an invitation for young people to come. They have come in extraordinary numbers, overwhelming our system.

In 2011, it was 6,000. This year it is going to be 90,000. What a huge surge that is. It should never have happened. Now we are reduced to being here in the Congress and having the President come to us demanding billions of dollars to fund this program and deal with the crisis his policies created. Because it is true, and has been true, the young people who come to America turn themselves in to the immigration officers, who then take them to the Health and Human Services officers and turn them over to them. They go out and find housing. That is why we have seen this all over the country. Find housing for them. Months go by, or, if anyone comes to pick them up, they are turned over to them. They do not inquire if they are legally here, those who come to pick them up. They expect no proof that they are related to the child.

Maybe it is a 17-year-old. Most of them are older teenagers who pick them up, and they are released on a permiso or bail and they never show up. Nobody has the time or the numbers or the capacity to begin to go look and see why they didn't show up in court. But if we get a traffic ticket and don't show up in court in Alabama, California, Texas, somebody is coming after us.

This is the way the system is being collapsed in America today. It is just a tragedy. It breaks my heart. The American people have never approved of this.

So word got out and we had this surge, and now the President, without any real plan to fix it, comes forward and says: Give me $4 billion—the bill here I think is $2.7 billion—without any clear commitment or proof that we have any plan or any commitment

from his leadership to alter the dynamics of the situation we are in.

This is not acceptable. The bill before us now is not acceptable. It will not pass. It will not become law. We need to insist—the American people will continue to insist—that this Congress and this White House do their duty to make sure we have good, sound immigration laws and then ensure they are faithfully and fairly executed to serve the national interests of the United States.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Vermont.

Mr. LEAHY. Mr. President, I am glad that people have decided to speak about immigration reform.

This body passed overwhelmingly—Republicans and Democrats joined together—a comprehensive immigration bill last year.

We did it after six hearings during which we received testimony from 42 witnesses. We had five markups and 37 hours of debate, often late into the night, over three weeks. There were 212 amendments, of which 136 were adopted, all but three of them on a bipartisan bases. Staff and Senators, Republicans and Democrats, worked together throughout that time, and the Senate, by a better than 2-to-1 margin, passed a comprehensive immigration bill. It was supported by people from the right to the left.

It went over to the other body. In the other body there were enough votes to pass it. And what happened? The Republican leadership said: No, we will not bring it up. And so it died there.

Today, faced with a surge of migrants from Central America, they are giving great speeches: Oh, my God. We have to do something about immigration. Why don't we do something about immigration? And then they blame Democratic President Obama.

My response is: What are you doing? They could have brought up the bill. We would be a lot better off had they brought it up and voted on it. Vote yes or vote no. That is what we are supposed to do. The Senate did that, and we passed it.

The Republican leadership is so afraid they might actually have to take a stand on immigration. They might actually have to vote yes or no. It is so much easier to do nothing, just to let it sit there and say: Oh, it must be President Obama's fault. Oh, it must be the Senate's fault. Oh, it must be somebody else's fault. Or maybe it is the fault of these 6- and 7-year-old children who are trying to escape being killed or molested, the 12-year-old girls who are afraid they are going to be raped by gangs, the 12-year-old boys who are going to be forced into gangs or be shot in front of their families.

It is so much easier to say: This is terrible. It has to be President Obama's fault. Let's sue him.

What I say is: Why don't you have the courage to vote yes or no on the immigration bill we sent you?

I defy any one of them to go home during August and say: Oh, we have to do something about immigration. I hope people ask: How did you vote? Well, they didn't vote yes and they didn't vote no. They didn't vote at all.

I spoke in this Chamber earlier this month about the importance of living up to our own principles and traditions by addressing the influx of unaccompanied Central American children because it is a humanitarian crisis.

While there is no easy solution, the Border Supplemental Appropriations Bill offers a chance to make a downpayment on a strategy to address this crisis comprehensively, in accordance with our legal obligations and moral values.

The supplemental was described by the Appropriations Committee chairwoman Senator MIKULSKI yesterday. We know it is significantly different than the bill put forward by the House Republican leadership this week. The House bill provides $1 billion less than the Senate to help unaccompanied children currently in the United States and $700 million less to support the Departments of Homeland Security and Justice so they can effectively address this issue and adjudicate these children's cases appropriately.

There is nobody in this body or the other body, if they have children or grandchildren, who has to worry about them going hungry or has to worry about them living in fear every day. Let's get out of our ivory tower and pay attention to what is happening.

As I said earlier, the House ignored our bipartisan comprehensive immigration reform bill. Thirty pages of policy reforms included in the House supplemental and all it does is support their enforcement-only agenda to get rid of these children. Just throw them out. Let's pretend we have no responsibility. Send them back to face whatever horrors back home.

While many of these children and families don't qualify for international protection and would be better off not risking the dangerous journey, which the Senate bill seeks to address, many others have legitimate claims to protection because of the violence and persecution they have suffered in their home countries.

That is why this is a humanitarian issue. That is why we can't expect other countries with far fewer resources—such as Jordan or Turkey or Ethiopia—to accept far larger numbers of refugees from outside their borders if we are not willing to do our part.

The little country of Jordan is being overwhelmed by hundreds of thousands of refugees from Syria. We say: Oh, thank you for doing that. Here we are talking about a tiny percentage compared to the size of our country. We say we want other countries to do this—but, gosh, the wealthiest, most powerful nation in the world can't. That's not who we are as Americans.

That is why it is unconscionable that the House on the one hand recognizes these Central American countries are among the most dangerous in the world, where gangs and other violent crime is taking a horrific toll on children and families. They will give speeches on that, but on the other hand they will say: However, that is their problem. Send these children back. Eight-year-old, you can fend for yourself against the gangs with machine guns. Go back, and do it as quickly as possible because we have to go on recess. We don't want to be bothered about you.

That is why it is also unacceptable that the House would pay for their misguided approach in part by cutting nearly $200 million from other programs in the foreign aid budget, the very funding needed to help reduce poverty, corruption, and violence in Central America so children won't flee in the first place.

Critics of the administration want to point fingers, but blame games aren't going to solve this problem. There is no single cause. It didn't occur overnight. It has been building for years as drug cartels, responding to the insatiable demand for illegal drugs in the United States, have migrated to Guatemala and Honduras and El Salvador.

It is caused by members of Central American gangs, arrested and imprisoned in the United States and then deported, who have resumed their threats and extortion and killing sprees with a vengeance.

It is caused by abusive and corrupt police forces and judges and the failure of the Central American governments to address the lawlessness and impunity in their own countries.

It is caused by the lack of educational and employment opportunities that are among the reasons Central American youth join the gangs.

So let's not play politics over something as complex and deadly as this. Let's vote for the Senate supplemental. It includes the funding needed to begin addressing some of the contributing causes of the migration and leaves intact the important legal protections in the Trafficking Victims Protections Act.

The $300 million in the State and foreign operations chapter of this bill requires a multiyear strategy to support the efforts of Central American governments to dismantle their criminal gangs and combat extortion, human smuggling and trafficking and domestic and sexual abuse, strengthen their social services, law enforcement, and judicial systems, develop child welfare services, and expand programs in education and get rid of the barriers to economic growth and opportunity.

It also provides funds for public information campaigns to discourage potential migrants from making the perilous journey in the first place, and it includes provisions that will ensure vigorous oversight of the aid we provide.

The emergency spending in this supplemental is needed to respond urgently and responsibly to this crisis. It

is about what we stand for as Americans. Let's uphold our Nation's longstanding tradition of providing a safe haven for refugees that is engraved in the Statue of Liberty, for the well-being of thousands who have fled violence and risked everything to arrive at our borders, and for the millions in Central America who live every day in fear. Let's give them some hope for a better life. Let's pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator LEAHY for his extraordinary leadership on this issue. He serves on the Appropriations Committee that has brought us this supplemental appropriation. He is also the chair of the Judiciary Committee.

I had the great privilege for a short period of time to serve on the Judiciary Committee—too short a period of time—and saw his extraordinary leadership. I know it was his committee that brought together an immigration reform bill that would have dealt with some of the major problems we have in our immigration system. Through great work we got that bill passed in the Senate over 1 year ago.

I find it somewhat ironic that in the House they are now talking about how they can change the immigration law while we have a bill that is over there. Pass our bill and it would go a long way toward helping this issue.

I thank Senator LEAHY for his leadership on immigration issues and his passion on the humanitarian issues we have before us.

I join Senator LEAHY, and I hope the majority of this membership will, in support of the emergency supplemental. I hope we can pass it today, and I hope our colleagues in the House will also pass it.

I thank Senator MIKULSKI, my colleague from Maryland, for her leadership as chair of the Appropriations Committee and bringing forward a supplemental appropriation that deals with the humanitarian crisis on our border.

We all know about the unaccompanied children on our border. In fiscal year 2014 it will equal 60,000. That is an extraordinary number. But let me make it clear. It is not because of border security issues that we have this problem. When these children approach our border they say: We are here. They are not trying to sneak into the United States. They are trying to get to our country and then they turn themselves in. We know most are coming from Honduras, El Salvador, and Guatemala, and we know the circumstances in those three Central American countries.

First and foremost, the information they have about the transit and welcome in America is different than reality. The reality is that if children are transited to our border, they are very likely to be at great risk, great risk because of the traffickers who could very well abuse them—certainly very costly transit—and give them information that is not accurate about the laws of our country.

If they make it to our border, what happens is they are put in deportation. There is no right to enter America. We have to evaluate their circumstance. Those are our immigration laws.

First and foremost, we want to make sure the people of Honduras and El Salvador and Guatemala understand the risk factors and that their children should remain in their country.

But the root cause, as Senator LEAHY pointed out, is also the current circumstances in these three Central American countries. It is not safe. Too many young people have the choice to either join a gang of violence or themselves be victimized by violence. The economic circumstances in these three countries give little hope for an economic future for these children. It is in our interests to partner with all three of these countries to deal with the root causes of why parents would put their children in transit to our borders at great risk or why families would try to come to America and leave their native country.

So it is in our interests to deal with that, and the supplemental appropriations bill that is now on the floor provides $300 million of help that we can use to deal with root causes in the Central American countries. We can make a difference.

I will give the dollars for one second. Three hundred million dollars might seem like a lot of money, but it is not the billions we need to take care of the problems on our border as a result of families sending their children to our border.

We can make a difference. Our development assistance programs work. They work. It is part of our national security. We understand that if we have stable countries, it provides a more stable relationship and strategic partnership with us and other countries, helping our national security interests, and we can make a difference.

Let me remind my colleagues that under President George W. Bush, in a bipartisan manner in 2003, we passed the PEPFAR law which dealt with HIV/AIDS because we recognized the security of the world was being jeopardized by the spread of HIV/AIDS. And guess what. Our PEPFAR initiative made a huge consequential difference. Today the landscape is totally different than it was just a decade ago. That is because we, the United States, showed leadership.

We can show the same kind of leadership in dealing with the root problems in Central America that can make our hemisphere safer—and, by the way, help children and help children of the future who could help their country and help the global economy. We have programs in these countries. We have the Partnership for Growth as one example in El Salvador.

But we have to make it consequential. We have to make it consequential to get rid of these gangs, to give economic hope, to deal with good governance. The first step is in this supplemental appropriation that provides $300 million of help to these countries. These children at the border require a humanitarian response from the United States.

I have the honor of chairing the U.S. Helsinki Commission. It is known for many things. It is known for standing up for human rights globally.

We have talked about America asking the international community to have open borders when there is instability in their community—most recently the problems in Syria. We thank the people of Turkey and the people of Jordan for having open borders so people can find safe havens. We had better take care of our issues at home first.

We have humanitarian responsibilities, and this supplemental appropriation takes care of that, with $1.2 billion to help human services to deal with adequate shelter for these children so they are properly cared for. That is our responsibility; they have certain rights.

The majority will be returned to the host country in a safe manner, but there are many who are entitled to asylum. There are many who have been victimized by the traffickers and are in fear of their life and there is no safe option and have a right to expect our country to reach out in a humanitarian way to take care of their needs.

This supplemental takes care of that—with moneys for HHS, moneys for the Department of Justice—$124 million to deal with the judges so we can handle these issues in a prompt manner—to deal with adequate legal representation.

As I mentioned at the beginning of my comments, yes, we have to improve our immigration laws. We have already done it. The bill from the Senate is at the House. All they have to do is take up our bill, pass it, and in a balanced way, representing I think not only the philosophical views of the Congress—which can be a challenge at times—but representing the views of most Americans.

I hope we will support the supplemental bill. I might also add it provides $615 million for wildfires in the West. We know that is an emergency, an urgent situation that needs to be dealt with. It provides help to our ally and friend Israel, $225 million to replenish the missiles that have been used in Iron Dome to shoot down the missiles coming into Israel. It is a well-balanced supplemental. It represents the best interests of this country, and I urge my colleagues to support it.

Mr. CARDIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

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

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

Ms. MIKULSKI. Mr. President, I know the Senate is now considering whether we should vote on the motion to proceed to the emergency supplemental bill. That means under our rules of another century we actually don't get to the bill. We have a debate or even have a filibuster on whether we should even move to the bill. It was designed to cool the passions of the time so the Senate could be the greatest deliberative body in the world. However, these procedures now have been distorted. We are no longer the greatest deliberative body in the world; we are the greatest delaying body in the world. Delay has become not only a tactic to come up with better ideas, delay has become an outcome unto itself.

We are facing a serious problem in our country, and I hope we would vote on the motion to proceed so we could actually get on the legislation for the urgent supplemental funding to deal with three crises facing our country, one of which is wildfires burning in the West, in which property, communities, and livelihoods are being destroyed and first responders are being exhausted. While they are being exhausted, local and State funds are being exhausted, along with the Forest Service of our own government.

We need to stand with our neighbors in these Western States because this is a calamity. The Presiding Officer was the mayor of a great city in New Jersey—Newark. He knows what happens when a hurricane hits the city and hits a State. He could tell me and I know he has spoken frequently about how New Jersey is still trying to recover from Sandy.

Well, the fires raging in the Western States are their hurricane. It is their tornado. It is their Sandy. I hope we would pass the $615 million to help our own fellow citizens in the 8 Western States.

Then we have a treasured ally that is under attack by a terrorist organization and needs to defend itself using technology called the Iron Dome. They defend themselves by shooting interceptor rockets. It is not an offensive rocket, shoot to kill, it is shoot to defend. They are using up these rockets at an unprecedented rate, and the Secretary of Defense sent a letter to the Congress asking for $225 million to be able to replenish their arsenal.

We also have a crisis in Central America and the violence by the narcotraffickers—or the narcoterrorists—that is causing a surge of children to come into our country. I hope we will pass the legislation which will allow us to get the money that is needed to address that situation, and I will elaborate on that in a moment.

After all is said and done, I hope this will not be another day where more gets said than gets done. We need to respond to the needs that are presented to us.

I wish to talk about the children at this time. Much has been said on the floor about the current situation, and much has been said about President Obama's failed immigration policy; we need to give the National Guard police powers.

I am proud many Senators went down to the border. I myself went to the border. I went to see the situation, as chair of the Appropriations Committee. No. 1, I wanted to see if there was an urgent need; No. 2, what would it take to meet that need; and No. 3, how we can work together on a bipartisan basis to protect the children and protect our own country. Well, I got an eyeful, and I have to tell you about it.

I traveled with the Secretary of Homeland Security and the Secretary of HHS, Secretary Burwell, down to the border. We went to the McAllen Border Patrol station. We also went to Lackland Air Force Base, where children are temporarily housed. I had the opportunity to meet with great Border Patrol agents, a wonderful faith-based organization that is caring for the children, and fantastic young lawyers from the University of Texas at Austin campus and St. Mary's Law School. The law students and professors are there to make sure the kids have legal services on a pro bono basis. They are doing it on their own time. We saw a lot. I also had a chance to talk to the children.

First, I will talk about the number of children. There was talk on the floor that made it sound as if we were under siege rather than facing a surge. I think there is a big difference between feeling as if we are under siege and facing a surge. As of this minute, we are talking about 60,000 children. That is a lot of children, but if you went to Baltimore to the Ravens stadium, the Ravens stadium holds 60,000 people. We are not talking 600,000 or 6 million children; we are talking about 60,000 children. Maybe it will swell to 90,000 children. All 90,000 children could still fit in the new Dallas stadium.

We are talking about a number so small that it could fit into an American stadium.

We are a country with 300 million people. We can certainly deal with 60,000 children who are fleeing traffickers, drugs, and sexual slavery. Are we not big enough, tough enough, and strong enough to be able to deal with that? I think we are. If you could see what has been going on, you would know what I mean.

Let's talk about these 60,000 children. It is literally a children's March across Guatemala, Honduras, and El Salvador, through Mexico, and coming up the Rio Grande. They are not coming across all 1,900 miles of the border. They are going to a specific area, and they are crossing the river on rafts, swimming, and doing whatever they can to get to the border.

It starts like this: The children either come on their own or they come because a smuggler or coyote brings them here. That means some mother, father, or aunt in the United States of America, making minimum wage, is scraping together the $3,000 to $5,000 the smuggler is charging to deliver—kind of like a FedEx or UPS for human beings—these children to the Rio Grande border. The violence is so bad that they are willing to trust a crook to bring the children to this country.

These children trek through a jungle, through filth and dirt and danger. They stop at what they call safe houses. That is an oxymoron; there is nothing safe about a safe house. There are children with all kinds of different people on that road. These people take advantage of the children. I won't describe it.

From this safe house, they finally make it to the border by a train called The Beast. The Beast is a cargo train. This is not a lovely train that goes up and down our coast from Boston to Savannah. This is a train called The Beast. The children ride on the top of these trains, holding and clutching to each other. I talked to a 9-year-old girl who said that she rode for 2 days and had to stay awake for 48 hours because she was worried about falling off and losing an arm or leg or death itself.

Why would children risk this? Why would parents risk this? It is because of the danger, danger, danger in Central America. We are talking about arming the border more. We need to go after these criminals and arm our law enforcement officers so they can fight the narcotraffickers in Central America. We need to deal with our insatiable appetite for drugs that fuels and is driving this movement.

When they send the children back, what are they going to send them back to? We are sending them back to countries that are recruiting boys to engage in criminal activity, and girls are recruited into human trafficking. It is not as though we are going to send them back on a plane and Juan Diaz will be there with yellow roses saying: Welcome back, children of Honduras and El Salvador. They will go back to the very danger from which they ran.

When I went to the McAllen Border Patrol station, which is really a detention facility—it was designed to detain adults—underline that word. It was designed to hold up to 300 people, usually illegal immigrants trying to cross the Rio Grande. These really look like cells. They are cement cinder block facilities that were designed to hold 10 or 12 adults, and they hold as many as 20 or 30 children who are sleeping on the floor.

The Border Patrol is doing the best they can. The Border Patrol is taking care of children because we can't move them to humanitarian facilities as the law requires. The children are taking turns sitting on a cement block to even be able to rest. There are 20 or 30 in a room sleeping on the floor and using empty water bottles for pillows. They

have blankets that look like aluminum foil. These are the lucky ones. They are able to come in from the overfilled outdoor area, where the boys are often put in a covered area where they sleep outside. The girls can be ''inside,'' but they are in these holding cells. They have very limited showers and very limited hygiene.

The Border Patrol is doing everything they can. It is not something we are used to seeing in the United States.

I know there is another codel going to the border. Go, go, go, go. Go and see this.

I talked to a 12-year-old girl. She was in charge of bringing her 6-year-old sister to the border. Their parents sent them here to escape the gang violence. The mother told the older girl to watch out for her younger sister. They said to her: Don't let her out of your sight until you get to America, and then try to get to your aunt.

I talked to a 15-year-old girl from Honduras. Both of her parents had been killed by gang violence. She worked in a restaurant to save enough money to pay the coyote. It took her 2 months to get to the United States. She escaped violence along the route to get here.

Are you going to send her back? Are you going to send the 6-year-old back? Wow.

I then had the opportunity to see what the conditions were like for these children. If you talk to the border law enforcement agents, they want to be law enforcement guys. Gee, are they terrific. They know the surge at the border has been caused by the criminal activity here. They talked openly about it. There are seven organized crime syndicates that are sparking a lot of this. They know about the false recruitment of young people who are promised a new way and new day to get to the United States of America. They know about that, and they want to be able to do what they were hired to do—law enforcement. But in order for them to be able to do what they need to do, we have to have the facilities for the children to be housed, clothed, and fed while their legal status is being determined under the law.

I went up to Lackland Air Force Base. The children are being cared for in unused dormitories that once housed our Air Force. We have new facilities for our enlisted personnel. Did you know we pay for that? The Department of Health and Human Services has to pay the Department of Defense to house those children. It is on a military base with all the rules and regulations associated with that. It is the most expensive housing we have, but it is the best housing we have right now because of this rejectionist fear that is being promulgated through our country that somehow or other these children pose a danger to us. It is the best we can do.

I will say that it is a very nice facility. It is operated by a faith-based organization, the Baptist Conference. My hat is off to them. I speak now as a professionally trained social worker. It is one of the most outstanding child welfare service organizations I have seen, from the nurses to the social workers.

They are doing a fabulous job, but they are under a contract. Although they are a voluntary, faith-based organization, they are being compensated for their time and services because that is what we should do. We want to be able to use such groups all over America. What was so heartwarming to me was that Catholic Charities, based in Oklahoma, came to Texas to see what the Baptists were doing because they were getting ready to take care of the kids. That is the American way—Catholic Charities learning from the Baptists.

They were all concentrating on the welfare of the children. They know these are all children in God's eyes and should be treated with dignity.

I then talked to the legal services people—the lawyers, law professors, law students from the University of Texas at Austin and St. Mary's College. The services they were providing were on their own time and their own dime. They are using their money and their summer vacation to help these children. There was no compensation, even for expenses, so they could begin the interview process to determine if any of these children had the opportunity to voluntarily return home. It is clear the coyotes misled them.

Well, we can't keep doing this on this emergency patchwork basis. We need the urgent supplemental, No. 1, to help Homeland Security's law enforcement and help Health and Human Services. They need to crack this backlog, and they need to be able to place these children in a proper facility. They need to determine if they have a right to refugee status.

Even when you have volunteer legal services such as the outstanding work I saw in Texas—outstanding. I know the Presiding Officer is a lawyer and would have been proud of these volunteers and the way they were responding to these children. They also offered bilingual services. They need more help, for example, from paralegals.

They need help to pay for the backlog of cases. We need to make sure we have enough immigration judges.

There is so much myth, so much misinformation, and so much distortion out there that I am afraid we will end this day and still not have had a vote to proceed to the urgent supplemental. Debate it, discuss it, and then let's vote on it or else it will languish.

As a social worker, I want to say that what I have seen these children go through is unimaginable. They have come here to escape violence and death. They deserve to be treated with compassion and integrity, and they deserve for us to do our job. Anyone who thinks we should just deport these children without giving them every right afforded them under our law should go down to McClellan and look into their eyes and listen to their stories.

The time to act is now. Let's put together a comprehensive program, and I believe we can meet this surge, deal with the root cause, and be able to function in a way in which we are all proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

INTERNET TAX FREEDOM ACT

Mr. WYDEN. Mr. President, the Internet has been possibly the most significant force driving our economy over the past 16 years. It is clearly this century's shipping lane and history's most powerful communications tool. Part of the reason the Internet has revolutionized American life is that it has been protected from discriminatory taxation, thanks to the Internet Tax Freedom Act, first enacted 16 years ago.

This law, as we might expect, is extraordinarily popular among the American people, and it has obviously been of enormous importance to the millions of families and businesses that use the Internet each day.

However, in a few short months the Internet Tax Freedom Act is set to expire. If it does, millions of American Internet users could face multiple and discriminatory taxes from thousands of state and local tax collectors around the country. That cannot be allowed to happen. Congress needs to come together on a bipartisan basis and say clearly: Don't hit the Internet with discriminatory taxation.

Sixteen years ago I was the author of the Internet Tax Freedom Act, along with our former Republican colleague, Congressman Chris Cox. Along with our colleague from South Dakota, Senator THUNE, and 52 bipartisan cosponsors, I am the author of the pending bill that would make that protection permanent. I believe if we were able to hold a vote on our bill today, it would pass with overwhelming support. Unfortunately, that is not a political reality. Yet the clock keeps ticking toward expiration.

Protecting the Internet and every Internet user in our country ought to be a matter that takes precedence over politics and partisanship. The Senate can move this short-term extension today while the Senate works on a bipartisan basis to deal with the issues raised by those who believe that allowing localities to collect taxes across the country is more important than a ban on discriminatory taxation.

I hope the Senate will join me in supporting the temporary extension of the Internet Tax Freedom Act as a bridge to permanent legislation.

To reflect very briefly for a minute, we thought this law would work well 16 years ago. To describe what triggered my interest, 16 years ago, when I was a young Member of this body and I had a full head of hair and rugged good looks, we would hear for example about how if someone bought the newspaper—the online edition of the paper—they would face a stiff tax in some jurisdictions,

but if they bought the snail mail edition they wouldn't face the tax. Democrats and Republicans coming together said that is discriminatory. That is discriminating against technology, against the future, against the promise of the Internet.

We thought this proposal would work well. It is quite clear. We just have to make sure what we do online is not more burdensome and an endeavor that involves more taxes than what we do offline. That is what the bill has been all about. So we thought it would be promising, but it has far exceeded our expectations in terms of what it has done to promote innovation and for small businesses and others who don't have political action committees and don't have big lobbies advocating for them. Ensuring they are not hammered by multiple and discriminatory taxes by thousands of localities has been a lifeline in terms of their being successful.

I could take more time this morning. We have colleagues and of course many matters still to deal with before we leave. I hope that given this history, which has been a bipartisan history—I so enjoyed working with our former colleague Chris Cox on this legislation 16 years ago. My take is that the overwhelming number of Senators would like to permanently reauthorize this ban on multiple and discriminatory taxes on the Internet today, and that is what Senator THUNE and I have sought to do in our legislation, which has more than half of the Senate cosponsoring it. That is not possible today. But what is possible is that we act now so we don't bump up against that deadline that if reached our small businesses are subject—we have more than 5,000 taxing jurisdictions, and if even a small number of them were to inflict discriminatory taxes on Internet commerce, that would be a big blow in a fragile economy.

So for purposes of the temporary extension of the Internet Tax Freedom Act as a bridge to permanent legislation, let us say loudly and clearly that we as a body—we as the U.S. Senate—are not going to hammer the Internet with multiple and discriminatory taxes.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

VETERANS HEALTH CARE

Mr. BOOKER. Madam President, I rise today to urge support for a successful veterans health care program that will be extended if we pass this bipartisan package of Veterans Affairs reforms.

My colleague across the aisle Senator HELLER and I have joined to introduce legislation to extend the Assisted Living Program for Veterans with Traumatic Brain Injury, or AL-TBI, and give it the kind of support veterans with these severe brain injuries deserve.

I am grateful for the leadership of Senator HELLER and his partnership on this very important critical issue. I am proud to work with him, and I am hopeful all of our colleagues will join to pass the bipartisan package of VA reforms which now includes our legislation.

I thank Senator SANDERS, Ranking Member BURR, along with Senators MCCAIN, PRYOR, MURKOWSKI, LANDRIEU, JOHANNS, and BALDWIN for joining with us in this important effort.

This program places veterans suffering from moderate to severe traumatic brain injury, or TBI, in privately run facilities where they receive 24-hour team-based attention.

These are our veterans who stood for us, who answered the call to service, who went into harm's way, and have suffered traumatic brain injury, who now need to get the kind of care and attention they deserve.

They are immersed in this therapy that helps them with their movement, their memory, their speech, their gradual community integration. That last point is actually the key. This program does not just prepare veterans for transition from one health care setting to another health care setting; it is about giving them the practical skills they need to return to their communities and live independently.

That is what is so special about this program.

This is the kind of innovative work that Senator HELLER stands for in his community and I in New Jersey and that all of our veterans across the country should have. Congress should support this kind of work more often.

This past week I had the opportunity to visit a facility in Plainsboro, NJ—one of several facilities using this program. While I was there, I spoke with an incredible veteran named Gary.

Gary first enlisted in the military and completed his tour in the Navy after graduating from high school. Then 9/11 happened, and Gary stood up, reenlisted, this time with the National Guard, and served in Iraq.

During his time there he suffered a traumatic brain injury. Upon return home, Gary was confined to a wheelchair and the doctors told him he would never ever walk again. But then he began treatments through this program that Senator HELLER, myself, and others are trying to extend.

Now, because of this program, Gary can walk again. He, himself, and his family called it a miracle. He is now using a cane. When he is indoors he can walk without assistance.

Gary's sister told me that before receiving this unique care through the program, Gary was very negative, often depressed, often angry. But now that he has made progress, Gary's whole attitude has changed. He is more than upbeat. He is social and enjoys cooking. In fact, he offered to cook me a meal, which, I say to Senator HELLER, as a bachelor, I take all the meals I can get.

Another veteran named Duane sustained a traumatic brain injury in 2003 while serving our country in the Navy. Unable to live independently or get around without the aid of a wheelchair, this gentleman, this honorable veteran, who was not even 25 years old, found himself living in a nursing home alongside a population many decades his senior.

In 2011, through this program in our legislation, his life was changed. He moved into a specialized facility in New Jersey, where he still lives today and receives a range of treatments, including physical, occupational, speech therapies, as well as psychological counseling and residential assistance.

He is making incredible progress. I saw it with my own eyes, heard it from his family and his care workers. He has actually also traded his wheelchair for a cane and manages a regime of his own chores, adding more dignity to his already exemplary life of courage. He has an active social life. He has friends and comrades, and he believes he has a country that has been there for him when he is in need.

These are the heroes who stepped up to serve our country when we needed them most, and now it is our responsibility to serve them with the extension of this incredible program.

This program means independence for these veterans with severe brain injuries. We cannot cut their or any other veterans' care short. This is a cost of war. We should not just be there to spend resources when we are sending them off; we should be there with open arms and support when we are welcoming them home.

The VA now offers no alternative program to the one I have described—no alternative program—that provides the same kind of comprehensive, rehabilitative, long-term care in a residential setting. These brave men and women who are benefiting from this specialized care were willing to put their lives on the line for our country. It should not be an option; it should be our obligation to take care of them when they return home.

I strongly urge my colleagues in the Senate to do their duty, to pass this reform package, and extend this life-changing program.

I want to again thank Senator HELLER.

If I may yield to him, he has been a stalwart partner, a leader on this issue. I have been encouraged by this opportunity to work together with him. I am only disappointed that he would not shave his head, as I have. That would have shown true bipartisan camaraderie. But despite that, I look forward to his continued leadership on issues for our veterans, and now I look forward to his remarks.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Madam President, let me begin, if I may, by thanking my friend and colleague, Senator BOOKER, for partnering with me on this critical piece of legislation that helps our Nation's veterans, especially those suffering from traumatic brain injuries. I would urge him to participate in that meal from that veteran. I assure the Senator that in this city where the food is so rich, he will probably find the meal much healthier—much healthier. I know that is important to the Senator. Having said that, I know that Senator BOOKER and I have always viewed veterans issues to be truly a bipartisan issue. I am pleased we were able to work together and we were able to accomplish this work as partners.

I would also like to applaud my other colleagues, Senators SANDERS, MCCAIN, and BURR, for their work on the conference report, and also House Veterans' Affairs Committee Chairman MILLER and the rest of the conference members for reaching an agreement to ensure that Congress keeps its promise to our Nation's veterans.

The conference committee's bill is a good start to address problems with appointment wait times, VA scheduling practices, accountability, and overall quality of care provided at VA's medical facilities.

As my colleague Senator BOOKER discussed, there is a very critical provision in the conference report legislation that he and I took a lead on addressing; and that is the extension of the Assisted Living Program for Veterans with Traumatic Brain Injury. I applaud my friend. I applaud my colleague for the ability and the opportunity to work together. So I thank him for that.

As a member of the Senate Veterans Affairs' Committee, I was eager to resolve this issue because of its impact on Nevada's and our Nation's veterans, and together we were proud partners.

This program operates in two locations in Nevada and serves wounded warriors who are trying to restore their quality of life.

As the battlefield has changed over the years, so have the injuries that servicemembers and veterans sustain, including traumatic brain injuries. TBI is a complicated injury to treat because the effects can be both mental and physical—from headaches, dizziness, and irritation, all the way to speech difficulties, visual impairment, loss of memory, and severe depression.

Every traumatic brain injury is different, which is why some veterans need more advanced care to rehabilitate and regain their full independence.

That is why Congress created the assisted living TBI pilot program in 2008. Under that program, veterans can access a full range of rehabilitation services in a residential setting, including physical therapy, speech therapy, occupational therapy, and other activities to prepare veterans to return home and live a productive life.

When I found out the program would be expiring and the VA was prepared to start kicking veterans out, I teamed up with Senator BOOKER to introduce legislation to extend authorization of this program for another 3 years.

At a time when the VA is facing a health care crisis and access to timely care, it would have been unacceptable to let this critical program expire, leaving veterans in Nevada without a comparable alternative to treating this serious injury.

I wish to thank the conference committee for listening to us when we expressed the urgency of extending this program so veterans could continue receiving residential rehabilitation. I am also pleased the conference committee provided a 3-year extension so veterans can have the certainty that this program will remain in place for the next few years.

I also wish to thank Representative CASSIDY from Louisiana for his work in pushing this issue in the House of Representatives, as well as the veterans service organizations that fought alongside of us for this extension. It is our responsibility in Congress to ensure veterans across this Nation receive timely and quality care from the Veterans' Administration. Senator BOOKER and I share this commitment.

I am pleased we were able to work together to get our legislation into the final compromise. As the Senate prepares to vote on final passage of this critical VA reform bill, I hope my colleagues recognize the importance of this compromise bill at a time when veterans are losing faith in the VA system and need certainty that Congress will be there to provide oversight, accountability, and legislative action to approve the care they receive from the Nation they sacrificed for and served.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNEMPLOYMENT INSURANCE BENEFITS

Mr. REED. Madam President, I come to the floor today to once again press for action on my bipartisan legislation to restore emergency unemployment benefits. Over 3.5 million Americans have lost benefits since the program expired last December. The need to help these individuals, their families, and the economy remains compelling to all of us.

In April, Senator HELLER and I were able to draft a bipartisan bill, and with the help of many of our colleagues, the Senate acted to restore these benefits. Unfortunately, the House Republican leadership has refused to take up the Senate-passed bill or consider their own proposal. While the President has occasionally talked a good game about the need to extend this aid to job seekers, it has never been made a ''must have'' by the administration. Indeed, it is hard to understand why an extension of these benefits was not included in the President's supplemental appropriations request.

So as we consider this supplemental appropriations bill this week, which includes critically important emergency funding measures, it is somewhat disheartening that extending unemployment insurance, another emergency need, has once again been ignored.

In the past 6 months, the national unemployment rate has dropped from 6.7 to 6.1 percent. The long-term unemployment rate has dropped just below 2 percent. It is great to see these positive strides in our economy. But I strongly disagree with those who would argue that these signs of improvement suggest that emergency benefits are no longer needed. Let me underscore a few reasons why emergency unemployment benefits are still necessary.

First, while the long-term unemployment rate has dropped from 2.3 percent in January to just under 2 percent in June, the current level is still significantly higher than at any other point when emergency benefits were allowed to expire. In June 2008, under President George W. Bush, when the long-term unemployment rate was just 1 percent, a supermajority of Members in both Chambers voted to create emergency unemployment insurance benefits for the long-term unemployed. That was at 1 percent.

Now we are about twice that. Today our long-term unemployment rate of about 2 percent means over 3 million Americans are out of work through no fault of their own, and have been searching for work for more than 6 months. These individuals are struggling. With each passing month, their financial situation becomes increasingly dire. They should not be held to a different standard than those who were searching for work in 2008.

Second, the long-term unemployed are still struggling mightily to find work. According to a recent report by economists at the Federal Reserve, when you look at the likelihood that someone will find a job in a given month, the rate for the long-term unemployed is roughly the same as it was at the height of the great recession several years ago. In fact, someone who is long-term unemployed is almost twice as likely to stop looking for work altogether and fall out of the labor force as they are to get a job.

These difficulties in finding work are persistent across educational levels and age groups, although they are much more pronounced among the African-American and Latino communities. So we are seeing people who are trying very hard to find work but they are facing the same obstacles they were facing at the height of the great recession.

Again, I think this underscores the need to help these people. Some have

argued that the improvement in the labor market is driven by Congress's failure to extend emergency benefits. According to this argument, taking away unemployment insurance benefits pushes people to step up their job search. I find this argument very difficult to accept when you face people back in my home State of Rhode Island who have been looking desperately, in a situation where there are usually three, four, five, six applicants, in some cases, for every job. They are looking and looking and looking. In Rhode Island, our unemployment rate is tied for the highest in the Nation. It is not the position we want to be in.

To suggest that these people are not desperately searching for work really sort of, I think, demeans them unnecessarily. We all know, because we go home. There are people who have been looking. They are skilled. They are talented. They have worked for 20 years. They want to work. Getting the $300 a week, perhaps, in benefits is nothing like the salary they commanded. It will not, in the long term, pay for their mortgage, pay for their children's education, pay for the necessities of life. They know that. They are in a desperate situation. This assistance helps a little bit.

Not only the contact we have with our constituents but recent research also demonstrates that this argument is flawed, that ''just cut off the benefits and everybody goes right back to work.''

We can use North Carolina to test the impact of cutting benefits, because that State took steps in July 2013 to terminate unemployment benefits for anyone who has been out of work for 20 weeks or more. If opponents of extending unemployment insurance are correct, North Carolina's policy change should have led to significantly sharp declines in its unemployment rate.

A recent article in the New York Times by Justin Wolfers, an economist with the University of Michigan and the Brookings Institution, explores evidence from North Carolina to assess this claim. According to his research, when North Carolina is compared with other Southern States that did not cut their programs, North Carolina's economic growth ''looks quite similar to its peers, and certainly not better.'' The levels of job growth in North Carolina are similar to neighboring States such as South Carolina that did not change their programs. Dr. Wolfers concludes that, ''There's simply no evidence . . . that cutting benefits cuts unemployment.''

Others have argued that cutting UI at the State level will save money and help the economy of the States. In response, eight States decreased the number of weeks an individual could receive State-level unemployment insurance benefits. However, a recent report from the Economic Policy Institute suggests these States did not save significant amounts of money or boost employment. This is further evidence that cutting UI benefits is simply not a good idea.

The refusal by House Republicans to renew unemployment insurance benefits does not just hurt individuals and families for each week they do not get this modest support. The effects are more far reaching, with research suggesting that the long-term unemployed will be hurt for decades to come.

According to research by a senior economist at the Federal Reserve Bank of Boston, ''workers unemployed for more than 26 weeks experience a much larger negative income effect and have lower earnings even after 10 or 15 years than those workers that experienced shorter-duration unemployment spells.''

Many are forced to rack up debt on their credit cards just to meet basic level needs.

A recent Gallup poll also shows that nearly 20 percent of individuals who were unemployed for 12 months have been treated for depression. This is a serious blow not just to your economic well-being but to your identity, to your sense of worth, to your sense of being able to help your family and provide for your family. These effects are long term and very serious

This rate of depression is twice as high as for those who have been unemployed for just a few weeks. So there is, apparently, a correlation.

The impact is far-reaching for individuals, their families, and the economy as a whole. It undercuts, again, the notion that there is no cost or that there is some benefit to cutting these benefits. There is a long-term cost.

One of the aspects too, is in order to qualify for these benefits, you have to be actively searching for work. Without these benefits, the incentive to look for work is, in some respects, diminished. Indeed, other phenomena take place: the lack of resources, the increasing desperation and depression.

Again, it is encouraging to see that there are signs of economic improvement. It is encouraging to see that some of the long-term unemployed have found jobs. We dipped below that 2-percent level.

But that does not mean we should turn our backs on those who are still looking. That does not mean we should treat them differently than we did people in 2008 in the same position in a difficult economy looking for work. Those of us who continue to fight for the long-term employed—I must also say that Senator HELLER in this effort has been a stalwart. We have heard lots of excuses and a lot of discussion, in my view, of flawed arguments about how we should abandon the program, and, more pointedly, abandon these people. I don't think we should.

What is certain in terms of analysis is the nonpartisan Congressional Budget Office estimates that our failing to renew this program last December will cost over the course of this year 200,000 jobs. And this emergency aid helps families make ends meet until they find work.

One of the great ironies here is that in refusing to extend these benefits, we basically shut down 200,000 jobs in this country. It is almost absurd. It is a catch-22: We are shutting the doors on the unemployed so we can get them to work, but yet the analysts will tell us that if we had extended benefits, we would have gained 200,000 jobs.

Why? Because these payments go right back into the economy. Someone who is unemployed is going to take that modest check, about $300, $350, and pay the phone bill so they can call about work, they are going to get the car repaired so they can get to the job interview, and they are going to do the things they have to do to help their children get through the day. They are not going to save it or buy French impressionist paintings. They are going to go right into the local economy and spend the money.

For many reasons this is why I think we have to do it. That is why Senator HELLER and I have filed an amendment to this emergency appropriations bill, on a bipartisan basis. The amendment will be the same as we have proposed previously, except for offsets, because for the second time offsets we have identified to pay for an extension of benefits have been used for another measure. I guess we must take some satisfaction that we have developed offsets for restoring emergency unemployment insurance and then another program grabs them and it gets passed here. But I would rather have the extension of benefits too.

So we are moving forward. I hope we can. I am committed to fighting for these American workers so they won't be left behind now and in the years to come.

Madam President, I encourage my colleagues to join us.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

BORDER SECURITY

Mr. VITTER. Madam President, I rise to talk about the crisis at our southern border and the need for unified action to deal with it and the need to come together on a commonsense enforcement approach that undoubtedly will need some additional resources, but also clearly demand some changes to the current law so we may quickly deal with the need to quickly deport folks illegally coming over our Mexican border back to their home country.

In the case of alien children, we need to get them out of the hands of criminal gangs and reunite them with their families in their home country. That is an obvious need in the eyes of the American people. I think a vast majority of Americans realize we need that

sort of approach which starts with much better enforcement of our southern border, and, yes, if people do get across, they need to quickly deal with their situation and quickly and effectively deport them. That is the approach we need. Sadly, that is not what the President has proposed, and that is not what HARRY REID is even allowing us to vote on on the Senate floor.

For a couple of weeks, at least, after this crisis hit the first page of the newspaper, President Obama constantly pointed to those parts of the law that he said tie his hands in terms of quickly and effectively deporting some of these individuals. He pointed to the 2008 changes of the law over and over and over again. The problem is that a couple of weeks after that—when he actually sent a proposal to Congress to deal with the crisis—any mention of that was gone. There was no suggestion of any change in the law in that regard or any other regard. The only request he made was for $3.7 billion—a huge amount of additional money. The great majority of that money is to feed, house, and relocate these illegal aliens, including unaccompanied alien children, within our own country.

The problem with that is it will encourage this flow of illegal immigrants into our country and this problem will continue to grow. It will not discourage it and it will not end it. We need that comprehensive approach—including necessary changes to the law and enforcement—to quickly deport these folks to their home countries and reunite them with their families.

In the absence of the President leading us in that regard, I came up with my own legislation. I introduced it in the Senate, and I have now introduced it as a floor amendment to the spending bill which Senator REID is bringing to the Senate floor. It would change the aspects of the law that we need to change in order to streamline the process and allow us to quickly deport individuals within 72 hours so they can be safely reunited with their families in their home country. That is the only thing that will stem this increased tide, this increasing flow, and this increasing problem.

There has also been a lot of debate about the resources that are necessary and the increased spending that is clearly necessary. But before we pass the President's proposal, we need to marry it with these enforcement measures and these changes to the law. We need to pay for that enforcement and deportation and not simply pay to feed and house these illegal aliens within our country. We need to actually relocate them to other places within our country with no foreseeable end in sight. We can't do that unless we get the right enforcement measures.

I also have suggestions on how we can help pay for whatever increased enforcement, border security, and quick deportation we need. I have two suggestions in particular. I have two specific bills which I introduced some time ago in the Senate. I introduced each of these bills this week as amendments to the spending bill that HARRY REID is bringing to the Senate floor.

One is S. 1176, which is a freestanding bill, but I also introduced it as a floor amendment. It is called the Remittance Status Verification Act of 2013. What is this about? This is about remittances by illegal aliens in this country and how they are sending money back to families and others in their home country.

The GAO—which is a respected nonpartisan organization—previously noted that the United States is the largest remittance-sending country in the world, with the majority of funds being sent to Latin America and the Caribbean and substantial amounts of money also being sent to Asia and Africa.

In the past 10 years the total number of international remittances has increased by 8 percent in 2013, and is expected to grow 10.1 percent in 2014 and 10.7 percent in 2015. It is reaching an astronomical number. In 2015, it will be over half a trillion dollars.

If folks are working in this country legally, that is fine. We don't want to hassle them or make any problems for them. But, clearly, a significant portion of the folks we are talking about are here illegally and working illegally. That is wrong, and we need the legislation I am proposing to fix that, with four important goals in mind.

First of all, we need to see if the folks who are sending these remittances are here illegally; second, we need to ensure U.S. taxpayer fairness; third, we need to address inaccurate U.S. data on remittances and collect all the facts; and, fourth, we need to make sure that illegal aliens who are receiving U.S. benefits are—we need to see if they are remitting higher amounts abroad.

My legislation would address all of these goals and would fundamentally get a handle on the situation and make sure that those who are not in this country legally pay a substantial fee, and that fee would be used on border security and other immigration enforcement. That could grow a significant amount of revenue specifically dedicated to border and other enforcement.

The second proposal I have is in the form of other freestanding legislation, which I also introduced this week as a Senate floor amendment for the supplemental appropriations bill. It is about child tax credits. This amendment addresses a clear loophole in the IRS code that allows illegal aliens to access income-tax-based benefits, such as the child tax credit and the additional child tax credit.

According to the Treasury Department's inspector general—again, this is not some partisan Republican source, it is the Obama administration's inspector general for Treasury. They issued a report recently that said $4.2 billion—with a B—is sent each year to folks who are probably here illegally and do not qualify under these programs. We send them a check, a refundable tax credit, and it costs the taxpayers $4.2 billion.

As the inspector general has said, there is a pretty simple way to fix this by requiring a valid Social Security number or other appropriate identification number. This approach is straightforward, it is simple, and it will fix the problem. It would cut down the $4.2 billion—with a B—worth of spending that we are sending improperly and illegally to largely illegal aliens and illegal alien families. We can use those resources, instead, on enforcement.

Those are simply two specific suggestions that I filed this week in the form of Senate floor amendments that could help raise the additional resources we need to address this issue.

Again, I want to emphasize that we need to do a number of things, and it is not all about throwing money at the situation, particularly when most of that money under President Obama's proposal is simply to house and feed these folks who are here illegally and then distribute them throughout the country for an indefinite period of time. Fundamentally, we need to marry that with real enforcement measures, including those addressed and listed in my bill. I hope we take that approach. I hope Senator REID allows that debate and allows those votes. Right now he is lying across the tracks. The only thing he is allowing a vote on is this spending measure which just gives the President a blank check. That will not solve the problem. That is not the correct response. We need to do all of the things, broadly speaking, I have laid out. I hope we do that and come together—as, in fact, the American people have—around my commonsense approach with a clear consensus.

I thank the Presiding Officer, relinquish the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HEALTH CARE

Mr. NELSON. Madam President, I wish to speak about health insurance. We notice that nationally and back in our States, the angst over the Affordable Care Act—often derisively referred to as ObamaCare—has subsided. In part, that has occurred because more people are being covered. As a matter of fact, in the first tranche of signups of people who did not have insurance, over 8 million people—which exceeded the goal of 7 million—by the time the cutoff came for signing earlier this year, over 8 million people had signed up. And that was just a narrow population of those who wanted insurance

but could not afford it. Then they had it available through the State exchanges or the Federal exchange in the States.

Another part of the population that did not have health care was people who were actually in a low-income situation; therefore, there was no chance they could afford it. That is why we expanded Medicaid in the Affordable Care Act to up to 138 percent of poverty, which is a very low level of income. I believe, if I remember correctly, for a family of four, it is somewhere around $32,499 of annual income. Well, we can imagine that with a family of four, people can't even think about having the money to provide health insurance with that kind of limited income, and that brings them up to 138 percent of poverty.

The only part of the Affordable Care Act, since it was declared by the Supreme Court as constitutional—the only part that was struck down as unconstitutional was the part of the law that was mandating upon the States to expand Medicaid, which is funded by a State and Federal joint program, up to 138 percent. So it made it voluntary. Well, half of the States have expanded it and about half of the States have refused, such as my State of Florida. The Republican Governor and the Republican legislature, not wanting to have anything to do with what they were condemning as ObamaCare, refused to expand Medicaid in Florida and thereby refused to give health care to a population, if my colleagues can believe this, of 1.2 million people in Florida—people who would have had health care but do not get it because the State legislature and the Governor refused to raise the level.

By the way, that was taking Floridians' Federal taxpayer dollars of 51 billion over the next several years that were allocated for that purpose and refusing to accept them for the health care of poor Floridians, over 1 million people. That seems unconscionable.

This stuff is so complicated. People don't realize that in large part that is, in fact, what happened over the course of the last two legislative sessions—that they could have expanded health care in Florida, and it is Floridians' tax dollars they are giving away instead of letting that apply to health care for Floridians.

Nationwide, if I recall correctly, it was somewhere around another 6.7 million people were brought on with the expansion of Medicaid even though States such as Florida were refusing to expand it, and that is in addition to getting health care to those who could afford it with subsidies or because of better rates could afford it in the first place. That was a group of another 8 million.

We can see we are starting to chip away at that group of people in the country who had no health care because they had no health insurance. Yet, when they got sick, where did they end up? They ended up in the emergency room. They couldn't pay. Of course, now it was an emergency because they had no preventive health care. And since they couldn't pay, who do my colleagues think pays? All the rest of us pay in our insurance premiums. It is estimated that in a State such as Florida, for the average family health insurance policy, people are paying upwards of $800 to $1,000 of their premiums per year just to take care of the group who ended up in the emergency room because they didn't have any health care. That is part of what the Affordable Care Act was intended to do.

Another part of the Affordable Care Act was to save Medicare from going into bankruptcy. Back in the early part of the last decade, we passed a nice-sounding law called the prescription drug bill. As its name suggests, it was to provide prescription drugs for senior citizens. Omitted in the explanation of it was that not only were people paying premium prices that the government had always gotten as a discount, but now the government was paying a premium price with no discount for all the drugs under Medicare. But a part of that was setting up Medicare being delivered by an insurance company with a fancy name called Medicare Advantage.

Always before, if we were going to deliver Medicare through a health maintenance organization—an HMO, which is an insurance company—one would expect it would bring the costs down per person. That is how it started out—about 95 percent of the per-person cost in Medicare, regular Medicare fee-for-service. But, no, in the prescription drug bill, this was turned upside down. Now they were going to offer Medicare through an HMO, but the reimbursement from Medicare was going to be 14 percent above Medicare fee-for-service per person, reimbursed to the insurance company at 114 percent of Medicare fee-for-service. As a result of that, Medicare was going broke.

That was another reason for the ACA—to stop Medicare from going broke by winnowing down that 14 percent and giving incentives to the insurance companies to do what ought to be the goal, which was quality of care instead of just paying a dollar percentage value per patient. Thus, we have the re-created Medicare Advantage, and it is being rated on its quality so that seniors can vote with their feet by going to the better rated insurance plans in Medicare Advantage.

Why am I retracing all of this? To get to this point: For this next round of Medicare Advantage, we are just getting to the point of having the insurance companies announce their rates. Some of them are going to go up. Some of them are going to go down.

But I want the people of Florida to know that 2 years ago in their State legislature they took away the legal power of the insurance commissioner of Florida to approve the rate hikes. They took that away. I happen to understand something about this. Before I came to the Senate, I was the elected insurance commissioner of Florida, and I jealously guarded the ability to approve rate increases and decreases in order to protect the insurance consumer. The Florida Legislature stripped that ability of the insurance commissioner—now appointed, not elected—in Florida. Therefore, if they see rate hikes for Medicare Advantage in this next round just about to be announced—they took the ability of the State regulator to limit the rate hikes. That sounds unconscionable. It certainly does. Every year insurance companies are going to try to raise their rates. It is the job of a State regulator to regulate what happens to those rates. So the Florida Legislature last year passed senate bill 1842, and one of the things it did is it stripped the Office of Insurance Regulation of one of its chief responsibilities—regulating health insurance rates. That is after Florida had had some of the strongest laws governing insurance, and that was the case when I was insurance commissioner 15 years ago, where I could not only approve rates but I could reject rate increases.

Well, we saw this at the time a year ago. I contacted the Governor and urged him to veto the bill, but, sadly, it is the law of Florida. Therefore, that is why I come to the floor today, because I am disappointed in the news reports that are starting to say that these rate increases in Florida are being blamed on the Affordable Care Act. They are being blamed on ObamaCare.

Well, the insurance commissioner used to have an opportunity to look at those rates and say they were not right and to stop those rate increases or to give a rate increase that was actuarially sound. Not any more. There were a lot of other things that had been done in our State of Florida to stop the implementation of the Affordable Care Act. First of all, our State refused to accept a planning grant in order to get ready for the Affordable Care Act before it was ever starting to be implemented.

I have already told you about refusing to expand Medicaid to cover more than an additional million people in Florida who otherwise would not get health care.

What was the purpose of the ACA other than trying to save Medicare—which it has done—financially from disaster? It was to help make insurance coverage available and affordable. There were provisions in there, technical terms like ''medical loss ratio,'' that said that an insurance company had to give 80 percent of the premium dollar back in health care instead of giving it off to CEOs' salaries and executive perks; and if they did not, what the insurance company had to do—if they did not get 80 percent of the premium dollar back in health care to the patient—they had to return that part in refunds.

I can tell you that, happily, that law is working. One million Floridians last

year received over $41 million in refunds. It was an average of $65 per family. Why? Because some insurance companies did not spend enough on medical care for their policyholders.

Another part that we had talked about was making private insurance—remember how they said this was going to be government health care—private insurance companies selling insurance. People could afford it because there were subsidies for families with income up to the level of 400 percent of poverty. Well, of the 1 million Floridians who enrolled—and remember, I gave you the figure that 8 million nationally enrolled. Of that 8 million, 1 million people needed and wanted insurance so much in our State alone that they enrolled, and 91 percent of them were able to receive a subsidy under the graduated subsidy level in order that they could purchase that private insurance. The folks who bought a plan using subsidies reduced their premiums through the subsidies by an average of 80 percent.

So what we had in health insurance before the Affordable Care Act was not—it was like the Wild West. Plans could deny you coverage. An insurance plan, if you had coverage and you were suddenly getting treatment, could cancel your coverage. They could also deny you coverage by saying you had a previous existing condition, and it could have been something as simple as a rash. You could not get health insurance. Now all of those things they cannot use as an excuse.

So what I see is the last throes of this resistance to the Affordable Care Act, and you are going to hear it again as insurance plans come out on Medicare Advantage and show that they are hiking their rates. Yet I want the people of Florida to know it was the State legislature that took away the ability of the Insurance Commissioner of Florida to regulate those rates.

Madam President, I would like to clarify my previous remarks. I was referring to the removal of the authority to regulate private insurance rates by the state insurance commissioner in SB 1842, not Medicare Advantage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Madam President, I ask unanimous consent to speak as in morning business.

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

DEBT

Mr. COBURN. Madam President, this is my 10th year in the Senate. Every time we come to a close of the session for a summer break or for a holiday break all of a sudden we start hearing all these unanimous consent requests—they come to the Senate. For those of you who are listening to this and to my colleagues, these are requests that bills be passed without a vote. I am fine with that, as long as they meet certain characteristics and considerations.

But what the American public does not know is that about 70 percent of the work the Senate does happens by unanimous consent, with no recorded vote on the back of any one Senator. Today is no different. I have heard of five or six requests for unanimous consent. They are fine with a couple of provisions. The first provision is they ought to be within the powers of Congress as enumerated by the Constitution in the enumerated powers. The tendency is: Oh, we have to do this; it has to happen now. For some of the things that is true, but the reason it has to happen now is because we had not done it before now because we failed to do it. We utilize the end of the session to force people to give on positions they would never give on otherwise because they do not want to take the heat for being responsible for stopping something from happening, even though it might not fit within the enumerated powers, it might not be under our constitutional authority.

But the most egregious of all of this is the fact that we are going to be asked today, probably 7 or 10 times, to pass pieces of legislation the very cost of which will fall on the backs of our children and our grandchildren—not us. With over $400 billion in waste per year in the Federal Government—waste, fraud, duplication—to ask us to spend $200 million here or $2 billion here or in the case of the veterans bill, $17 billion, of which $5 billion of it is actually paid for, without doing the hard work of not transferring more debt to our children is not acceptable to me.

So my rights as an individual Senator are going to be utilized today—until we go home—to make sure we do not transfer another penny, if I can stop it, onto the backs of our children. It would be different if we were efficient, if we did not have any waste, if we did not have any fraud, if we did not have any duplication. But you see, it is an excuse to not do the hard work we were sent to do.

So I am putting my colleagues on notice that if they want to pass any bill that is going to go by unanimous consent, they better find some waste somewhere to offset it with or I will object. I do not mind taking the heat, no matter what the issue. I have done it before, I will do it again. Our children and our grandchildren are worth any amount of heat that creates a future opportunity for them that is at least as equal to what we have had.

I wanted to say that before I start talking about the veterans bill. I voted for the veterans bill that went out of the Senate. My background as a physician and businessman—businessman first, a physician second, regrettably a politician third—but I voted for that because I thought in conference we would actually fix it. What is wrong with the VA? Leadership, a culture of corruption, a culture of not caring. That does not apply to all of the VA employees, it does not apply to all of the VA hospitals, but it certainly does apply to a number of them.

How did we get there? I would note for the record that VA spending is up 60 percent since 2009. Let's start in 2010, 2011, 2012, 2013, and 2014. It is up 60 percent. Patient demand is up only 17 percent in that same period of time. The number of providers has increased by 40 percent. So it surely cannot be a problem of money.

If we look at the increased utilization of those services over the next progressive 10 years, it will be less than 20 percent. We did some good things in the bill in the Senate, most of which are capped, but we did not do enough. If we are going to manage the VA, we have to give the head of that organization the ability to be able to manage it. Senior Executive Service, the Secretary of the VA is going to have that capability to hire and fire. For a very limited number of title 38 employees—those are hospital managers, physicians—for a very limited number, he will have that as well. But for where we have seen a lot of the problems, he will not be able to fire people who have directly harmed our veterans.

So we have not given him the tools to create the environment and the change that has to happen and a cultural change that has to happen in the veterans organization.

The other thing I would note is that if we look at the requirement for primary care physicians and physician extenders—nurse practitioners and PAs—their load is about one-fourth of the load of private practitioners in this country. That is not true clinic to clinic, but on average that is true. In Oklahoma we have some great physicians who work every night until 10:00 taking care of veterans. We have great caregivers in lots of instances. But we have a lot of stinkers, and on average we are not demanding of them what the private sector routinely does.

One of the good things in the bill is we are going to finally have VA hospitals and clinics reporting outcomes, just as every other hospital in this country has to report. If they take Medicare or Medicaid dollars, they have to report to CMS their outcomes—their readmissions, their death rates, their infection rates, their quality of care. They have to be reported.

Also, physicians have to be credentialed. Not true in the VA. So if they are not credentialed, the VA patient is going to know what their credentials are—if they have lost their medical license.

Those are positive aspects of this bill. What is not positive is the fact that we won't fix the real problem, and we are going to say we did and we are going to spend our grandkids' money

saying we did over a very short period of time, and we are still not going to hold the organization accountable.

It is unconscionable to me, after a 60-percent increase in funding over the last 4 years, that we would borrow against our children's future an additional $12 billion when we have all this waste throughout the Federal Government and in the VA and say that is the best Congress could do. I think that is an incrimination upon Congress, and it is a dereliction of our duty—to our Republic but also our future.

So I will be doing a couple things:

No. 1, I will be raising a point of order against this bill; and No. 2, I will be voting against it.

Let me say a little bit about why I am voting against it. Yesterday I talked to a Vietnam veteran who is 100 percent disabled and presented to the emergency room of a major VA hospital in this country with chest pain. This patient was observed for 2 hours. She had no acute changes on her EKG, but she had—as any doctor would know—unstable angina. Her pain never went away. She was sent home. In less than 48 hours she presented to an emergency room in her local community and an hour after that had three stents placed in her left coronary artery. She was ignored medically. That is happening today as we have had this discussion.

Another wonderful retired veteran in Oklahoma had to have a knee replaced. She was service-connected. She went to the VA and had her knee replaced. It was a failure. She had to have it done again. A couple years later her other knee needed to be replaced. They replaced her knee. It failed. As they replaced the second knee, as can happen, they fractured her femur. Today she has a replaced knee, and she walks with a terrible limp because her left leg is 1½ inches shorter than her right one. The likelihood of that happening to one individual is about 1 in 10 billion, but the outcomes never get reported. A femur can break while doing a knee prosthesis, there is no question about it. But five major surgeries? That means outcomes don't compare.

When this VA episode started soaking in, as a physician I went to the medical literature and looked at all the studies that have been published on VA care. I did a LexisNexis. I looked at them all. What did they show? VA care is better than anyplace in America. That is what the studies show. Except when we drill down on it, what we find is the way they were cheating on appointments is the way they were cheating on outcomes. In other words, the outcomes weren't accurate. So the culture is one of looking good, protecting those within the VA, and not protecting our veterans. Again, I would say that does not apply to all VA employees. The vast majority of them are great. But the leadership has stunk. We have to have a bill that fixes that. I don't believe this is going to do it.

I also wish to talk about whistleblowers because I have had a multitude of whistleblowers whose complaints I have investigated and found to be truthful. The culture at the VA against whistleblowers has been a channel in the past from whistleblowers back to management. And what happens to them? They get fired. They get demoted. They get harassed. They end up ultimately leaving. These are the people who care, who want to make it better.

There is a big job ahead of Secretary McDonald. He has the capability and he has the experience to fix this but only if we give him the tools. My fear is that we will not give him the tools with this bill.

The final point I would make, and I think we all ought to think about it—every American ought to think about it. Remember, we are an All-Volunteer Army right now. If somebody has served this country in combat, putting their life on the line to protect us, to protect our way of life, to protect the very freedoms we cherish, should that same individual ever be at the back of the line on anything related to health care that is associated with their service? They should be in the front. They should be ahead of every Senator, every President, every doctor. They should get the first care, not the last. They should get the best care, not the worst. That is how it ought to be. It is the veterans VA system, not ours. It is for them. And when they no longer are the object of service by this country, for them, for their sacrifice, then we are in a whole lot more trouble than any of us realize. We have turned things upside down. Union representation at the VA is more important than the VA patient. Benefits for VA managers are more important than the VA patient.

The one critical thing that really needs to happen to clean up the VA is to give veterans the absolute choice to go wherever they want, their freedom to choose whatever care they want based on what they have done for us. By doing that, the VA will either have to become competitive and just as good or they should die. We have not done that in this bill. We need to do that in this bill.

We have centers of excellence in the VA that beat all the private industry, all the private health care. When it comes to prosthetics, when it comes to closed-head injuries, when it comes to traumatic brain injury, when it comes to post-traumatic stress disorder and depression, we are great. The VA is great, but in too many areas it is not. Tell me this bill will change all that, and I will vote for it even if it does sacrifice our children. But it won't.

I won't be here when the results are assessed, but I can predict what they will be—more of the same, too much money and not enough leadership.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to speak as if in morning business.

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

AFFORDABLE CARE ACT

Mr. MURPHY. Madam President, before I speak on the topic of Affordable Care Act, reports are emerging that the House of Representatives is going to adjourn without taking any votes on a border supplemental that would allow this country to humanely deal with a crisis of epidemic proportions on our border as over 50,000 children right now are being warehoused, shoulder to shoulder, without any sign from the Congress of help coming.

There are legitimate differences in what manner we provide this emergency funding to try to deal with this humanitarian crisis, but shame on the House of Representatives as they leave town today without even having attempted to take a vote on a supplemental appropriations bill for the border.

I was in the chair yesterday as I listened to about three or four of our Republican colleagues come down to the floor, as they often do, and register their ongoing complaints about the Affordable Care Act. As has been the trendline over the past 4 months, those complaints have moved from those rooted in data to those rooted in anecdote.

There is no doubt that there are people in every single State in this country who continue to have poor interactions with the American health care system. It is one-sixth of our economy, and as was the case before the Affordable Care Act, it will be the case after the Affordable Care Act. There are many people who will still pay too much, and there are still plenty of people who will not get enough in return.

But I wanted to spend a little bit of time on the floor today talking about what the actual data shows us, what the empirical evidence shows us. It is overwhelming in its conclusion that the Affordable Care Act is working—in many respects working better than anybody thought it would. So I want to take my colleague's arguments one at a time.

The first is a pretty simple one. Every bad interaction that happens in the American health care system is not the fault of the Affordable Care Act. I woke up a couple of days ago with a sore throat, but that wasn't President Obama's fault. That wasn't the fault of the Affordable Care Act. I had kind of a rough day. But I understand there are bad things that are going to continue to happen to me—especially when it comes to health care—that cannot necessarily be fixed by the Affordable Care Act. So one of the ongoing statistics that is used is the number of people who had their plans canceled. Well, most of the nonpartisan medical journals that have surveyed the number of cancellations before the Affordable

Care Act and the number of cancellations after the Affordable Care Act suggest this has been a problem that has been ongoing for years, that there is substantial churn every single year in terms of the number of plans that were offered that then are stopped being offered. The Affordable Care Act is not solely responsible for the fact that plans are being cancelled. People will still pay a lot in premiums. The Affordable Care Act makes it better. There are a lot fewer premium increases of over 10 percent since the Affordable Care Act was passed than before it was passed. But every time somebody is paying more than they would like for the health care they receive, that is not the fault of the Affordable Care Act.

The second argument is the difference between data and anecdote. So let me just spend a few minutes talking about what the ongoing avalanche of information, of data, of statistics tells us. So many of my colleagues come down and talk about the huge rates that people are paying for health care and blame it on the Affordable Care Act. The average premium that individuals paid for a plan on one of the Affordable Care Act exchanges over the course of the first year of its implementation was $82 per month—$82 per month. Now, there are some people who are paying more, but the average is $82 a month. That is a pretty sweet deal to get health care coverage in this country.

And they needed it. A study showed that 60 percent of adults with new coverage used it and 60 percent of those individuals say they could never have afforded to get the care had they not had insurance in the first place.

And people like it. Consumer survey after consumer survey shows that the majority of people who are on these new plans want to keep them and have said their experience has been good, excellent or satisfactory. So that is the real story about what is happening on the exchanges.

What about cost? My colleagues say it really hasn't done anything to control costs. That is not the case. Health care inflation in this country is at a 50-year low. Medicare spending—that is the money that we all pay as federal taxpayers—is $1,000 per beneficiary lower than it was projected to be in 2014. So $1,000 in spending per individual has disappeared from the system, and a large part of the reason for that is the Affordable Care Act.

We had a bipartisan briefing sponsored by the Commonwealth Fund this week, and both the Republican economists and the Democratic economists believe the Affordable Care Act, though not solely responsible for that reduction in price, is a big, big part of that cost-reduction story.

People will say it is not coming through on premiums; we are still seeing premium increases that are bigger than we would like. Well, they are smaller than they were before the Affordable Care Act, but the Affordable Care Act also has this provision in it that requires insurance companies to spend a certain percentage of all the money they collect on care, and if they pad their profits with too much of your premiums, then they have to return that money to you. We just found out that consumers have already saved $330 million in money that was directly returned to them, and over all have saved $9 billion in savings on premiums because of this provision, which essentially says if you get charged too much, the insurance company now cannot keep that money for themselves. They have to return it to you. That is the best protection you can have from premiums that are too high. It is not theoretical; it is practical—the $330 million in checks written by insurance companies and given to individuals.

The data continues to show us the Affordable Care Act is working, and I haven't even gotten into the data I have brought down here week after week, which is stunning in terms of the number of people who now have insurance: 8 million people insured on the exchanges—a 25-percent reduction in the number of uninsured in this country. Even the most optimistic of ACA supporters could never have thought we would have a 25-percent reduction in the number of uninsured in this country in the first 6 months of implementation. The numbers don't lie.

But here is my last point: Senators and Members of Congress who come down and complain about the performance of the Affordable Care Act in their State, when their State has done everything in its power to undermine the Affordable Care Act, have some explaining to do. The reality is there are States such as Connecticut that are working hard to implement the Affordable Care Act, and there are other States that are working to undermine the Affordable Care Act. The Affordable Care Act works really well in States that want it to work, and it has a little bit more trouble in States that are trying to undermine it. Let me give you an example that comes from a speech given earlier on the floor by Senator NELSON. Senator NELSON talked about how Florida, through its Republican Governor and Republican legislature, has taken away from the insurance commissioner the ability to approve increases in insurance rates. And so, guess what. They are seeing premium increases that are rather unappetizing to Florida residents because the legislature has taken away from the government the ability to monitor, review, and approve those rates.

Compare that with the State of Connecticut, which is working hard to implement the Affordable Care Act and act on behalf of rate payers and consumers. Our biggest insurer a couple of months ago proposed a 12-percent increase in rates under the Affordable Care Act in Connecticut's exchange. We have the ability to review those rates in Connecticut. We did that, and the insurance commission in our State just 2 days ago came back and reduced that rate increase from 12 percent to 1 percent. Blue Cross Blue Shield is not going to stop offering insurance on the Connecticut exchange. They are just going to do it with a rate increase that is commensurate with the actual increase in costs of care to Anthem rather than a number that is not based on actual data.

So in a State such as Connecticut, where we have seen twice as many people enroll as we originally estimated, where we have seen Medicaid expansion provide access to insurance for thousands upon thousands of Connecticut residents who have insurance in a way that people in Florida do not because of their lack of Medicaid expansion, we also have taken steps to protect consumers from premium increases.

So for colleagues who are going to complain about high premium increases, you have to acknowledge there are steps that your State could have taken to make it better. For colleagues who are going to talk about the fact that there aren't enough people enrolled, well, then your State could have taken steps to enroll more people.

Not everything is the fault of the Affordable Care Act when things go wrong for families. The data does not back up the anecdotes that are brought to this floor. In States that are working to implement the law, it works a lot better than in States that are working to undermine it.

The story is clear. Whether it is a decrease in people that don't have insurance, the decreasing rate of medical inflation all across the country or the improving quality of health care in every corner of this Nation, the Affordable Care Act is working.

I yield back the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I see two of my colleagues who are here, and I want to ask unanimous consent that Senator BARRASSO be given 10 minutes, then Senator SESSIONS be given 3 minutes, and then the remainder of the time be turned over to me.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Did the Chair rule?

Mr. MURPHY. Reserving the right to object——

Mr. HATCH. Madam President——

Mr. MURPHY. Madam President, I would ask that the Senator modify his request to allow Senator BENNET to alternate with one of the Republican speakers in this series of remarks.

Mr. HATCH. I was supposed to speak here at 2:15 p.m.

Mr. MURPHY. Madam President, I will withdraw my request for modification.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Madam President, I have come to the floor to discuss some

of the issues related to the health care law and the side effects of the health care law. I see my friend and colleague from the State of Connecticut—a place where I spent 5 years as part of my residency program training—has just spoken on this issue. So I followed the developments in that State quite a bit and talked to many of the physicians who practice there on a regular basis, some of whom I have studied with for up to 5 years. So they have routinely sent me articles about the failure of the President's health care law in Connecticut—because remember, the President said, actually, that the costs would go down, not go up under the President's health care law. I think he said $2,500 per family per year. NANCY PELOSI on ''Meet The Press'' said costs would go down for everyone—down for everyone. She didn't say they would go up a little. She didn't say they would go up at all. She said they would go down for everyone, and this was in the last 2 years.

I come to the floor noting that just the other day in Hartford, CT, the headline story said that one of the insurance companies was seeking a 12½-percent rate increase. The Norwich Bulletin says: ''Anthem seeks 12.5 percent rate increase.''

I heard my colleague from Connecticut say the insurance commissioner wouldn't allow it to go up that much but did allow it to go up and said it was going up; is that what my colleague just said on the floor? Perhaps not as much as this, but certainly the President said they were going to go down by $2,500 a family. NANCY PELOSI, the Speaker of the House, said they were going to go down for everyone. And in Connecticut people who believed the President, people who believed the Speaker of the House, NANCY PELOSI, realized they weren't told the truth. Rates even after this 12.5-percent request was reviewed and lessened—the rates still went up.

So I look at these headlines.

Another story out in the Daily Caller: ''Obamacare Update: Now EVEN MORE States Report Double-Digit Premium Hikes.'' They talk about Vermont and they talk about Arizona, States where premiums are going up over 10 percent.

I looked at the story in Politico last month: Connecticut exchange reports breach—breach of security of individual people, hundreds of names left on the sidewalk, with Social Security numbers, with addresses, with information about them.

A story coming out of the Connecticut Mirror: ''CT's Latinos face hurdles in enrolling in ObamaCare.'' It says: ''No group of people in Connecticut is more likely to be uninsured than the state's Latinos, and ObamaCare won't change that.''

I just heard from my colleague that it is working. Not according to the press in his home State.

July 1, 2014, the Connecticut Mirror:

Federal auditors question Access Health CT's internal controls.

Federal auditors reported Tuesday—

These are not individual stories of one person or another, because we know all across Connecticut there have been families who have been dropped, people who have had problems, individuals who are being hurt.

''Access Health CT says it will start calling thousands of customers Friday''—this was earlier this month—''. . . 5,784 customers were identified as having incorrect tax credits'' under this program that my colleague says is working in his home State.

It says: ''About 3,900 customers,'' in the State of Connecticut ''were told that they qualified for government-funded Medicaid coverage when, in fact, they did not.''

It says: ''An unknown number of customers got a bill from their insurance company that was more than they expected . . . ''

'' . . . 903 customers were dropped by their insurer.''

These are the facts.

So I hear that the Federal auditors are questioning Connecticut's internal controls, and then look at the many stories about doctors who are saying no to ObamaCare: ''Report: Connecticut is Less Competitive After Federal Health Care Reform'' in the Hartford Courant.

It just reminds me there are so many side effects of this health care law all across the country—stories from every State. Premiums are going up, people are having to pay more in copays, people are having to pay more in terms of their deductibles, and people continue to be offended that they were not told the truth.

The rates continue to go up. The President said they would go down. NANCY PELOSI said they would go down for everyone. That is not the case. And I think what I am hearing also is——

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President——

Mr. BARRASSO. People believe that Washington is in control.

Mr. MURPHY. Would the Senator yield for a question?

Mr. BARRASSO. The Senator will yield for a question.

The PRESIDING OFFICER. Would the Senator yield for a question?

Mr. BARRASSO. Yes.

Mr. MURPHY. I thank the Senator.

I appreciate the amount of time the Senator has taken to educate my colleagues on Connecticut's success in adding 200,000 people to the rolls of the insured. But the chart the Senator just had up next to him for the majority of his remarks about Anthem's request to increase rates in Connecticut by 12 percent is, frankly, the best advertisement you can make for the Affordable Care Act because under the Affordable Care Act, States are given the ability to review these rate increases and modify them. Connecticut has taken advantage of that, and had you read the papers from 2 days ago, rather than taking the headline from several months ago, you would have seen that the Connecticut insurance commission rejected the 12-percent increase and actually approved a 1-percent increase.

Regardless of someone's claim that insurance premiums were going to go down, my constituents in Connecticut will be very welcome to take a 1-percent increase in premiums. Should you repeal the Affordable Care Act—parts or all of it—you would remove from many State the ability to offer these plans in the first place or to be able to monitor them. So I appreciate the Senator putting a month's old headline on the floor of the Senate, but yesterday's headline actually tells us that because of the Affordable Care Act rates under the exchange for the people in Connecticut will be at historic lows in terms of premium increases. Given the fact the Senator is putting up news about the State of Connecticut, I want to make sure that he is putting up the latest and most accurate news about our State.

Mr. BARRASSO. Madam President, I didn't hear a question posed in that, but I concur. And I mentioned in my remarks, as the Senator from Connecticut has said, that the rates were not allowed to go up to the double-digit request, although I also mentioned they are going up by double-digits in many other States. Yet the President of the United States said the rates would go down by $2,500 per family per year. Speaker of the House NANCY PELOSI—who was Speaker when the Member from Connecticut was a Member of the House and voted for the health care law—said on ''Meet the Press'' that they would go down for everyone, and that is not the case. The case is, as I have continued to say on the floor of this body, rates are going up across the country even though the President promised something else. What people are seeing is higher premium rates, higher deductibles, higher copays, and loss of doctors. They feel Washington is taking control over their lives. We are also seeing lower paychecks in Connecticut as people try to comply with the 30-hour workweek requirements, which are causing school districts to have to choose whether to hire reading teachers as a result of the mandates of the health care law.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I understand there will be 3 minutes for the Senator from Alabama and then I will be able to deliver my full remarks.

The PRESIDING OFFICER. The Senator is correct.

The Senator from Alabama.

VETERANS HEALTH CARE

Mr. SESSIONS. Madam President, I just want to say how much I appreciate the work by all the Members who worked on the veterans bill. We had some difficulties of a very serious nature, and all of us wanted to fix that. I was not able to support the bill that came out of the Senate.

We learned minutes before the vote that the average cost in the out years would be $50 billion a year if the program was funded, and there was no money to pay for that. It would really just be adding to the debt. It was sort of avoided by saying it would be a 3-year bill, but once you start these kinds of motions rolling, they never seem to end, and in the end we would be faced with a difficult situation financially.

The conference committee went to work, and I salute all the people who worked on this legislation. It has some good policy issues in it. Senator TOM COBURN, who spoke earlier, was engaged in that conference. He is a doctor. He understands these matters, he cares about them, and he was actively engaged, as we all know. In TOM COBURN we have one of the Senate's finest, most committed Senators. He loves this country. Every day he tries to save us money and make us more productive. There is nobody here who works harder or is more effective in addressing that issue than he is, and he says we need to do better. He is not able to support the conference report because it will add at least $10 billion to the debt in 3 years. I will acknowledge that it is better than before. As a result, he will raise a point of order against it, and I have to say I will support that.

Our doctors there do not carry the kinds of patient caseloads private doctors do.

While we have some policy changes that are good, more are needed. We are going to have a new Administrator, and I am very impressed with him. He is a military academy graduate from West Point, spent 5 years in the military, and was a Procter & Gamble CEO. He has bipartisan support in the Senate. A lot of confidence and a lot of hope is being placed in him.

I think the better action for us today is to not try to establish big policy changes that continue indefinitely at great expense. The better choice for us today is to wait a bit, see how effective this new leader is, and see how much he can save without reducing benefits. Maybe we can get some ideas from this top-flight, world-class businessman, who can help us develop policies that serve our veterans. We have an absolute commitment to serve our veterans and fulfill our responsibilities.

I will support the budget point of order, but if it were to be sustained—and it probably will not be sustained because people want to go forward and do this—I am confident we would be able to work with the new Administrator and develop an even better plan for securing the benefits which our veterans have earned and to which they are entitled.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

STANDING STRONG

Mr. HATCH. Madam President, in recent days I have twice spoken here on the floor—not about a particular issue, bill, or nomination pending before the Senate, but about the Senate itself.

While issues, bills, nominations, and even partisan majorities come and go, the Senate as an institution must remain—and remain not only in some tattered form, some distorted shadow of its former self, but, rather, the Senate must remain as it was designed to be. The political winds may blow, but the institution must stand strong.

Unfortunately, in my 38 years of service in this body I have never seen it weaker than it is today. There once was a consensus here not only about the need to keep this institution strong but also about how to do it. That consensus evolved from how the Framers designed this body so that it could play its unique role in the system of government they inspirationally crafted.

James Madison, for example, remarked at the 1787 Constitutional Convention that the Senate's proceedings could have more coolness, more system, and more wisdom than the House of Representatives. He was not talking about coolness in the way our teenagers talk about it today. The House is designed for more or less direct expression of the popular will and operates by simple majority. By contrast, the Senate is designed for deliberation. For more than two centuries it has operated by a supermajority and even unanimous consent. This fundamental difference between the House and the Senate is by express design and not historical accident. It is the conjunction of the two that makes the legislative branch work in the manner the Framers intended. This basic principle of bicameralism is above politics and above party.

This longstanding consensus about the importance of the Senate's unique design and how it must operate to fulfill its constitutional role has all but fallen apart over the last few years. I began addressing this problem in earnest last week and will continue to do so in the weeks ahead and, I might add, in the months to come, urging my colleagues to heed history's wisdom and change course.

I am not alone in this endeavor. My friend the senior Senator from Tennessee has also spoken with great passion on this issue and developed a thoughtful assessment of the Senate's institutional decay. Two longtime colleagues in this body—one Democrat and one Republican—offered similar critiques when leaving the Senate in the last few years.

For 30 years I served in this body with my friend from Connecticut, Senator Christopher Dodd. In his final speech on the Senate floor on November 30, 2010, he observed that the Senate was established as a place where every Member's voice could be heard and where a deliberation and even dissent would be valued and respected. Senator Dodd explained that ''our Founders were concerned not only with what was legislated, but, just as importantly, with how we legislated.'' He urged Senators to resist the temptation to abandon the Senate's longstanding traditions to make it ''more like the House of Representatives, where the majority can essentially bend the minority to its will.''

Two years later Senator Olympia Snowe concluded her three terms in the Senate representing the State of Maine in this body with a reflection on the state of the Senate. She observed that a commitment to the rights of the minority helped ensure that the Senate would be a body where all voices are heard. Senator Snowe concluded, however, that ''the Senate is not living up to what the Founding Fathers envisioned,'' in large part by ignoring the minority's rights.

Senator Dodd concluded his Senate service in the majority while Senator Snowe concluded hers in the minority, but their assessment was the same—a leading Democrat and a leading Republican. That is what a consensus looks like. They shared an understanding of the unique role the Senate was designed to play in our system of government, and they knew from experience that the Senate is not operating by that design today.

Diagnosing our current institutional ills and prescribing a path back to health must begin by recognizing the primacy of the Senate's purpose, design, and place in our system of government. Without the anchor of these principles, which have throughout the Senate's history been shared throughout this body, across all partisan and ideological lines, the gamesmanship of politics and the quest for power will decimate our deliberate contribution to the legislative process. Unfortunately, that is exactly what is happening today.

In my previous remarks, I noted that many of the sage students of the Senate—from Vice President Adlai Stevenson in the 19th century to Robert C. Byrd of West Virginia in our time—all identified the same two features as critical to the Senate's proper functioning: the right of amendment and the right to debate. It is not difficult to see how they serve the critical function of setting the Senate apart from the House. These rights temper majority rule. They emphasize individuals over parties and factions. They ensure that all voices can be heard. They encourage deliberation and, yes, even beneficial compromise. These rights secure a substantive role for all Senators—even those in the minority—in how the Senate legislates, a feature that does not exist in how the House operates.

During my service throughout the past four decades, the Senate has often lived up to these ideals. For example, I worked with the junior Senator from Iowa on the Americans with Disabilities Act, which the Senate in 1989 passed by a vote of 76 to 8. At that time Democrats held 55 Senate seats, just as they do today. This body addressed

amendments on the floor offered by both Democrats and Republicans on issues ranging from tax credits for small businesses to accessibility of buses. On a single day in September of 1989, the Senate adopted nearly twice as many minority amendments to this single bill than the Senate today has adopted in more than a year.

Today the majority leader uses his right to priority recognition to eliminate virtually all opportunities for amendments unless he agrees to them, and even then he generally stops amendments. He has used this procedural maneuver—called filling the amendment tree—more than twice as often as the previous six majority leaders combined.

There is a time when you can fill the amendment tree, and that is after there has been a full and fair debate on all the reasonable amendments Members have brought to the floor and it is when a reasonable time has been given to a bill and there have been a number of votes.

Yet, when he was in the minority, even he condemned this tactic as ''a very bad practice.'' He explained that ''it runs against the basic nature of the Senate.'' He was right then, but he is wrong now. Perhaps the majority leader has reconsidered what he believes to be the basic nature of the Senate. Perhaps he now believes that denying the minority's right to offer amendments is a very good rather than a very bad practice. If he does, then I think he, of all people, owes the Senate an explanation. I don't think he believes that; otherwise, such an about-face is nothing more than a desire to rig the rules so he can win all the games, and in the process he is destroying the Senate itself. When I say games, I don't really mean games. It is so he can win all the votes. He can put the Senate on any motion he wants to without any real rights for the minority, and in the process he is destroying the Senate itself, destroying the institutional characteristics the Founders thought critical to our government's design, and destroying precisely those practices and traditions that have enabled the Senate to serve the common good throughout our Nation's history.

The other defining feature of this body—the right to unlimited debate—is also under attack. By empowering the minority, that right has always annoyed the majority whether we have been in the minority or whether we have been in the majority and vice versa. But a little history can provide a lot of perspective for us today.

For more than a century, ending debate on anything required unanimous consent. A single Senator could prevent a final vote on a matter by preventing an end to debate. The Senate adopted a rule in 1917 that lowered the threshold to two-thirds. Not until 1975 was the threshold lowered to three-fifths, where it stands today.

It is easier to end debate today than ever before in the Senate's history, but that is not enough for the current majority. Urged on by many of the 34 Senators who have not yet ever served in the minority, the majority apparently does not want any obstacle whatsoever to stand in its way—not even full and fair debate.

Last November the majority leader used a parliamentary maneuver to lower the threshold for any debate on most nominations from a supermajority to a simple majority. It took him only a few short minutes to end more than 200 years of Senate practice and effectively eliminate the minority's role in the confirmation process.

As I have detailed here on the Senate floor and in print, the minority leader's reasons for this revolution amounted to filibuster fraud. At the time he invoked the so-called nuclear option, the Senate had confirmed 98 percent of President Obama's nominations, and filibusters, of course, were on the decline. But 98 percent was not good enough for the majority.

I noted the current majority leader's about-face regarding the right to offer amendments. He defended that right when in the minority and actively suppressed it when in the majority. Similarly, when he was in the minority, he voted more than two dozen times for filibusters of Republican judicial nominees. The Democrats were the ones who started that. Then, last November, once in the majority, he abolished the right to debate nominations.

While the majority leader effectively neutralized the Senate cloture rule to stop the minority from debating nominations, he has also used that rule to stop the minority from debating legislation. He again uses his right of priority recognition to bring up a bill and, at the very same time, file a motion to end debate. But it makes no sense to speak of ending debate—ending what he wrongly characterizes as a Republican filibuster—when such debate had no chance to begin with. The majority leader uses this cloture rule not to end debate but to prevent it altogether.

Just like the practice of filling the amendment tree, the majority leader is using his position to prevent debate far more often than any of his predecessors. Unlike the current majority leader, most Senators on the other side of the aisle have never served in the minority. Most Senators in both parties—56, to be exact—have served here only under the current leadership. Unfortunately, this means that most Senators serving today have only witnessed leadership that prefers power to principle and is rapidly dismantling the longstanding practices and traditions of an institution that took centuries to build. The only leadership that most Senators serving today have experienced uses parliamentary maneuvers to deny senatorial rights so that the partisan ends justify the procedural means.

The current Senate leadership is wrong. The road we are on today leads only to one destination. Just as maintaining the integrity and foundation of the Senate's design and operation is essential to its proper role in our system of government, attacking that integrity and dismantling that foundation can only destroy that proper role. Since the Senate's proper role is essential for protecting the liberties of the American people, destroying those longstanding practices and traditions puts our liberties at risk.

The minority leader spoke here in January about the state of the Senate and noted that what many call partisanship today is nothing new. But what I have been addressing in recent days is not the result of that ideological competition but how that competition is conducted.

At the beginning of my first term, there were only 38 Republican Senators—not even enough to end debate under Senate rules. Democrats have not been in such a small minority in nearly 60 years.

According to the Brookings Institution and American Enterprise Institute, 42 percent of all rollcall votes during my first 2 years here were so-called party unity votes, in which a majority of each party sticks together and votes in opposite ways. That means a majority of votes involve Senators reaching across the aisle.

In the last several years under the current leadership, however, even though the margin between the parties is narrower, the percentage of such party unity votes has risen to 62 percent. This trend of retreating to partisan corners is yet another indication that this body is becoming like the House and, therefore, abandoning the tradition of unlimited debate and amendment at the core of the Senate's identity.

The way Senator Snowe described it, the great challenge is to create and maintain a system ''that gives our elected officials reasons to look past their differences and find common ground if their initial party positions fail to garner sufficient support.'' The Senate's design provided those reasons and those incentives, and undermining that design destroys them.

Building is much harder and takes much longer than destroying. The current leadership's recklessness in choosing power over principle is dismantling what took centuries to establish.

That does not, however, mean it cannot be changed. Senator Dodd suggested a formula for a better course when he distinguished what we legislate from how we legislate. Restoring the Senate as the world's greatest deliberative body requires recommitting ourselves to the principles of how we legislate so that we can properly discuss and debate what we should legislate.

We must first restore the longstanding consensus about the rules, procedures, and traditions governing how the Senate is run. Only on that firm footing can we discuss, deliberate, and legislate in a constructive manner.

In addition to restoring many of this body's fundamental rights for amendment and debate, the minority leader spoke in January about restoring a vigorous and meaningful committee process. These elements of our legislative process are related and they are complementary.

Increasingly, bills are drafted in the leader's office and taken directly to the full Senate for consideration where the majority leader will immediately fill the amendment tree and file a motion to end debate. In my 38 years in this body, I have never seen a consolidation of so much power in so few hands.

America's Founders were right in the principles of government they laid out and in the institutional design they built on those principles. But they did so at the beginning of this journey, creating the blueprint before anything had been built. I fear that returning to the right path may be even harder than embarking on it.

The majority today has engaged in a hostile takeover of the Senate for one simple reason: aggrandizing power. But remember the axiom that power tends to corrupt. It makes principle harder to see, fainter to hear, and tougher to grasp, and it makes principle very difficult to restore. Restoration will require believing in something greater than power, something more important than the bill or nomination on the calendar, something more significant than the latest polling numbers. It will require holding fast to a system that can provide power today but take that power away tomorrow.

Winston Churchill famously said, ''Democracy is the worst form of government except for those other forms that have been tried from time to time.'' There is certainly wisdom in that, but consider when Churchill said it. He was speaking on the floor of the British House of Commons on November 11, 1947, 2 years after his party lost half its seats in Parliament and the Labor Party led its first majority government. Churchill expressed his faith in the very form of government that had turned his party into a small minority.

We continue on the path the current Senate leadership has charted at our peril, not just the peril of this institution but the peril of our system of government and the liberties it makes possible for the American people. This may sound like a grand statement, but remember what Senator Byrd repeatedly told us—remember what he said: ''So long as the Senate's defining features such as the rights of amendments and debate remain intact, the liberties of the people are secure.''

There is perhaps no greater statement of principle regarding this Nation than our Declaration of Independence, which asserts that the government exists to secure the inalienable rights of the people. That is why we are here, and that should be our reason to change course—not simply partisan advantage or ideological superiority but liberty. The liberty we enjoy in America did not occur by chance. It will not survive by neglect, and it cannot thrive by preferring power over principle.

My staff and I recently visited the National Archives and saw the words engraved beneath in one of the statues at the entrance: ''Eternal vigilance is the price of liberty.''

I hope we can turn this around. I hope the leadership of the majority will wake up and realize that some day they may be in the minority. I don't know when, but some day they will be. If they were treated as we are being treated, I can just hear the fulminations up and down in the Senate. All I can say is that these principles are more important than either party. They are more important than either party, and whether Democrats or Republicans like them or not, the fact is, this is the greatest deliberative body in the world that is no longer the greatest deliberative body in the world, and that is because of what is going on. I hope we can end that and begin anew.

I think everybody enjoyed the debate over the highway bill. For once, we were able to have at least four amendments—on both sides, by the way. And I have to say it was kind of a thrill to vote again on amendments. It was kind of a thrill to pass a piece of legislation the right way. Whether a person likes or doesn't like the legislation, it was thrilling to be here. I would like to see more of that happening so that everybody here will feel that not only are they a part of the Senate but they are helping to keep the Senate the vibrant place it always has been up until now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise today to support S. 2648, the Emergency Supplemental Appropriations Act.

I recently led a congressional delegation to McAllen, TX, and to Lackland Air Force Base to see firsthand what the administration was doing to handle this border crisis. It was clear to me that the hard-working men and women on the front lines of this crisis are doing the best they can under very difficult circumstances.

We should pass this important bill to provide the necessary resources to fairly address this humanitarian crisis. We should provide Customs and Border Protection the resources they need to pay their agents overtime when needed, and to provide the necessary food, water, and medical supplies to these children.

My colleagues and I saw children in these CBP facilities as young as 7. We learned that many of these children arrive severely malnourished and dehydrated. They are clearly desperate. They are not traveling here simply because they want to. They are fleeing mortal danger at the hands of violent drug gangs. These gangs have rendered their home countries some of the most dangerous places in the world to live. We should be working together to make sure these children are given proper care in our facilities and that our CBP agents have the support they need.

It was also clear to me that these CBP facilities, meant to safely hold dangerous criminals, are no place for children to be held, even for just a few days. This is a view also shared by CBP officers on the ground who said this is no place for children.

That is why I believe it is so important to provide necessary funding to the Department of Health and Human Services so they can continue to maintain shelter capacity at places such as Lackland Air Force Base where we visited. At Lackland, I was given hope. I saw children being educated, being taught English, praying if they chose to, and learning the Pledge of Allegiance. I saw a place that reflected our values as a country.

This is why I strongly oppose altering the protections of the 2008 Trafficking Victims Protection Reauthorization Act. The answer is not expediting screenings and deporting these children as soon as possible at the border. All this will accomplish is to send these children back into harm's way—indeed, into the murder capitals of the world—even more quickly.

I have actually seen what these expedited screenings look like. During our trip we saw small children sitting on concrete blocks in a noisy and overwhelming CBP facility. In this environment, these children struggle to answer questions from uniformed Customs and Border Protection officers. Let me be clear. That officer was doing the best he could, but children arriving here after a dangerous journey are in no condition to quickly explain their reasons for coming to the United States, much less understand the legal basis for their claim to relief under U.S. law. When children are asked to provide that explanation in the kind of harsh environment we saw in McAllen, they have little chance of making a compelling case for asylum or other protection. At this facility children cannot access legal help to make their case. Many of these children have legitimate legal claims that they have been physically abused, raped, or victimized by gangs or human traffickers. We must give them a fair chance to tell their stories.

This bill, which I support, does not repeal these protections. Instead, it takes the important steps of funding our immigration courts to levels necessary to timely hear these children's claims.

This bill also helps with legal representation and orientation services—something the faith communities and other advocates we met with told us were necessary. This will help to speed up the legal process, while ensuring that the rights of these children are protected.

Just as importantly, this bill funds our efforts to address the root causes of

why these children are arriving in our country in the first place. It will help us stop drug trafficking from this region and will help stabilize these economies that have been ravaged by the narcotrafficking violence.

This past weekend, columnist and commentator George Will eloquently spoke on this issue. He said:

> My view is that we have to say to these children welcome to America. You're going to go to school and get a job and become Americans.
>
> We have 3,141 counties in this country. That would be 20 per county. The idea that we can't assimilate these 8-year-old criminals with their teddy bears is preposterous.
>
> We can handle the problem is what I'm saying. We've handled what Emma Lazarus famously called: ''the wretched refuse of your teeming shores,'' a long time ago, and a lot more people than this.

George Will is right. We are a country that welcomes refugees—as many of these children are—from all around the world.

I urge my colleagues to support this important supplemental appropriations measure.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 3086

Mr. CRUZ. Madam President, I rise today to speak in favor of a principle that should unite us all—the principle of Internet tax freedom. One of the great blessings of our modern economy is the productivity, the entrepreneurial spirit the Internet has created, the ability of anyone with an idea to jump online, to communicate, to create a business, to reach the world.

One of the reasons the Internet has been such an entrepreneurial haven is that Congress has wisely decided to keep it free from taxation, not to subject the Internet to taxation. Well, unfortunately, we are at the precipice of that long tradition changing. If the Senate refuses to take action, the Internet will be taxed this November.

For a decade and a half, Americans have been able to use the Internet all across the country free of taxes, and Republicans and Democrats have agreed on this basic principle. There is not a lot of agreement in this town on much of anything, including what time of day it is. Yet on Internet taxes—in 1998 President Bill Clinton signed the law banning Internet taxes. Congress has extended it three times—in 2001, 2004, and 2007.

Today there is a bipartisan coalition on the record to keep the Internet tax free. The senior Democratic Senator from New York and the senior Democratic Senator from Wisconsin both publicly support keeping the Internet free from taxation. Conservatives in the Senate, such as the junior Republican Senator from Utah, the junior Republican Senator from Florida, and the senior Republican Senator from Louisiana, agree as well. There are 52 cosponsors in the Senate on the bill by the senior Democratic Senator from Oregon, who is here with us, to keep the ban on Internet taxes.

This should be easy. This should be a matter of easy agreement because rarely is there an issue that has united parties so broadly as keeping the Internet tax free. Yet, unfortunately, this session of the Senate is also seeing politicians who want to extend sales taxes to the Internet, who want to subject small businesses, mom-and-pops, businesses started by people just wanting to build a business, to crushing sales taxes from 9,600 jurisdictions nationwide.

I am passionate in saying we should fight against taxing the Internet, and we should not open the door to Internet taxes. The average tax rate right now on telephone services and other voice services is 17 percent. The average tax rate on cable and video services is 12 percent. If this Senate does not act, you are going to see consumers in States such as Montana and South Dakota and Massachusetts, on November 1, begin paying taxes for having basic Internet service. Those State laws are already in effect and will go into effect on Internet services.

I would note for the Senators who represent Montana and South Dakota and Massachusetts that come November 2—which, I might note, is right before an election day—anyone in those States should be prepared to answer questions from their citizens on why the Senate stood by and let taxes be raised on their citizens just for having an Internet connection.

Americans are struggling to pay their bills in the Obama economy. Life has gotten harder and harder for working men and women in this country. Life has gotten harder and harder for the most vulnerable among us—for young people, for Hispanics, for African Americans, for single moms. The last thing we should be doing is playing politics and jacking up taxes on people accessing the Internet.

I would note that the U.S. House of Representatives has already acted. On July 15 the House voice voted H.R. 3086, the Permanent Internet Tax Freedom Act. It had 228 cosponsors. My friend Senator WYDEN has introduced the Senate version of it, S. 1431. It has 52 cosponsors, including 18 Democrats. This ought to be something where we stop playing games and say let's all come together and agree: Do not tax the Internet. Yet, unfortunately, we are not in that situation. Unfortunately, we are seeing an objection to the House-passed bill, to a bill that has the support of a majority of Senators. Why? The only reason is because there is hope that by holding the Internet Tax Freedom Act hostage, it can become a vehicle to impose sales taxes on transactions over the Internet, to impose sales taxes on every small business.

I would note one of many wonderful things. It used to be that if you were a single mom and you wanted to start a small business, you wanted to make something, you wanted to sit down and make something, whether it was a computer program or sweaters for dogs or anything else, it used to be that to create a small business took time, it took money, it took infrastructure. You had to have in place warehouses and distributors. You had to have a mechanism to sell your products.

Do you know the great thing about the Internet? If you are a single mom and you have an idea to start a business, you can put up a Web site, and with FedEx you can deliver anywhere in the country.

Anyone all over the country can do it, if you have an idea. Let me tell you, my cousin had an idea to sell scarves. She thought she had some good design ideas. My cousin Beatriz worked with her best friend to design scarves.

If you put up a Web site, suddenly you can sell all over the country. Well, what would the Internet sales tax do? It would say that when you start your business, if you start getting customers, you have to collect taxes in 9,600 jurisdictions all over the country. If the school district across the country changes its tax rate from 4.5 percent to 4.75 percent, you have to know that and collect that differential tax. This does not make any sense.

We should stand together united in protecting the entrepreneurial haven that is the Internet. We should stand united against taxing the Internet.

I would note that my friend the Senator from New Hampshire has a long and passionate record on this issue as well, and I am happy to yield to her for a question on this important topic.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I thank the Senator from Texas for coming to the floor to talk about this incredibly important issue to the American people.

I ask the Senator, isn't it true that for 16 years the Internet Tax Freedom Act has prevented politicians nationwide from using the Web as a piggy bank and has helped commerce thrive by keeping it free from burdensome tax restrictions? And isn't it true that by making this permanent—the way the House bill does and the way the bill does that my colleague from Oregon has offered that has 52 cosponsors in the Senate—we never have to allow the people of this country again to feel uncertainty that suddenly this great freedom we have on the Internet is going to be gone, where they are going to be taxed when they access the Internet or that somehow we are going to use the Internet as a way to raise money and a way to hurt e-commerce?

I would ask that of my colleague from the State of Texas. Is this all

true, that if we can pass the House bill right now—which is similar to the bill offered by my colleague from Oregon—we can give the American people certainty that we are not going to tax what they are doing on the Internet?

Mr. CRUZ. I thank my friend from New Hampshire. I would note that she is exactly right. We have the ability to do something productive, something that does not happen in Washington an awful lot. We have the ability right now to come together in a bipartisan way for the Senate to demonstrate that it can function productively to address the economic challenges in this country the way the House has.

The House is doing its job. The House has passed this bill. It is the Senate that has refused to take it up for a vote. It is the Senate that is refusing to do its job. We have an ability not just to protect the Internet from taxes but also to honor our word. How many Members of this body, on both sides of the aisle, go to the tech community and say: We want to stand with tech. We want to stand for the entrepreneurial vibrancy of tech?

Yet I would note anyone objecting to this right now is setting the stage for a massive Internet tax. How many of us make the case to young people that we are standing for the future for young people, we are standing for greater opportunity, we are standing for the chance to help young people achieve the American dream? You know, young Americans, 18 to 29 years old, oppose an Internet sales tax by 73 percent to 27 percent.

Yet if this body refuses to stand together in a bipartisan manner, we are telling young people: What we say on the campaign trial is not backed by action on the floor.

We ought to come together on what should be an uncontroversial bill, a bill that has passed three times before, a bill that was signed by President Bill Clinton, a bill that in this body is introduced by a senior Democrat. We ought to come together in a bipartisan way to say: We stand in unison protecting Internet tax freedom.

Accordingly, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3086, which was received from the House. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Ms. HEITKAMP. Reserving the right to object, I want to first make a couple of points, which as we talk about this, I think it is clear to identify who is the taxing authority. The distinguished and very learned constitutional scholar from the State of Texas knows well that the imposition does not come from this body. The imposition comes from States and local governments which have 10th Amendment sovereign rights. They have the ability to finance their own government. They have the ability to make those decisions. Congress has the right to make decisions on their ability, based on a concept that Congress ultimately has the obligation to control and to deal with interstate commerce. Only in the rarest of circumstances when interstate commerce is critically involved has Congress stepped up. It is very rare that this body, or that any previous Congress, has actually dictated the constraints of that sovereign right of States and local governments under the 10th Amendment to impose their own taxes.

I can tell you the RRRR Act is probably one of the most glaring examples. During a time in the 1970s when the railroads were struggling and different kinds of transportation organizations were struggling, we saw this body step up with a unified approach to improving the railroads. Guess what. The railroads got better. The States know now what the constraints are, established by this body, very limited on their ability to do centralized assessments on the railroads.

We saw it in something called Public Law 86–272, regarding income taxes—a very narrow exemption to those sovereign rights. Yes, the Internet Tax Freedom Act is an exercise of this body's commerce clause responsibility to take a look at what is in the best interests of moving forward. But let's not forget, what we are doing is a very interesting balance responsibility to improve interstate commerce.

So when my distinguished colleague suggests that this body is imposing any tax, that clearly is a misstatement of the facts today. There is no locality, there is no organization, State organization or State body that is required to impose any tax on the Internet or required to impose any tax on sales tax. So, yes, I believe we too need to address the Internet tax moratorium which expires on November 1. But we also need to have a discussion in this context of commerce clause responsibility, to give the States the right to decide whether they are, in fact, going to collect State and local taxes and use taxes.

I would remind the Senator, the collection responsibility is on the use tax for remote sales. Congress's responsibility and failure to meet that responsibility, of creating an opportunity to level the playing field for Main Street businesses—what do I say? I tell you if you are selling a widget in North Dakota and you have bricks and mortar and you participate in the society, you provide dollars for the schools, you provide scholarship dollars, you collect a sales tax. But if you are a remote seller, taking advantage of the same marketplace and competing directly against that Main Street business, you no longer have that responsibility.

So to suggest that this body, by doing any of this, would be imposing any taxes on mom and pop ignores the fact that the imposition of this tax comes from State and local governments, which all too often my friends on the other side of the aisle say: Closer to the people, the more responsive those State governments are. I would suggest that in the great State of Texas, the current Governor, who is a Republican, certainly has the ability to decide tax policy. The legislatures are Republican and certainly can decide if they want to do any imposition of taxes.

So with all of that in mind, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 2735

Mr. WYDEN. Madam President, I am going to be brief, having spoken on this already once today. I simply want to highlight my sense of where all of this is. Back in 1998, along with Congressman Chris Cox, a Republican Congressman from California, one of the most market-oriented individuals I have ever seen in public service, he and I came together to write the original Internet Tax Freedom Act. The reason we did is we were concerned about discrimination, which looked as though it could do enormous damage to innovation and the future of the Internet. For example, we saw early on that if someone bought the newspaper in some jurisdiction online, they would pay a hefty tax. But if they bought the snail-mail edition, they would pay no tax.

So Congressman Cox and I, on a bipartisan basis, came together and said: ''We do not want to see that kind of discrimination against the future. We do not want to see that kind of discrimination against innovation and technology.'' So that is what the Internet Tax Freedom Act was all about in 1998. The subsequent reauthorizations were all about trying to build on that enormous success.

Congressman Cox and I thought the Internet tax freedom bill would be a success back in 1998. It has far exceeded expectations in terms of promoting innovation and small business and many of the concerns that all three colleagues have touched on.

So then to fast forward to today, I am the author of the legislation, with our colleague from South Dakota, Senator THUNE, of the permanent Internet tax freedom extension. I will just say to colleagues: I would like nothing more—nothing more—than to be able to stand here today to see this enormously valuable piece of legislation made permanent now.

The reality, however, is—and we have seen it and heard about it—there are objections on both sides at this point to seeing the bill I wrote with Senator THUNE—and Senator CRUZ correctly notes that more than half of the Senate has co-sponsored—we have objections to seeing that bill move today. So the best thing that can be done now, for the hundreds of millions of American Internet users and the economy for which the Internet is a lifeline, is to extend the current ban until it is

possible to lock in a path to pass a permanent extension.

This is not a political issue. That point has been made. There are a number of Democrats and Republicans who join myself and Senator THUNE in supporting the permanent moratorium. There are a number of Republicans and Democrats opposing the extension of that moratorium, reluctantly. We will have that debate. They seem to think it is okay to impose discriminatory taxes on the Internet.

So it seems to me that no one who supports keeping the moratorium in place ought to object to a short-term extension now. Doing so only makes it more likely that Internet access and services would be subject to discriminatory taxation.

Let me now, in the interest of time, simply ask unanimous consent the Senate proceed to the consideration of S. 2735, a 2-month extension of the Internet Tax Freedom Act, to December 31, 2014, the text of which is at the desk; 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. Is there objection?

Ms. AYOTTE. Madam President, reserving the right to object. First of all, let me say to my colleague from Oregon, I share what you have described and the work that you did in bringing forth the Internet Tax Freedom Act. The success we have seen from keeping the Internet free from discriminatory taxes has been astounding. So I commend the Senator for that.

I am a proud cosponsor of your permanent act that you have with the Senator from South Dakota. I appreciate that you recognize how important it is that we keep this freedom for our Internet that has been so productive for the American people and, frankly, giving people from all walks of life access to this great tool on the Internet. So I thank my colleague from Oregon for that.

Unfortunately, I object. I want to note today that I am reserving my right to object because to extend this only to December 31 is to invite uncertainty to the American people.

I think the American people have had enough of these dramatic New Year's Eve moments in this body where they are wondering: Are we going to act upon important things, like will we ensure that the Internet remains free from discriminatory taxes? I know my colleague from Oregon shares the same goals.

But to put this to December 31, the lameduck of this body, at a moment where we can all be sitting here on New Year's Eve and the American people again can be looking at us saying: Why do you all leave this to the very last minute on something that has 52 cosponsors and is the right thing to do for the American people? We should give them certainty now by extending this law permanently.

I also note that if this is going to be extended into the lameduck session, I am very worried about the shenanigans that are going to happen. The shenanigans are on an issue that the Senator from Oregon and I are quite passionate about, and that is the so-called Marketplace Fairness Act my colleague from North Dakota just referenced, which, instead of the Marketplace Fairness Act, I like to call the Internet Sales Tax Selection Act.

My colleague from North Dakota mentioned that this is about the State and local selecting taxes. I respect that State and localities should be able to collect taxes. But for States such as Oregon and New Hampshire which don't have a sales tax, why should our businesses or why should any Internet business in this country take on the responsibility which has traditionally been the responsibility of State and local governments to collect taxes?

Under the so-called Market Fairness Act, what would happen is Internet businesses across this country—including in States such as Oregon and New Hampshire—would become the sales tax collectors for almost 10,000 tax jurisdictions in this country, which is a bureaucratic nightmare for so many thriving Internet businesses. It is an anathema to States such as ours—Oregon and New Hampshire—which have chosen not to have a sales tax.

Most importantly, to subject our great online businesses to the potential that they could be subject to an audit in almost 10,000 taxing jurisdictions to me is the opposite of what I know my colleague from Oregon is trying to accomplish with all the work he has done in this body, not only on the Wyden-Thune Internet Tax Freedom Forever Act—which I fully support—but all the other work he has done to make sure the Internet remains free and prosperous in this country for the benefit of all the American people.

So I object to what my colleague from Oregon has offered. I think a short-term fix is no fix at all. In fact, it leaves the American people again uncertain that we will protect their rights against discriminatory taxes that can be imposed on them over the Internet, and it also invites shenanigans with the so-called Marketplace Fairness Act that can get attached.

I know some of my colleagues have talked about the potential of attaching this unfair act, which I would like to call the Internet Sales Tax Collection Act, which makes our online businesses across this country the sales tax collectors for almost 10,000 tax jurisdictions in this Nation.

So, for those reasons, I object. I would like to see what my colleague from Oregon has put forth—which is excellent legislation, and I thank him for that—which is permanent tax freedom for the Internet.

With that, I believe the Senator from Texas would also like to be heard on this issue.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Madam President, I wish to briefly explain to people watching the back-and-forth that just occurred what is going on here, because it is easy to not understand everything that is happening. There are three things going on here:

No. 1, what we are unfortunately seeing is the Senate holding one bill hostage in order to try to force through another unpopular bill.

There are two bills concerning the Internet. The first is the Internet Tax Freedom Act. That has been in place for over a decade. It has had bipartisan support. It has been championed by the Senator from Oregon who has been an outspoken and passionate advocate of making sure that when you and I go and sign up for the Internet, we don't face taxes for getting Internet service, and it has worked very well. That law has always been an area of bipartisan agreement.

But there is a second law that has been proposed in this body but not passed. The second law is the Internet sales tax, what its proponents call the Marketplace Fairness Act. The Internet sales tax is not focused on taxing someone just for signing up to the Internet. Rather, the people being punished by the Internet sales tax are all the small businesses trying to sell their wares online, and there are a number of Senators who very much want to impose taxes on those small businesses in 9,600 jurisdictions nationwide.

What is happening here, right now, is even though no one has serious objection to the Internet Tax Freedom Act, we are, unfortunately, seeing our colleagues from the Democratic side of the aisle hold that bill hostage in an effort to try to force through the Internet sales tax.

I would note the reason my friend from New Hampshire had no choice but to object to the 2-month proposal is the 2-month time period was not picked out of a hat. Two months means the Internet Tax Freedom Act would expire during a lameduck session. And why is that? Because in a lameduck session there are a bunch of Members who have been defeated, who aren't going to face voters ever again. A lameduck session is the session most likely to raise taxes.

So why is it there is an effort to extend this just 2 months? So when the Internet Tax Freedom Act expires in the lameduck, the Members of this body who lost their election and are immune from democratic accountability will all come together and say: OK, now let's pass the Internet sales tax. We shouldn't be holding the Internet hostage to the rapacious desire of tax collectors.

A second point I want to make about what is going on here—this is about discriminatory taxes, not about federalism. My friend, the Senator from North Dakota, was a learned attorney general who talked about the 10th

Amendment and federalism. I welcome seeing friends of mine on the Democratic side of the aisle embrace the 10th Amendment. I look forward and hope aspirationally that friends on the Democratic side of the aisle will embrace the 10th Amendment on other issues.

I would note, however, that the constitutional history we were told was a little bit off, because if we look at the history of our country, originally we had the Articles of Confederation. The Articles of Confederation allowed States to enact discriminatory taxes against each other, and it led to chaos. It didn't work. One of the reasons our Constitution was adopted was to prevent discriminatory taxes, one State picking on another State.

So when Congress was given the authority to regulate interstate commerce, it is precisely to prevent a little mom and pop selling online from being forced by 9,600 jurisdictions nationwide to collect all of those taxes. If someone is living and working in the State of Texas, they shouldn't have to collect taxes for New York or California—for politicians they don't get to vote for. For politicians they don't get any input on, they shouldn't be forced to collect their taxes.

Indeed, for the approach of Members of this body who want to pass the Internet sales tax, recall President Reagan's famous admonition:

> Government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it.

Why don't we stop it at the outset? The Internet is moving. It is generating entrepreneurial steam throughout this country. We haven't been taxing it. Let's not start now.

The third and final point I will make about what this exchange is about is, more than anything, this exchange is about crony capitalism.

I would note the Presiding Officer today has been quite passionate discussing the corruption in Washington that favors big business. What we just saw on this Senate floor illustrates that as powerfully as anything that has happened this year. Because what is the Internet sales tax all about? It is about a coalition of big businesses coming together, both big bricks-and-mortar retailers and big online retailers coming to their elected officials, saying: You know what. We don't like competition. These little guys, these little upstarts, these single moms who start businesses and compete with us, we don't like that. So let's go to our friends in Washington—our friends, mind you, whom we hold campaign fundraisers for, whose campaigns we contribute to—and let's get the Congress to come together and hammer every small online business we can.

That is what we are seeing. This is crony capitalism. This is a law designed to benefit big companies and hurt small startups.

The beauty of our country is that anybody can come to this country with nothing but a hope and a dream and a vision and achieve anything. It is because the entrepreneurial vibrancy of this country gives the little guy a chance. Yet I am sorry to say Washington more and more behaves as though it is for sale to the highest bidder.

Right now, today, the top 1 percent in our country earns a higher share of our income than any year since 1928. We ought to come together in a bipartisan way and say: Stop being the handmaidens of big business. Stop using government to make it harder for the little guy, for young people, for single moms, for Hispanic and African-American entrepreneurs. Stop making it harder for them to achieve the American dream. Stop pulling up the ladder so the big companies can say: We have got ours; nobody else gets theirs.

When big business comes to Washington and says: We want government's help stifling small business, both parties should stand together and say: Sorry. That is not what the Congress is for. We work for the American people. But, I am sorry to say, what we just saw was a powerful demonstration that this Senate right now is more interested in preserving crony capitalism than it is in protecting mom-and-pops, in protecting opportunity, in protecting Internet tax freedom.

But the great thing about our system is at the end of the day, the American people don't work for the 100 Members of this body. It is the other way around: All 100 of us work for the American people. And I will tell you, the American people are getting fed up. They are getting fed up with Members of both parties who spend more time giving in to the corruption of Washington and entrenching power than they do removing barriers to people achieving the American dream.

I am hopeful and confident that the voters are waking up, are standing up, and will hold every one of us accountable. Democrats and Republicans, every one of us, will be held accountable: Have you fought to make it easier to achieve the American dream or have you simply preserved the corrupt crony capitalism of Washington?

I hope we can together aspire to our better angels. I hope we can come together and keep and preserve in a bipartisan manner Internet tax freedom.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, to briefly respond to the Senator from Texas.

Mr. CORNYN. If the Senator would yield for a unanimous consent request.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I ask unanimous consent that following the remarks of the Senator from Oregon, the Senator from Kansas be recognized, following that I then be recognized, and then Senator SANDERS from Vermont would be following me.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Madam President, reserving the right to object, just to be clear: Senator CORNYN would speak next, and then Senator SANDERS would speak after him?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, the unanimous consent would be the Senator from Oregon, the Senator from Kansas, the Senator from Texas, and the Senator from Vermont.

Mr. WYDEN. I withdraw my reservation.

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

The Senator from Oregon.

Mr. WYDEN. Madam President, very briefly to describe where I think the Internet tax debate is, we have Republicans and Democrats objecting to what I happen to think is in the country's national interest, and that is a permanent ban on Internet tax discrimination. So we have Republicans and Democrats objecting to that.

Now my colleague from Texas comes forward and says: OK, let's not do a 2-month extension because we don't want to consider this in the lame duck session. But, colleagues, if you don't do the 2-month extension, the Internet Tax Freedom Act will have expired and you are still in the lame duck session. And by the time you get to the lame duck, millions of Americans will be vulnerable to discriminatory Internet taxes.

I am going to close this discussion by saying that in my view neither of the options is exactly ideal, because I think I made it very clear after 16 years that I would like to make permanent the ban against discriminatory taxes. Neither situation is ideal from my standpoint because Republicans and Democrats both object to doing that today. But what we know is that one option we have in front of us today is worse than the other, and the really bad option is to not do a short-term extension and leave millions of Americans vulnerable to discriminatory taxes.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Thank you, Madam President.

I wish to speak for a few moments this afternoon on the topic of veterans and veterans affairs, knowing, or at least expecting a vote later today on a piece of legislation that has now been compromised between the House and Senate versions of the bill, and something that I look forward to supporting.

HONORING HERB SCHWARTZKOPF

First of all, though, I wish to take a moment to honor a Kansas veteran, a veteran who dedicated much of his life to serving our country, whether that was on active duty in the Navy or advocating on behalf of other veterans,

Mr. Herb Schwartzkopf from Ransom, KS.

Mr. Schwartzkopf's many selfless acts began when he served in the Navy in Vietnam. After separating from the service, he returned to Kansas and joined the Veterans of Foreign Wars, the VFW, which he has been a member of now for more than 35 years. He is considered a life member of the VFW.

Last year the Hutchinson News asked Herb about his life and dedication to serving his fellow veterans. His response was, ''I will talk about the 'V,' but I am not going to talk about me.'' The V is Herb's beloved VFW Post, because he is a humble man who has accomplished much and his priorities in life have been taking care of his country and taking care of the veterans who have served his country.

The countless contributions Herb Schwartzkopf has made over 35 years of advocacy for veterans has earned him the highest honor bestowed by the VFW, the All-American Commander of Post 7972 in Ransom, KS. Herb's VFW post serves as a meeting place and a community service hub for the Lions Club meetings and Thanksgiving feasts for the 296 residents of his hometown. It is also a place for raising funds for local cancer patients and victims, helping fund annual Honor Flights to come see the World War II Memorial by Kansas veterans. The 160 members of Post 7972 complete more than 250 service projects and volunteer more than 4,000 hours a year.

His leadership at the VFW post has deservedly won the National Community Service Post of the Year award five times, including 3 years in a row for 2009, 2010, and 2011.

The Ransom VFW's success is a result of true selflessness. As Herb put it: ''If something comes up and somebody needs help, we just try to rise to the occasion.'' It seems only fitting that he has earned this prestigious award as All-American Post Commander.

I pay tribute to him, to his post, his service to our country, and his service to other Kansans, and thank him for that care and concern for other veterans across the country. So I say thank you for your selfless dedication. On behalf of all Kansans, we wish you well and we are fortunate to have you as a citizen of our State and a citizen of our Nation.

TOXIC EXPOSURE RESEARCH

I also want to speak about legislation today that has been introduced by Senator BLUMENTHAL and me. It is an issue that Senator BLUMENTHAL brought to my attention and today we have introduced the Toxic Exposure Research Act of 2014.

We unfortunately live in a nation where men and women volunteer their services to sacrifice and support us to have the strongest, freest, greatest Nation in the world. When servicemembers raise their right hand and take the oath of enlistment or commissioning, they commit their lives to support and defend the Constitution of the United States and to protect the freedoms we hold dear.

Standing by their side through combat tours and multiple duty stations around the world is their family. We should and we must acknowledge that their family members are being called to sacrifice for our Nation as well.

The Toxic Exposure Research Act is about addressing the wounds of war that might impact a servicemember's family—wounds that may not be evident for decades later when it is passed on to the next person of their family or the next generation. This legislation would provide for the research on health conditions of dependents of veterans who were exposed to toxins during their service to our Nation such as Agent Orange in Vietnam, gulf war neurotoxins, burn pits in Iraq, or other chemicals from recent conflicts overseas.

I am not a veteran, but my life has been shaped by the fact that the Vietnam war took place during my high school years. Many of my conversations in high school were spent talking to those who were a few years older than I who were volunteering or being drafted, and for those who returned home to my hometown after their service in Vietnam.

During Vietnam, many of our veterans were exposed to Agent Orange and years later many veterans and their families are still struggling with the side effects of that exposure. Agent Orange specifically has been shown to cause birth defects in children of military members who came in contact with the toxin during the Vietnam war. There are other poisons from wars since Vietnam that have led to life-altering health problems and painful tragedies among veterans and their families.

A story of Herb Worthington and his daughter Karen is compelling. Mr. Worthington was drafted to serve in Vietnam and was exposed to Agent Orange. Years after his service came to an end he suffered from many conditions as a proven result of his exposure to Agent Orange. His daughter has battled MS for more than 19 years and has been treated for other conditions such as melanoma and an extremely painful nerve condition. Her life has been handicapped by health problems and various kinds of illnesses which must be studied in connection with the exposure of her father and what he experienced with Agent Orange.

Stories like Mr. Worthington's and his daughter Karen's have been shared all across the country in townhall meetings. I have heard them in stories at home in Kansas and they have been collected by the Vietnam Veterans of America. This is an issue that is important to all veterans. It is important to all Americans that we live up to our commitment to those who serve, and it is time we take necessary steps to help and protect their families now and for generations to come. Many people we will never know may be affected by the consequences of their mother, father, grandmother, or grandfather's service to their country. Clear evidence of unsettling conditions and those personal stories warrant the need to collect data to research and study the consequences of these toxins.

I invite my colleagues to learn more about these conditions and the impact they are having on family members of veterans by checking out a social media page, Faces of Agent Orange, through the Vietnam Veterans Association, VVA. The fact is many symptoms from toxic exposure are misdiagnosed in descendants of veterans because of lack of understanding and lack of scientific proof.

I would ask my colleagues to join us in giving the authority to the Secretary—the new Secretary we confirmed earlier this week—a tool he needs so he can designate a VA medical center as a national center for research on the diagnosis and treatment of health conditions of descendants of individuals or soldiers exposed to toxic substances during their service to our country, during their time as military members.

This legislation would establish an advisory board of experts to advise the national center and the VA Secretary with determining the health conditions studied and those that are a result of toxic exposure.

The Department of Defense has a role to play here in this research, sharing incidents of military members who were exposed to substances, to enhance the studies and outcomes conducted by the Department of Veterans Affairs. Ultimately our hope is this medical research would determine those conditions that are the result of debilitating toxins and lead to appropriate support and benefits, cures and treatments for family members.

Military families support our Nation in their love and commitment to those who served in the Armed Forces, and they should not inherit the painful residual wounds of war that put their lives at risk long after the military operation is over. Toxic exposure research is a necessary step toward making certain our military men and women and their descendants will be properly cared for. It is also a step toward making certain that those toxins are not used in a way that causes this to be repeated again in any future war.

We must keep our promises to our veterans and to their families who have made the greatest sacrifice for the sake of our country, our security, our freedom, and our country's future.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

BORDER CRISIS

Mr. CORNYN. Madam President, later on today I expect we would be voting on the emergency supplemental appropriation that the President had requested to deal with the humanitarian crisis on the Texas border. Over the past few weeks I have spoken about

this and made several trips down to the valley. I will be leaving tonight along with colleagues. There is a bipartisan congressional delegation going down again to the valley and to Lackland Air Force Base where about 1200 children are currently being housed by the Department of Health and Human Services pending their placement with their relatives in the country.

As part of this discussion we have been having in the search for solutions to this unexpected flood of humanity in the form of unaccompanied children coming across the southwestern border, many of us are trying to figure out exactly what the cause of this flood is. In fact, I think it is probably more than one cause. I think perhaps it is the President's statements that he is going to defer action or refuse to enforce our current immigration laws against a certain class of immigrants that is known as the President's deferred executive action order of 2012.

But there is also another cause that has been recognized on a bipartisan basis, and this is a 2008 human trafficking law that passed essentially unanimously in 2008, because we were focused on one problem; that is, human trafficking, but the unexpected consequences or unintended consequences of that created a business model that is being exploited by the transnational criminal organizations, or cartels, as they traffic in human beings coming from Central America through Mexico up to the Texas border.

Together with my colleague in the House, HENRY CUELLAR, a Democrat, we have introduced a bipartisan, bicameral reform, something we call the HUMANE Act, and it has been cosponsored by people who have supported the so-called Gang of 8 bill in the Senate and people who opposed the Gang of 8 bill.

I raise that point to note that this isn't about comprehensive immigration reform. We have a lot of work to be done. But this is actually intended to solve this immediate problem right in front of our eyes and to stop this hemorrhaging on our southwestern border. My hope is once we address that problem, we can come together in a bipartisan way and address the larger defects in our immigration system, of which there are many. This is, simply put, an attempt to tackle a national emergency.

Let me briefly recapitulate what I am talking about. Since October of last year 57,000 unaccompanied children have been detained on the southwestern border. Under current law—this 2008 law I mentioned—these children are processed by the Border Patrol and they are placed with the Department of Health and Human Services, as it turns out an average of 35 days, and then placed with a family member in the United States or, if not a family member, some sponsor.

Part of the problem is that they are given a notice to appear at a future court hearing and very few of them appear. Thus, they are successful in making their way from Honduras, El Salvador, or Guatemala up through Mexico into the United States, and end up successfully immigrating to the United States illegally, outside of our broken immigration system.

What we need to do in order to fix that gap in the law, that loophole which was unintended by those of us who voted to pass the 2008 law, is to require that these children be held in protective custody and given a speedy hearing in front of an immigration judge for those who want to make the claim for asylum or some other relief. But the truth is the vast majority of these children, like the adults, will not have a claim to stay under existing law and our bill doesn't change that existing law. But for those who do, they have a speedy opportunity to appear in front of a judge and make that claim. Those who do not have a valid claim will simply be returned to their home country, to their family.

This morning I was invited, along with Members of the House and the Senate, to visit with the President about national security matters. He talked about Ukraine, he talked about Syria, he talked about Gaza, and all of the hot spots around the world. I used the opportunity to ask the President what he proposed that we do when this emergency supplemental bill goes down this afternoon.

The reason this bill will fail is because the majority leader simply is asking us to appropriate money and do nothing to fix the problem we have attempted to address in the HUMANE Act with Congressman CUELLAR that I mentioned a moment ago.

In essence, the President asked for a blank check, when he himself acknowledged this morning in my presence and the presence of a bipartisan group of Senators and Congressmen that he knows we need to address this problem or it will just get worse if we don't address it.

It is quite remarkable to me that the President of the United States acknowledges we have a problem we need to address. When the Secretary of Homeland Security, who is trying to use the tools available to him to solve this crisis but knows he needs more tools and more authority, at the same time the President makes that acknowledgment, and at the same time his Secretary of Homeland Security identifies the need for additional authority in order to address the problem, the President has reported he wants to actually expand this deferred action Executive order he issued in 2012 and say to the people who are coming to our country outside of our immigration laws: It is OK. You can stay here. There are no consequences associated with that.

The problem with that is the message that is being sent to the cartels who traffic in human beings and make a lot of money off of it—like I said a moment ago, this is part of their business model—by exploiting this loophole in the law.

What sort of message does this send to the families who would send their children on this horrific journey from Central America through Mexico on the back of a train called The Beast? They are willing to send their children on this journey even though they could be injured, sexually assaulted, kidnapped or held for ransom. We don't know how many of them start the journey but don't make it because of the horrific conditions by the criminal organizations, not to mention the exposure to the hot weather and difficult environmental circumstances.

By failing to address the root cause of the problem, what we are saying is: That is OK. Keep coming. Indeed, that is why it is projected that of the 57,000 unaccompanied children who have made it here so far and have been detained—by the way, they are not trying to evade detection by Border Patrol. They are turning themselves in because they realize they will be processed and placed with Health and Human Services, and essentially, by and large, they will be able to stay. That is what we need to address.

Unfortunately, the House tried to work together today to pass a bill that would, I believe, have provided more money, as the President requested—not as much as he requested, but an emergency appropriation, together with the reforms to that 2008 law which would have addressed this problem.

Unfortunately, because the House of Representatives could not get any Democratic support, that bill failed and so the Speaker of the House pulled the bill from the floor. As a result, they will not be able to pass any legislation to send over to the Senate. That should not cause any of our colleagues here in the Senate much joy because the fact of the matter is the House has its independent duty to act and we have our own duty to act, and we can and should do that this afternoon.

We should do what the House attempted to do, which is to pass a slimmed-down appropriations bill on an emergency basis to help surge resources to the border but at the same time find a way to come together and plug the hole in this 2008 law, which is necessary to stop the problem—at least on this surgical basis.

What is so confusing is to listen to the President talk in his conference room at the White House about this and acknowledge the nature of the problem, and then to see that the White House threatened to veto the legislation that the House was considering. There are a lot of mixed messages, to say the least, with regard to the President's commitment to actually enforce the law. We know that in too many instances he has simply refused to enforce the law, and our immigration law is just one of those. But to hear such mixed messages out of the White House and the administration that yes, we need to act—we should not

just write a blank check. We ought to do the policy reforms with it that would solve the problem.

I will just add that in talking to Secretary Johnson—I don't think I am disclosing any confidence he himself wouldn't repeat—there is actually an earlier experience we had in 2005 and 2006 which I think is very instructive and which we have discussed.

Secretary Chertoff was Secretary of Homeland Security when President Bush was in the White House and we had a surge of people coming from countries other than Mexico, so-called OTMs—in this case Brazilians. In 2005, we saw a surge of 30,000 Brazilian immigrants at the southwestern border. Upon investigation, they realized the reason we saw a surge in these numbers was because of a policy known as catch and release—colloquially.

In other words, people came to the country, were caught, given notice to appear at a future court hearing, and they simply disappeared and melted into the great American landscape, knowing they would successfully immigrate illegally into the United States.

It is the same policy of catch and release that is causing this surge of unaccompanied minors, not to mention single adults with young children. We don't have adequate detention facilities for them, so they are released, given a bus ticket, and told to come back for their court hearing a year or more later. And they simply never show up.

We have all been noticing with great concern this humanitarian crisis at the border and the conflicting and contradictory messages and actions coming out of Washington, DC. So it was not really all that surprising to me to see a new poll that was reported this morning where 68 percent of the respondents disapproved of the President's handling of the immigration issue—68 percent. According to the Washington Post this morning, no other single issue trumps immigration in terms of Presidential disapproval. That is a shocking number.

Unfortunately, when I asked the President today: What happens, Mr. President, when we leave for the August recess and nothing happens to address this problem? He said: Well, one thing we are going to have to do is reprogram money from other programs and use that money to address this hole and this surge needed at the southwestern border.

I was disappointed the President didn't say what I was hoping he would say, and that is: I am going to call majority leader HARRY REID, and I am going to tell him he needs to allow a vote on some of the amendments we are going to offer, such as the Humane Act, on this emergency supplemental, and give the Senate an opportunity to vote for a solution and not just another blank check. Unfortunately, I didn't hear that commitment from the President.

As a result, this afternoon we are going to leave this city and go back home without doing anything to address what the President himself has called a humanitarian crisis. The problem is just going to get worse. As long as the magnet exists, as long as this business model that the cartels have figured out continues to be lucrative and they continue to make money exploiting it and we don't do anything to fix it, the numbers will get worse and worse. And as we see children being placed in literally warehouse-type settings around the country, we are going to continue to see more and more backlash from the American people as they realize the Federal Government is failing in its most basic function, which is to secure our border and enforce our laws.

Unfortunately, this is what Presidential abdication of duty looks like. The President identified a national emergency, but has done virtually nothing to address it. Indeed, he said: We have a problem, and we need to fix it. He then threatened to veto the very legislation the House proposed would fix it.

This is what happens when a President openly and proudly is contemptuous of his obligation to faithfully enforce the law of the land by not only issuing an Executive order in 2012 that is beyond his legal authority to do but also by saying that because Congress has not done what I want them to do as far as reforming our immigration laws, I am going to further expand my Executive order and refuse to enforce the law with regard to more and more people. That is not a secret. It is well reported in the newspapers and on television, and it is not lost on the people who make money exploiting this system nor the people who want to come to the United States outside of our immigration laws.

Sadly, I can only conclude that although the President plainly knows what we need to do, as do his cabinet members, and although prominent Democrats have plainly identified what we need to do to fix the problem, when he doesn't demand that the majority leader allow a vote and a solution to that problem, I can only conclude that he is listening to his political advisers and not making the best judgment that is in the best interest of the American people. I can't explain it any other way.

So on in one last attempt this afternoon to address this crisis, I, along with several of my colleagues, am introducing an alternative to this blank check that the President has requested and Majority Leader REID will set for a vote. It will include many of the reforms I mentioned earlier in the Humane Act, but specifically our legislation would treat all unaccompanied minors the same under the law. It would correct that loophole in the 2008 law that treats unaccompanied minors from Mexico differently from unaccompanied children from noncontiguous countries. It would give Federal, State, and local authorities the resources they need in order to manage the crisis. It would improve our detention capacity so we would end this catch and release which is being exploited, and it would ensure safe repatriation by filing for protective custody for all those children who don't qualify for an immigration benefit under current law.

Our bill would prevent the Obama administration also from unilaterally creating yet another deferred action program that would further add gasoline to this fire and cause these numbers to continue to grow and the humanitarian crisis to expand. In other words, our bill would help resolve the current crisis and would help prevent a similar crisis from occurring in the future.

Under the Senate procedures, the only person who can make the decision whether the Senate will have an opportunity to vote on such a reform is the majority leader, and he has already announced that he intends not to allow us to offer that reform. So I expect we will end up leaving here today having done nothing, in spite of the fact there is bipartisan and bicameral recognition that we are experiencing a crisis and the President and his own cabinet have identified the causes but refuse to do anything about them. To me that is the very definition of dysfunction and the very reason that the American people are absolutely disgusted with the refusal of Congress and the executive branch to do what we know needs to be done—and it is a tragedy.

I hope the majority leader will reconsider and give us a chance to vote on this reform to help solve the problem, and then we can move on and address other important problems that face our country.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Vermont.

VA CONFERENCE REPORT

Mr. SANDERS. Mr. President, I rise today in strong support of the VA conference committee report, which I expect and hope will be on the floor here in a couple of hours. That conference committee report was passed yesterday by the House with an overwhelming vote of 420 to 5, and I hope very much our vote here in the Senate will be as strong as the vote in the House.

The conference committee legislation that we will be voting on, frankly, is certainly not the legislation I would have written. I think it is fair to say it is not the legislation that the chairman of the House Veterans' Affairs Committee, JEFF MILLER, would have written; it is, in fact, a compromise, but it is a compromise I can strongly support, and I hope all of my Senate colleagues will support it as well.

This bill does a number of very important things to address the problems facing the veterans of our country. Right now veterans in many parts of this country are on very long waiting lists before they get VA health care. I think in the last month or so the VA has made a concerted effort to reach out to those veterans and to get them

care when necessary in the private sector, and I think Acting Secretary Sloan Gibson did a good job in jump-starting that process and saying to veterans we are going to do everything we can to get them quality care in a timely manner. Obviously, this is an expensive proposition, but it is one we have to address.

This legislation we will be voting on in a few hours provides $10 billion to make sure every eligible veteran in this country will get timely health care, quality health care, and they will do that through the private sector, through community health centers, through Department of Defense facilities, and Indian Health Service Clinics when those facilities work for veterans. If there is a community health center in a community, the veteran can go in there and the VA will pay that bill. That is the effort we are making to significantly reduce these long waiting lines.

This bill also provides a remedy for a condition many of us consider to be terribly important, and that is it gets to the root of why it is that we have long waiting periods in many VA facilities around the country. The reality is that in the last 4 or 5 years we have seen, as a result of the wars in Iraq and in Afghanistan, some 2 million more veterans coming into the VA, a net increase of about 1.5 million patients. That is a lot of people. There is not the slightest doubt in my mind or in the mind of the VA that if we are going to do justice to our veterans, we are going to need more doctors, more mental health counselors, more nurses, more medical personnel in general, so that when a veteran walks into a VA facility, that veteran will get quality care in a timely manner.

I have heard testimony in the Senate Committee on Veterans' Affairs, which was very clear, and what virtually every major veterans organization has said is that when veterans get into the system, the quality of care they receive is good. It is good. That is not just what veterans are saying and what veterans organizations are saying; that is what a number of independent surveys and studies show us. The problem is access, and if we are going to on a long-term basis address that access problem, it is important to make sure we have the doctors, the nurses, and the medical personnel we should have. This bill provides $5 billion to make sure we get that personnel.

In addition to that, there are many facilities all over the country where there are very serious space problems. There are not the examination rooms doctors need in order to work efficiently, and this legislation addresses that with a $5 billion appropriation.

In addition, there has been legislation passed in the House overwhelmingly that says, quite correctly, we need to fund 27 major medical facilities all over this country in 18 States and in Puerto Rico, and this legislation does that as well.

In addition, what this legislation says—and this is mostly applicable to our rural States—is that if someone is a veteran living hundreds of miles away from a VA facility, when they are sick in the middle of winter or in the middle of summer, they are not going to have to travel hundreds of miles to get their physical therapy or to get the health care they need. If a veteran is living 40 miles away from a VA facility, they will be able to get their care in their community, again through a private doctor, through a community health center, through an Indian Health Service facility, through a Department of Defense facility.

This is a big step forward for many veterans in rural communities who will now be able to get care in the area they live rather than having to travel long distances to get health care.

This legislation also addresses some other very important issues that have not gotten a whole lot of attention but they are important, and I will mention what they are. All of us know that one of the outrages we have seen in recent years within the military is the very high level of sexual assault against women and against men as well. This legislation provides funding for the VA to increase their capability so women and men who are sexually assaulted will be able to come into the VA and get the care they need to address the problems associated with that assault, and I think that is a very important step forward.

This legislation also takes action we should have taken some years ago. The post-9/11 GI bill has been enormously successful in providing educational opportunities for the men and women who have served in Iraq and Afghanistan and people who have served since 9/11. There was a gap in that legislation, and that gap was that a spouse of someone who died in Iraq or in Afghanistan was not eligible for all of the educational benefits of that post-9/11 GI bill. This legislation remedies that omission. It expands the John David Fry Scholarship Program to include surviving spouses of members of the Armed Forces who died in the line of duty. That means many young women out there will now have the opportunity to get a college education who otherwise would not have, and I think we owe that to all of those people who have already suffered so much.

This legislation also allows for veterans—all veterans eligible for the post-9/11 GI bill—to qualify for instate tuition under that legislation. This was part of a bill previously passed in the House, and we are going to pass it in the Senate.

There is another provision in here which is very important. A program which provides housing for veterans with traumatic brain injury was about to expire. This legislation extends that program for a number of years, which will be a real relief for people who were worried they would be out on the street and not have adequate housing.

It has been from day one—from my first day as chairman of the veterans committee—my belief that the cost of war in terms of what it does to the men and women who fight our battles is a lot greater than most Americans fully understand. We all mourn the 6,700-plus men and women who died in Iraq and in Afghanistan, but we should understand the cost of war is much greater than that tragedy. The cost of war is the men and women who came home without legs, came home without arms, without eyesight, loss of hearing; the cost of war is the 500,000 men and women who came home from Iraq and Afghanistan with the signature illnesses of this war, which are post-traumatic stress disorder and traumatic brain injury. Those are the signature injuries of this war, and we are talking about 500,000 men and women coming home with those very serious problems. In fact, today—just today—and every day close to 50,000 veterans are going to get outpatient mental health care in VA facilities all over this country—close to 50,000.

It has also been my view that when we fully understand the costs of war and the needs of the veterans and their families, it is absolutely imperative that we do not make veterans into political pawns. We do not say, yes, we are going to fund veterans' needs, but we are going to cut Head Start, we are going to cut the National Institutes of Health or we are going to cut education. That is absolutely unfair to our veterans. A cost of war is the cost of planes and guns and tanks and aircraft carriers—those are a cost of war. An equally significant cost of war is the needs of men and women who fought our battles and who used those weapons. What this legislation says and what the House just passed by a 420-to-5 vote is that taking care of veterans is in fact a cost of war.

The CBO has come up with some recent estimates which lower the costs a little bit. But this bill will put close to—a little bit less than $17 billion into VA health care over the next several years. There is $5 billion in offsets from within the VA that I was comfortable with that will bring the total cost of this package down to somewhere around perhaps $11 billion. Is that a lot of money? It is a lot of money. But that is the cost of war, and that is what happens when millions of veterans come home and need the care they are entitled to receive.

As I mentioned a moment ago, the House passed this legislation by an overwhelming vote of 420 to 5. I wish to thank Chairman MILLER in the House for the work he has done in getting that result. My understanding is that in a few hours we will be voting on that bill, and I hope we can pass this legislation with a very strong bipartisan vote.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

ISRAEL

Mr. BLUNT. Mr. President, early this week I joined with Senator BOXER to introduce the United States-Israel Strategic Partnership Act of 2014. This is an updated version of bipartisan legislation we introduced in March of last year. It is designed to help the economic strength, the security cooperation between our two countries.

As of right now, Senator BOXER and I and 79 of our colleagues, including the chairman of the Foreign Relations Committee, Senator MENENDEZ, are cosponsors, so 81 Members have cosponsored this legislation at a very important time. I think it sends a message to the world and it sends a message to Israel that our partnership is strong. It sends the message that the Congress, starting with the Senate, is committed to that partnership. It says that not only do we want to have the kind of defensive understanding we have had so we have joint defense agreements, so we have the kind of equipment and supplies stationed in Israel that we need and use in a time of crisis or they could borrow from us in times of crisis, but also the economic partnerships in water, energy, in cybersecurity and other information. Certainly looking at what is happening in Gaza, looking at the unique relationship between our two countries, where at least two of the members of the Israeli Defense Forces who have been killed in the last few weeks have also been American citizens. Those two individuals, along with a number of others serving in the defense forces for Israel, backed up and supported by other Americans who go to Israel to support the defense of their country—this is a particularly important time to send this message. It is a message that there is broad agreement on in a bipartisan way, with virtually 81 Senators agreeing.

I will turn to my friend with whom I have worked on this for 2 years now, Senator BOXER, to make a unanimous consent request so our bill can be done and this message sent to Israel and the world before we leave this week.

The PRESIDING OFFICER. The Senator from California.

UNANIMOUS CONSENT REQUEST—S. 2673

Mrs. BOXER. Mr. President, Israel faces 100 rocket attacks a day from a terrorist organization called Hamas. Israel is trying to cope with getting rid of tunnels that have been built by this terrorist organization, with one purpose: to send terrorists through those tunnels so they can kidnap, torture, and kill Israeli citizens.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 492, S. 2673; that the bill be read a third time 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?

The Senator from Tennessee.

Mr. CORKER. Mr. President, reserving the right to object, I just want to say the partnership Senator BLUNT and Senator BOXER have on this issue is one that I think is spectacular. I have talked to both of them ad nauseam about this issue. Senator BLUNT and I have had multiple conversations this week. He is one of our great leaders in this body and is always trying to find a way to come to a solution. Senator BOXER and I have worked on another issue this week, and I cannot tell you how much I have enjoyed working with her office.

This is an actual bill. This is not a resolution. In order to try to expedite this being able to come to the floor before we go to the August recess, we had scheduled a committee meeting here today, one impromptu, but to go through the normal committee process. I thank Chairman MENENDEZ for his cooperation and willingness to do that.

As it was scheduled, it is my understanding that a number of Members had amendments to this bill. I know for that reason—and I understand this fully—the business meeting to actually have a markup in committee was then canceled. I know the chairman of EPW has committee protocol, and when committee members want to amend things they try to go through that protocol. I know Senator BLUNT, being the leader he has been in the House and here, understands that process.

I am going to, over the next hour or so—I have a little time here—check with committee members and see, relative to the normal protocols, how they might feel about this coming directly to the floor. I just tried to do that a minute ago, but knowing this is not the typical way of doing things and knowing that people actually had some amendments—I know there were some reservations about the visa waiver process and other things—I am going to have to object. I do so with total respect for these two Senators but also for respect for the committee process we all try to work through together. So with that, I object.

I do not know how long we are going to be in this evening but——

The PRESIDING OFFICER. Objection is heard.

Mr. CORKER. I thank the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if you sense some emotion and anger in my voice, I have it. I am shocked and deeply saddened that my friend would come here and object, when for days and days and days he told me—he told me—he would not do this. My friend told me he would not object.

This bill has the support of 81 Senators. To come here and object that his committee, which I am so proud to be—as a matter of fact, I am a senior person on that committee. My chairman is one of the great chairmen of the U.S. Senate. We bent over backward. I wanted to offer this on Monday with Senator BLUNT. He was disappointed. I said: I am talking to Senator CORKER. We are trying to work together. Eighty one Senators support this, and 1 Senator comes and says: Oh, it is a little bit—we need to go to the committee. There is a war going on. Hamas has put on its channel proudly showing terrorists going through tunnels.

This bill is absolutely critical. It is an updated version of the bipartisan legislation we introduced last March. We worked for 16 months. We had issues with the visa waiver. We tried to take it through the committee in May. They tried to attach amendments on Iran. We need to work hard with the administration on the Iran issue. It is critical. But there is a war going on. This bill is critical, and I am so grateful to Senator BLUNT and all of my cosponsors.

In passing this bill today, the Senate would send a clear and unequivocal message. Let's be clear. We are leaving town. I do not want to leave town, but we are leaving town, and we are not going to have a chance, with all due respect to my friend, to take a look at this for a long time. This is the time, on the way out the door, to send an unequivocal message to our ally.

Hamas continues to escalate through those tunnels. We all mourn every civilian life lost—every life lost on either side. Think about it. If in our country we had rockets coming over here from Canada or from Mexico or from the sea into our Nation, what would we do? What would we do?

Concrete that was meant to build up Gaza—and I stood at that line when Israel gave up Gaza, gave it up. I was proud they did it, and I thought: What a chance for the Palestinians. I feel for them because Hamas has taken over and they use that concrete that was meant to rebuild for tunnels. I watched the video. I saw the terrorists go through, proudly bearing their weapons, sneaking up on a post and killing five Israelis. They tried to kidnap their bodies but they were unable to do it.

So if not now, when is the time to pass this legislation? To say it is bipartisan is an understatement. Almost the entire Senate is on it. We all know there are a lot of important issues. My goodness. I am going to be standing here and talking about a lot of them.

This is an emergency. That is why this United States-Israel Strategic Partnership Act is so critical, including our assistance for the Iron Dome missile defense system.

What is important in our bill is we increase by $200 million the value of U.S. weapons we hold, we stockpile in Israel to a total of $1.8 billion. At the rate these rockets are coming over, at the rate these tunnels need to be destroyed, we need to act. We need to act. We need to send a clear message to our friend Israel, and it sends a message to Hamas.

I have to say, yes, we have a visa waiver program in here. Guess what it does. It treats Israel the same way we treat other countries. I will read the names of those countries: Lithuania, Latvia, Hungary, Slovakia, Estonia,

and the Czech Republic. Why shouldn't Israel have that same opportunity? We worked on this provision. I know my friend has problems, but we fixed those provisions. We have given maximum flexibility on those provisions.

So I am sad—that is an understatement—I am distressed, I am shocked and stunned that this afternoon, before we go out the door, with 81 Senators on a bill—a bill we actually passed a couple years ago, a similar bill, and the House passed a similar bill—that I have a friend, who is my friend—he is my friend—treating this Senator and the chairman in a way that I think is so unfair and to me betrays all the days that we talked about this, the weeks we talked about this, the way we have fixed this legislation.

Most of all, I think it is a dark moment—a dark moment—when we would walk away from this opportunity to take a stand against terrorism.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I would just like to say that, look, I do not know what happened. We had a committee meeting scheduled today. The Senator is right that I agreed not to object to this and also not to offer any amendments in committee, and if it came through committee I was perfectly fine with it being unanimously consented to.

For some reason, the Senator caused the committee hearing to be called off. So she is exactly right, I would not be down here objecting to something being discharged from committee had the committee meeting not been called off.

I say to the chairman—I talked to him late last night. I thank him for trying to make this process work in the right way, and I thank his staff for being willing to set up a committee meeting today. But for some reason, the Senator from California decided she did not want to have the committee meeting.

I am sorry she is sad. I am a little emotional now that she would suggest that I would agree to UC something, when I—yes, I will if it comes through committee. I do not understand why the committee was called off. But apparently the committee—the person sponsoring this bill apparently does not want to vote on amendments other members want to offer. Not me. I had no idea any members wanted to offer amendments, by the way, but they did, and I am sorry this has not worked out either. But that is the way it is. I have no idea why the committee meeting was called off. I would love for the Senator to tell me that.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I think my colleague knows absolutely the reason why. All this is just disingenuous. My friend knows—we discussed it—that if we load down this bill with extraneous amendments on other subjects it would never pass. We know that. I have been around here a long time. I know how a bill becomes a law, and thank God I learned it.

One thing I know. When you start loading down a very important piece of legislation that is emergency legislation with unrelated amendments, it is not going to be able to be done on the way out the door, and my friend knows it. We have——

Mr. CORKER. Well——

Mrs. BOXER. Excuse me. I have the time.

My friend can get emotional about process. Be my guest. I am not emotional about process. I am emotional about results. How would the Senator feel if he had a terrorist group digging tunnels under his cities? That is an issue separate and apart from our agreement we have to have a good agreement on Iran. But you know when you start amending these bills like that, they are not going to go through on unanimous consent.

So I am disheartened, disappointed, saddened, and I think everybody knows what has happened here.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, let me say one more time, I have no amendments to offer to this bill. I was in no way going to load down this bill with any amendments. I just asked that it go through a committee process. By the way, if amendments should not be added to a bill, typically what happens is people vote them down. I would assume that had we had a committee meeting today—I know we had one scheduled earlier today—extraneous amendments would have been voted down. But with that, I am certainly, I can tell you at this point, ready to dismiss this issue. I have no desire to try to call members of the committee at this moment to try to resolve this. I am very disappointed that the Senator from California would take liberties to say such things that this Senator would come down and agree to a unanimous consent without it going through committee.

I thank the chairman again for agreeing to do that. But it was called off because there were amendments. I understand that. I really do. But that is the prerogative. I think the Senator from Wyoming—standing in the well—had an amendment he wanted to have heard. I have not even seen the amendment. But that is what people do in a committee process. Again, if they do not want it attached to a bill, what they typically do is vote down the amendment.

But I am very disappointed in the comments by the Senator from California. It looks as if this will not be heard. I am sorry.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I came to the floor in the first instance to support Senator BOXER's unanimous consent request on the U.S.-Israel strategic partnership, which, as she has pointed out, has—in this institution we do not very often get 81 Members to agree that there is a course of action we want to take. She and Senator BLUNT have acquired 81 cosponsors—including me and a majority of the Senate Foreign Relations Committee—to do exactly that.

Given the current situation in the region, I think the legislation sends the right message at the right time. Israel clearly has a right to self-defense. No country should stand by while thousands of rockets are being launched at it and a terrorist organization next door digs tunnels to funnel fighters into its country to kill its citizens. That is what is happening.

Part of the effort of this legislation, the U.S.-Israel cooperation—well, one example is an antimissile system called Iron Dome, which is an example of what our two countries can do together—save lives through technological advancement and defense cooperation. I think these are incredibly important opportunities.

Beyond that, given the advances in shared achievement that have resulted from this U.S.-Israel partnership, this bill authorizes the President to further enhance cooperation in the fields of water, energy, homeland security, agriculture, and alternative-fuel technology.

But the U.S.-Israel partnership extends far beyond our excellent security partnership. Senator BOXER's legislation does just that. It authorizes increased, enhanced, and enriched cooperation that reflects the critical importance of our bilateral relationship. It goes into Israel's energy security.

Not long ago Israel was completely dependent on energy imports, but given recent discoveries they may soon be energy independent. But they need help. Thanks in part to work by Senator LANDRIEU, this bill would help provide the technical know-how on how to regulate a responsible natural gas extraction industry, how to charge and collect royalties, and how to plan for distribution and export networks. In other words, this bill can help make Israel an energy provider for the region and for Europe, greatly enhancing Israel's energy security and forming important economic ties with its neighbors.

There are a lot of reasons for the Senate to pass this legislation and particularly to do so now.

Let me address the process question. The ranking member did ask me late yesterday to have a markup. When we talk about process, we called for a markup in short order, without the regular timeframe, but also with what was, for me, an understanding that there were going to be no amendments. It was going to be an up-or-down vote on the legislation. If I had understood there were going to be amendments offered, then we would have had to have

a timeframe to know what amendments they were going to be so Members could consider what those amendments are and could judge them—not at the spur of the moment when we sat down and convened a meeting but so they could make an informed judgment.

Because it was a truncated process, which I was trying to accommodate the ranking member on, and because I felt we were going to go through basically an up-or-down vote, I called for the meeting. But then, unbeknownst to us, all of a sudden we were told there were going to be a series of amendments—amendments which were not even filed and for which there was no timeframe and therefore would come at a moment's notice when the meeting was convened and with no one having had the opportunity to understand the nature, substance, or consequences of those amendments. In my mind, that is not regular order.

So maybe there was a misunderstanding, but because there was a clear understanding, from my perspective, to do it in an irregular fashion—very short notice, with no amendment filing deadlines—but in order to accommodate the concern that legislation should not come but through the committee and onto the floor, I agreed to a special session, a special business meeting. Unfortunately, I do not know whether there is a misunderstanding of agreements here, but that is the nature under which I agreed.

When I found out there were going to be all types of amendments, including amendments that are extraneous to the subject matter, I decided we could not do that in good order and in reasonable conscience, so we pulled down the business meeting.

Let me say that I understand we have two concurrent resolutions pending before the Senate on the use of human shields by Hamas and supporting Israel's security. I support the substance of both of those Republican resolutions. However, I am not willing to allow them to move and provide lip-service to Israel's security when Members of the same party are preventing us from taking real action to support Israel's security by objecting to this bill, even though I do not question my distinguished colleague, who has worked incredibly well with me over the last year and a half, about what his concerns are about process. But we can't have Members want to offer all types of amendments, including extraneous amendments to this bill, and then say ''But we are asking the chairman to release the resolutions on human shields''—which I in substance support—''from the committee,'' but when we can really do something for Israel, which is to pass this legislation, to say ''No, we cannot go through this process because it is not regular order.'' It is also not regular order to allow resolutions not to come through the committee as well. I hope that maybe in the timeframe there might be a way to consult with Members on both sides of the aisle to see if there can be a resolution.

I do not judge anybody's purposes. But let me make it clear for the record that, yes, we did have a special business meeting. It was out of the regular order as to how we would call such a meeting and the procedures we would have for such a meeting. But it was done in good faith in order to accommodate the ultimate goal, which is passing an incredible piece of legislation at an incredibly important period of time.

I see my colleague wants to say something. I have something else to say that is not related.

I will yield.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to say that everything the chairman has said is absolutely correct. Of course, the committee can meet with the consent of everyone willing to do so. I appreciate him and his willingness to do that.

I will say one of the members—I am actually speaking through the Chair to the chairman, if I could. I just had one of the members on the floor walk by and share with me that he really was not going to ask for a vote on amendments; he just wanted to share some thoughts but was going to pull them.

I understand how the chairman would want to pull down a committee meeting if there were going to be lots of amendments, and I assure you I had no idea there would be any amendments. But I know some people brought some forward. My sense is that there may not have been a desire to have a vote on those, especially based on one of the Senators on our committee just walking by and sharing that with me. So what I might do in the interim is get on the phone and see if the committee members who had amendments actually wanted a vote on those or just wanted to express concerns. Maybe it is possible, within the time left, to handle this in a way that works for all.

But I very much appreciate the chairman's willingness. I want to say to him again that I had no idea people had amendments to offer.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. If I may through the Chair—I appreciate that.

Let me just say we were told there were amendments for the purposes of votes. Maybe that did not end up being the ultimate intention of some; others may have wanted votes. But I will say to the distinguished ranking member that if there are colleagues who want to express a reservation but are not seeking a vote, they would have the opportunity to come to the floor. I am sure we could carve out some time under which we could talk about what those reservations are. They would be fully on the record, and we might find a pathway forward to being able to cast a vote on this bill. But I will leave that for my colleague and his conversations with his colleagues on the Republican side of the aisle.

Mr. CORKER. I will close by saying that I think it is perfectly fair for the chairman to say that if we can't have a bill like this discharged on the floor, then other resolutions which sometimes do come to the floor without going through committee because they do not have a binding effect—I can understand why he would take that position.

But I really do appreciate the way the chairman has worked with me on so many occasions. Again, I am disappointed in the comments that were made earlier. But this is the understanding we have had. I think had the committee process gone forward, we probably would not have had votes. But we will just see.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before Senator CORKER leaves the floor, I want to make sure I understand because maybe there is a window of opportunity to revisit this. I want to make sure I heard what he said.

It was my clear understanding—and the Senator said he does not know why I thought this—that my friend would not object to this if it came to the floor. I had staff conversations. I know the Senator is saying after it came out of committee, but there were other conversations I am privy to staff to staff. So let me say that.

Is it my friend's interest to go and talk to Senator BARRASSO in particular—a friend of mine—and see whether he was just going to use these amendments as talking points? If, in fact, he was not going to do that, call for a vote, and he stands down, would my friend allow us to get this done tonight just given the moment in time in which we find ourselves at this late hour?

Mr. CORKER. Well, I would say that every time I get a sense I want to do that, the Senator from California says something that challenges the integrity of another Senator, so it makes me not wish to do that. So I don't know.

I will say that I am going to leave here and take into account—I have always understood that if it went through the committee, even though there are some issues I have with this legislation, because of the fact that we have so many cosponsorss, I do not want to be one Senator who holds up a piece of legislation. I want the will of the body to work. I always have. But I did want it to go through the committee process, and it was called off.

I wish the Senator from California would quit saying things that I do not believe to be the case. We tried to make it go through the right way today. I really did. I appreciate so much the chairman and the way he works with me in that regard. But we

will see. I get disappointed every time another word is said about this, and sort of characterizing not the way I understand we were going to do this. But we will see. I appreciate everybody's time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. I would say to my dear friend and distinguished ranking member that I know how he feels about his integrity and the process. I respect that. Only because the stakes are so high are the passions so strong with what is going on with Israel right now. So I would urge my distinguished ranking member to maybe have that informal survey with members and see if there is a way in which reservations could be expressed, and we might be able to move this legislation on the floor.

I have worked with the Senator other times and on other issues and we have worked with each other, and I hope this might be a moment in which we could actually achieve that as well. I have nothing but the greatest admiration for the Senator's work and cooperation.

SUPPLEMENTAL APPROPRIATIONS

I wish to move to another equally important topic and in part respond to my colleague from Texas. That is the question of the supplemental and the comments made that we are unwilling to do what the House has been incapable of doing so far—at least the last time I checked. I do not know if something has happened since I came to the floor, but the House has been incapable of even sending what they viewed as their supplemental.

I do not know exactly why we would be blamed for not voting on something the House has not even passed, No. 1.

Yes, there are many of us who will oppose what the House is sending because, No. 1, it doesn't even provide the resources necessary for an emergency—an emergency of unforeseen dimension: a refugee crisis and a humanitarian crisis that needs to be dealt with.

When we look at the proposals that are contemplated in the House, not only do they not fund appropriately to meet the challenge, they misappropriate how they are going to do funding to meet this crisis.

I don't know that we need to militarize the border, because no one is threatening the border so far as the consequences of any violence. I don't know that a National Guardsman with a rifle is necessary against an 8-year-old. I really don't. We heard our colleague from Texas say: Well, these children are actually submitting themselves to the Border Patrol, not trying to flee them.

So part of what the House of Representatives wants is to spend millions of dollars for the National Guard. I would rather spend it on the Border Patrol, not the National Guard. We don't need to militarize our border.

I would like to make sure that when a child does come over, having fled 2,000 miles because they were raped or a child was told by the gang to join us or die or a child who saw their father or mother killed before them and thought they would be the next one—that if that happens to be the case for that child, that they would have the opportunity to make their case, and they can't do that in 72 hours.

I was at the same meeting earlier today with the President, which was really about national security. But the Senator from Texas raised this question—and it is a legitimate question to raise—and I didn't hear the same response in the context that the Senator from Texas characterized that response.

The President said there has to be due process; but yet we need to find a way to try to accelerate that process but within the context of due process, and not to strip away the law that was passed in a bipartisan process and signed by a Republican President because he understood, as did the Congress at the time, that if you flee 2,000 miles and actually get here, it must be a lot more than an economic refugee. It must be because you have a credible fear of the loss of your life or your safety. That is what is at stake here.

Now, it boggles my mind that we cannot get a successful vote. I don't know if we will or we won't, but I get a sense from what I hear from my Republican colleagues that they won't cast a positive vote for the type of supplemental that would give the resources to meet the challenge. To do what? To put more people on the border in terms of Border Patrol. To do what? To create more immigration judges, to create more prosecutors.

What are they going to all do, coddle the child? No. They are going to be enforcing the border—the border in States where some of my colleagues seem to be the biggest opponents of the supplemental. I don't get it.

Now, I have never voted for a supplemental that is enforcement only, but I am ready to do it because this is an emergency. I understand the gravity of the situation, both on the human side as well as the national security question. But I can't fathom, for the life of me, the views that say: No, let's vote against the money and create a crisis which basically is going to leave us in a situation in which, if we do not pass the supplemental prior to leaving on this recess, monies for the Department of Homeland Security and Department of Health and Human Services for these purposes will run out. The crisis won't have been abated, but the situation will continue to exist and the monies will have run out, which means what the President said: Well, I am going to have to reallocate resources from within those Departments for other purposes; which means that other national security, homeland security, and other health issues are not going to have the resources to meet the challenges they are presently meeting. That is not in the collective interests of the country.

So I am strongly going to support a supplemental that I would have never voted for because of the emergent nature of what we have. But at the same time we can't be about putting the National Guard at the border. It can't be about militarizing the border when there is no military threat, and it cannot be about stripping a law that was passed in a strong bipartisan vote and signed by a Republican President because they understood the nature of the potential challenge and they understood the very essence of a child fleeing 2,000 miles and having a shot—only a shot, no guarantee—that they in fact make their case.

That would send a message across the globe, as we are telling other countries in the world—in Africa; in Jordan, where we tell them to handle the Syrian refugees; in Turkey, where we tell them to handle the Syrian refugees; in the Dominican Republic, when there was the hurricane and we said let the Haitians come on over—we can't handle the humanitarian needs of children who have a credible sense and a credible case about fear for their life. Not every child will have that case, and those will be deported. But not every child should be automatically denied either.

Mrs. BOXER. I wish to engage with my friend in a bit of a colloquy here.

I listened to the Senator from Texas, Senator CORNYN—who is working to try to solve these problems—lament the fact that Democrats in the House would not go along with the Republican version of this emergency appropriation. So I went back and I asked my staff to detail—and my friend did that.

I want to make sure that he agrees with what I think basically was in there: First of all, a change in the 2008 law that President George W. Bush signed, written by Senator FEINSTEIN and others—quite bipartisan—to treat these children with human dignity and ascertain that in fact they had a real problem. If they didn't have a real problem, send them back home; and if they did have a real problem, make sure they were safe here. So that was in there. Then, as my friend said, the National Guard piece was in there.

Now, what is really interesting is these children are coming over, and they are saying to the Border Patrol: Take me.

So I don't mind having the National Guard at the border if we really have to defend, et cetera. I have come after that in the past.

But it just seems to me—and my friend made the point—it is one thing to put Border Patrol on and it is another thing to send down the military to face off with these children.

The other thing is, of course, they strip down the money dramatically so that these kids may well have to remain in some of the worst conditions in these customs facilities.

Now, the question I really want to talk to my friend about is this. I researched this today and asked to find

out, every year, how many foreign nationals become legal residents under current law even without changing our law. We know the immigration bill didn't pass over there. It is 1 million a year. Every year, we take 1 million foreign nationals, and they become legal residents in America.

Doesn't my friend believe that since we take 1 million people a year in legally, we can deal with 56,000 children, that we can do that, that we have the capacity to do that? We know, if it follows trends, that most of them will be placed with relatives or caring friends, a few may not be, and some will be sent back.

But doesn't my friend believe, in this great Nation of immigrants—I am a first-generation American on my mother's side. My mother was born in Europe and her whole family escaped before the Holocaust. I don't think there is anyone in this Chamber, unless they are Native American, who can say truly at one time their relatives weren't immigrants.

My friend is so eloquent on the point. We handle 1 million foreign nationals becoming permanent legal residents every year. Don't we think America has the capacity to handle 56,000 children?

Mr. MENENDEZ. I appreciate my colleague's point. I would say America certainly has the capacity to give the legal opportunity for those children to make the case that they have asylum. And when we fail to do so, I think we undermine our own principles. We undermine our own history, we undermine our own legal obligation under existing law, and we also undermine our standing in the world when we ask others to take in refugees but we say in our case that we cannot.

Mrs. BOXER. I thank the Senator.

Mr. MENENDEZ. Madam President, I yield the floor.

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

Mr. LEE. Madam President, before I get on to my remarks regarding immigration, I wish to echo briefly the sentiments expressed by my friends, Senators AYOTTE and CRUZ, who spoke on the floor earlier this afternoon.

I believe the Senate should immediately take up and pass the Permanent Internet Tax Freedom Act—a bill that cleared the House with a bipartisan voice vote and 228 House cosponsors—instead of manufacturing a crisis with a short-term extension that will let this very popular, very bipartisan policy be taken hostage.

The situation at the border is indeed heartbreaking. Tens of thousands of single adults, families, and children have made an incredibly dangerous journey north from countries such as Guatemala, Honduras, and El Salvador. They are leaving these countries because they offer too little opportunity and are mired in poverty and violence. No one begrudges them for wanting to find a better place to live.

Americans are compassionate and they are generous. The American people have always extended and always will extend a helping hand to every other corner of the world. And even as the number of illegal border crossings has exploded over the past year, we have treated these individuals with dignity and respect.

Today we have on our southern border a multifaceted crisis that faces the entire country. But President Obama is not interested in solving the humanitarian problem or the security problem or the legal problem or the fiscal problem. He is interested only in solving a personal political problem—avoiding blame for this crisis which he himself has created.

For years the President's clear message to the world has been that he is not interested in enforcing or fixing America's immigration laws. He is unconcerned about strengthening our border, improving our entry-exit system or bolstering the workplace verification. He has made no effort to fix our visa system so that we have an efficient process to serve immigrants trying in good faith to obey the law. He has ignored serious immigration reforms that would solve these problems.

So what has the President been doing on immigration? Systematically undermining the rule of law by ignoring the laws that are already on the books, taking action he has no authority to take, and blaming others for the consequent failures.

That is what has led us here today, considering what hypothetical actions Congress can take to address the real crisis the President has created.

But the solutions to this immediate crisis and our longer term immigration needs as well begin with the President finally enforcing the law. There is no amount of money that Congress can spend. There is no new law that can solve this crisis if the President and the leadership of his party continue down their current path.

There are several steps the President can take immediately that do not require any action by Congress or another dime from the American people.

He can stop abusing what he refers to as ''prosecutorial discretion.'' He can end the DACA program, which provides administrative amnesty and work permits to those who enter the United States illegally as minors. He can close the door to any further expansion of DACA to millions of additional adults. And he can signal his commitment to this solution by quickly returning those who entered the United States illegally to their home countries.

But by announcing to the world—the entire world—that he will not enforce laws requiring DHS to process and return those who come here unlawfully, the President is encouraging hundreds of thousands of children and adults to make this very dangerous journey to come to the United States illegally. He is encouraging families to pay coyotes controlled by drug cartels thousands of dollars to smuggle their children into the United States. That is truly the humanitarian crisis.

The President's threats to widen the scope of DACA are only going to make this crisis worse. That is why I agree with my friends TED CRUZ, JEFF SESSIONS, DAVID VITTER, JIM INHOFE, and MIKE JOHANNS that at the very least we must take steps to prevent the President from providing any more Executive amnesty.

I understand the desire for Members of Congress to want to pass some kind of legislation. Members want to be able to go home to their constituents over the August recess armed with talking points that suggest they have done something about the border crisis. But I would argue that the bill before the Senate today is just a distraction from the true cause of and true solution to the crisis.

Congress could send the President a bill with billions of dollars in aid and multiple policy changes, but none of these will work unless the President makes a commitment to enforce our laws and secure our southern border. Congress could do that, but none of it will work unless Congress does what needs to be done.

As with so many bills Congress takes up these days, this legislation does not solve the American people's problems; it only solves Washington's problems.

President Obama already has the authority to correct the failed policy, to restore the rule of law to our immigration system and solve the crisis on the border. He just doesn't want to, and the American people are paying the price.

One of the reasons we have a constitution of separated powers is that when Presidents try to be legislators too, they tend to be bad at both jobs. The crisis on the border is of the President's own making, and its solution is already in his own power.

I stand ready to work with the President and members of his party to craft solutions to these problems—we all do—but until President Obama enforces the laws he is sworn to administer, those solutions will remain out of reach.

For all the good intentions, all the good will, with all the compromises in the world, Congress cannot do its job until the President finally does his.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I ask unanimous consent that once I finish speaking—I will talk for less than 10 minutes, and I ask that the senior Senator from Utah, Mr. HATCH, be recognized next.

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

Mr. CARPER. Madam President, I would like to say to the Senator from Utah, who is a dear friend and the ranking Republican on the Finance Committee, that something magical happened here about 48 hours ago right here in this Chamber. What happened is we saw the Senate evolve in a very good way. We saw Senators bringing amendments to the floor, Democratic

and Republican. We saw them having a chance to offer amendments, debate the amendments, and get votes on the amendments. And it was on an important issue. The issue was how we were going to provide and fund the transportation system for our country, which includes roads, highways, bridges, tunnels, transit systems, and more.

At the end of the day, 79 Senators, Democratic and Republican, a majority of Republicans and Democrats, voted to say we would like to make sure we don't run out of money in the Federal transportation trust fund this year. We are going to replenish that trust fund but not for a year or a year and a half but for a relatively short period of time—until the end of the year, really until the end of December. Why would we stop there? It is because we believe that if we keep on going—for example, one of the proposals coming over from the House was to fund the transportation program until maybe next May or next June. Our fear and the fear of 79 Senators who voted—I think with their conscience—our fear was that we will get to next May 31 and say: Well, we can't make these votes. It is too tough to pass a 6-year transportation program for our country. Let's just cobble together enough revenues from disparate sources that have nothing to do with transportation, do what my friend Senator BOB CORKER calls generational theft and steal 10 years' of revenues and use it to fix highways and bridge problems for 3 or 4 or 5 months. That is what we have been doing for the last 5 years. We have done it 11 times.

What we have done is we said to Governors and State departments of transportation and others who are trying to build highways, roads, and transportation highway systems: We are going to give you a little bit of money, and you can count on it for a couple of months. If it runs out, we will try to do it some more.

Stop and go. It is hugely inefficient. It is hugely inefficient. I speak as on old Governor—not that old—as a recovering Governor, a former Governor, and have some idea of all the work put into these projects. Take, for example, when you plan your highway, bridge, or transit system. You have to plan the project, you have to fund the project, you have to contract the project, and you have to get permits for the project. It takes years. And providing that we have the revenues—or won't we—will the Federal Government be there as a partner? The kind of system we have is wasteful—or at least the kind of system we have shown in recent years.

A bunch of us say: Why don't we Senators—Democratic and Republican—do our job and fund a 6-year transportation program for our country?

For the most part, I think for myself and for many, why don't we stop using sources of revenue that have absolutely nothing to do with transportation? Why don't we just stop taking money from the general fund, which borrows money from China and all kinds of other places around the world? Why don't we fund it ourselves? For projects that are worth having, we ought to pay for them.

Last Tuesday night, 2 nights ago, this Senate worked, and it was a joy to behold. At the end of the day we passed and sent over to the House of Representatives legislation that said we are going to not let the transportation trust fund run out of money this year. We are not going to kick the can down the road. We will keep this on a short leash and make sure that when we come back after the election, we will be likely to actually fund a 6-year transportation program.

It is a smart approach and a principled approach.

I want to say a big thank-you to a couple of people. I want to say to Senator BOB CORKER, the Republican from Tennessee, and Senator BARBARA BOXER, Democrat from California, who chairs the Environment and Public Works Committee on which I serve as the chairman of the Transportation and Infrastructure Subcommittee, I thank you for your leadership. Thank you for standing up for doing the right thing.

Andrew Jackson used to say, ''One man with courage makes a majority.'' Mr. Jackson, I would like to say said one woman with courage makes a majority. But in this case we had a courageous Republican from Tennessee and a courageous Democrat from California, and they let me draft it. The three of us put together this proposal. We worked with Senator RON WYDEN, who chairs the Finance Committee. We appreciate very much his support for our proposal as well.

At the end of the day, 79 Senators said it was the right thing to do. It went over to the House. The House, to my disappointment—not to my surprise but to my disappointment—said: No, we are going to strip off what the Senate has done in a bipartisan way, and we are just going to go back to what we sent to you some time ago—which, I must say, is not likely to get a 6-year transportation program funded anytime soon—not this year and probably not anytime soon. They said that to us.

But there is good news. There is good news. Seventy-nine Senators—again, over half of the Republicans and almost all the Democrats—said: We want to do our job and we want to do it this year. We want to fully fund the transportation plan for the next 6 years.

That is what the people want us to do. That is what State and local governments want us to do, what mayors and Governors want us to do. People who work and build roads, highways, bridges, transit systems—that is what they want us to do. Contractors, the business community, labor unions—that is what they want us to do. Do our job. And we are prepared to do it.

The good news out of all of this is 79 of us are prepared to do that, and I suspect some others who may have voted the other way Tuesday night are prepared as well.

I thank BOB CORKER and BARBARA BOXER and RON WYDEN and others who are part of this vote of 79 for the leadership they provided.

I want to say to my friend Senator ORRIN HATCH, whom I love and love working with and with whom I am pleased to serve on the Finance Committee—I have admired him forever—that when we come back into session after the election, the lameduck session, my hope and prayer is that we will all be able to work together and get this job done. I know Senator HATCH, and I think he is the kind of person who will help get it done.

Let me close with this thought, if I could, and then I will yield to the Senator from Utah. To my pleasure, one of the things that happened during the last several weeks and months was the establishment of a broad-based coalition of business, labor, State and local governments, all kinds of organizations and people who came together and said: Do the right thing. They told us to do the right thing. They have been terrific supporters and have encouraged our colleagues, Democratic and Republican, to join with Senators CORKER, BOXER, WYDEN, and me to do what we did Tuesday night.

That coalition is not going away. They worked the House of Representatives very hard in the last 2 days,—the last 48 hours—and they are not going away. When we come back here after the election, they will come back strong, and we will too. We are not going to go away on this issue.

One of the most important things we do as Senators and Representatives is to provide a transportation system that is worthy of this country. It helps with the movement of people and goods that we need to be a strong and efficient economy and nation.

I will close with the words of Mark Twain. I used them the other night, and Senator HATCH has heard these words before. The words of Mark Twain all those years ago: When in doubt, do what is right. You will confound your enemies and astound your friends.

Seventy-nine of us the other night did what we thought was right and what I am sure was right, and we are going to come back in a couple of months and we will have a chance to have our colleagues join us and really, as a whole body—hopefully with the House of Representatives and the President too—do our job, make sure we have the roads, highways, bridges, and transportation systems we need in this country.

Again, my thanks to the Senator from Utah for letting me ramble on a bit, and I want to express once again my admiration for him. I look forward to working with him not just on this issue but on many others in the years to come.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my dear friend for his kind remarks, and I understand how much zeal he has for the things he does here on the floor. He is a fine man, and I really appreciate it.

Madam President, earlier today—just a little while ago, in fact—the House of Representatives once again passed legislation extending funding for the Federal highway trust fund. This is the latest step in the process for which the final outcome has been known for some time. The bill the House passed today is virtually identical to the one they passed last week. It is basically the very same bill.

Earlier this week the Senate passed its own version of the highway bill and sent it to the House. Of course, we did so knowing full well the House would not accept the Senate bill. I don't think there was ever any real doubt in this Chamber as to what was going to happen, but in my view it is good that the Senate acted.

I was particularly pleased to see that the version of the highway bill reported by the Senate Finance Committee received such strong bipartisan support when it came up for a vote. Senator WYDEN and I worked hard on that bill. The effort was bipartisan from the outset, and in the end we produced a product that both parties could support. Of course, I was a little less pleased that the Senate on the very next vote opted to strike the Finance Committee's language and replace it with what is, in my view, a less viable vehicle for funding the highway trust fund, but in the end that is the direction a majority of the Senators decided to go, and I accepted it and am proud of everybody who participated.

As I said, it is good that the Senate acted. But now the House has acted again. It is good that the Senate had some amendments for a change, and I think we all felt good about that. I felt a renewed spirit in the Senate because of this since it had been a year without having real amendments in a real process. Of course there were only four of them, but compared to what we have had over the last year, that still was an amazing occurrence. But now the House has acted again, and although there are likely to be a number of Senators who do not like the House bill, there doesn't appear to be enough time for the Senate to try once again to go in a different direction.

As we all know, we are on the verge of a crisis with regard to funding for the highway trust fund. Congress needs to act immediately to prevent a shortfall in the trust fund and to ensure that the States can continue to plan and implement their highway projects. Thousands of jobs are at stake. If Congress doesn't pass a bill and get it to the President before we leave for recess, we will be doing a great disservice to a lot of people. We all know this. It is not a secret. It is not a surprise.

As far as I can see, the only viable solution before the Senate today is to take up the House bill and pass it as is. Once again, we have all known this was the most likely outcome for some time now. It is time we accept it and move on. That is not to say that I am disappointed that we have to pass the House bill. As I said a number of times, if you compare the House bill with the one reported by the Senate Finance Committee—which, once again, received broad bipartisan support when it was voted on in the Senate earlier this week—you will see that the bills are not all that far apart in terms of policy. The core funding mechanisms are the same.

The principal difference is that the Senate bill raises some revenue through some tax compliance provisions that are not in the House bill. The House bill goes a little further on pension smoothing than the Finance Committee bill does, and this has brought heartburn to a number of us in both bodies.

These are not fundamental differences. Any Senator who supported the Finance Committee's bill should be able to support the House bill, which is a good thing, because as I said we don't have many other options if we want to get this done before the recess.

I plan to support the House-passed highway bill. I urge all of my colleagues in the Senate to do the same.

Finally, I wish to take a moment to address a major setback we encountered with regard to the temporary highway extension that passed in the Senate earlier this week. As we learned yesterday, the Senate-passed bill has a shortfall of about $2.4 billion due to a drafting error. Some have suggested that this error originated in the Finance Committee's version of the legislation. However, anyone who takes the time to compare our language with that of the subsequently passed substitute amendment will find this is not the case.

I am not here to point fingers or try to embarrass anyone, but I will say these are the types of mistakes that happen when tax policy is written outside of the tax-writing committee, and we should all be careful of that.

The Finance Committee has an open and transparent process that allows for all of our numbers to be scrutinized well in advance. The committee has all the necessary expertise at its disposal to prevent these types of mishaps.

I am well aware that mistakes happen. I would just like to suggest that fewer of these types of mistakes will happen in the future if the Finance Committee is allowed to do its work when it comes to writing tax policy. That is all I have to say on that matter.

Once again, we are at a critical juncture. We need to get a temporary highway bill over the finish line. As far as I can see, the only way to do that is for us to take up and pass the House bill. As I stated earlier, this should not be a difficult lift. I think we can get this done in short order.

It was a lot of fun to be on the floor—for the first time in about a year—where anybody who wanted to at least had a shot at being able to bring up an amendment for a vote. Four of our colleagues did get amendments up, and they were thrilled. Isn't it amazing we were thrilled about something the Senate ought to be doing every time we bring up a bill? We can get both sides together on a limited number of amendments, but we should not have either side demanding to approve or disapprove the amendments in advance, and that has been happening all too often in the Senate with the way it is being run.

I love all of my colleagues. I love my friends on the other side. There is no use trying to kid about it, I care for everybody in this body, and I cared for everybody I have served with. I admit that occasionally there have been Members whom I cared a little less for than most of the others, but the fact is this is a great body. We have had some great people on both sides of the aisle over the 38 years I have been in the Senate.

We need to allow our committees to work. Let's allow our individual Senators to work too. Let's understand that we don't all come from the same State or the same jurisdiction. Each of us has a desire to represent his or her jurisdiction in the best possible manner. Frankly, we need to get this Senate back to where it is the greatest deliberative body in the world rather than just something that is run for the benefit of the majority. I don't want it to run for the benefit of the minority either.

We can get together—just as we did on this bill—and do much better around here than we have been doing. I hope that as we go into the future, everybody in this body will want to work better together and quit playing politics with everything.

We understand this is a political body, and we understand there will be politics played from time to time. It is kind of fun sometimes but not on everything, and especially not when it prevents what the Senate is truly all about, which is wide-open debates and wide-open amendments, and we certainly need to find a bipartisan way of working together.

I particularly enjoyed working with Senator WYDEN. He has made a distinguished effort to try to make things as bipartisan as he can, and that is hard to do around here anymore in both the House and Senate. The House is supposed to be a body that fights over everything, I guess, because it is a majoritarian body. But even then the House has had many Democratic amendments they could have stopped. While they have had many amendments, we have basically been stopped from being able to act as the Senate should act, which is to allow people the right to bring up their amendments and try to make points that maybe all of us would do well to consider from time to time.

I am grateful I am a Member of this body, and I am grateful for the people I have served with all these years on both sides of the aisle. In all the time I have been here, there were only two people whom I thought had no redeeming value. I should not have said that, I guess, but there were two people whom I thought truly didn't have the Senate at heart and truly didn't do what I thought they should do. I have loved all the rest and appreciated them very much.

I appreciate the leadership on both sides, but I just hope we can get past all of this bickering and start running the Senate as it has always been run. A lot of it started when you break the rules to change the rules, and this is what happens. It was a real mistake on the part of the majority to do that. They might not think so because they are packing the Federal courts with judges—most of whom would have gotten through. About 98 percent of the President's nominees were getting through and very few were even contested. The fact is that some have gotten through and others should never have gotten through to the Federal bench, and it is because of breaking the rules to change the rules. It is not right for either side to do that, but it has been done. Let's overcome it, and let's be the most deliberative body in the world today, and I think we can do it.

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

The PRESIDING OFFICER (Mr. KAINE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

All postcloture time having expired, the question is on agreeing to the motion to proceed.

The motion was agreed to.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014

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

The assistant legislative clerk read as follows:

A bill (S. 2648) making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 3750

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3750.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

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

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

The yeas and nays were ordered.

AMENDMENT NO. 3751 TO AMENDMENT NO. 3750

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3751 to amendment No. 3750.

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

MOTION TO COMMIT WITH AMENDMENT NO. 3752

Mr. REID. I have a motion to commit S. 2648, with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Appropriations with Instructions to report back forthwith with an amendment numbered 3752.

The amendment (No. 3752) is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. On that motion I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3753

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3753 to the instructions of the motion to commit.

The amendment is as follows:

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

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

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

The yeas and nays were ordered.

AMENDMENT NO. 3754 TO AMENDMENT NO. 3753

Mr. REID. I have a second amendment now at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3754 to amendment No. 3753.

The amendment is as follows:

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

CLOTURE MOTION

Mr. REID. 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 S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2104, and for other purposes.

Harry Reid, Barbara Mikulski, Patty Murray, Debbie Stabenow, Richard J. Durbin, Bernard Sanders, Barbara Boxer, Robert P. Casey, Jr., Elizabeth Warren, Tim Kaine, Christopher A. Coons, Mark L. Pryor, Ron Wyden, Michael F. Bennet, Benjamin L. Cardin, Charles E. Schumer, Christopher Murphy, Patrick J. Leahy.

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

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

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 471, S.J. Res. 19.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 471, S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that the Senate resume consideration of S. 2648.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the time until 6:45 be equally divided between the two leaders or their designees, and that at 6:45 this evening, it be in order for Senator MCCONNELL or his designee to be recognized for the purpose of moving to table amendment No. 3751; that if the motion to table is not agreed to, Senator SESSIONS or his designee be recognized for the purpose of raising a budget point of order against the bill; that if a point of order is raised, then Senator MIKULSKI or her designee be recognized for a motion to waive; that if the motion to waive is made, the Senate immediately proceed to vote on the motion to waive; that if that motion to waive is agreed to, then, notwithstanding rule XXII, the Senate immediately proceed to the

vote on the motion to invoke cloture on the bill; that if cloture is not invoked, the bill be returned to the calendar; if cloture is invoked, all postcloture time be yielded back and the pending amendments be withdrawn and the Senate proceed to vote on passage of S. 2648.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, after consultation with Senator MCCONNELL, the Senate proceed to the consideration of the conference report to accompany H.R. 3230, the Veterans Access to Care Act; that Senator COBURN or his designee be recognized for the purpose of raising a budget point of order against the conference report; that if the point of order is raised, then Senator SANDERS or his designee be recognized for a motion to waive; that if the motion to waive is made, there be up to 10 minutes equally divided between Senators COBURN and SANDERS or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the motion to waive; that if the motion to waive is agreed to, the Senate immediately proceed to vote on adoption of the conference report; that the vote on adoption be subject to a 60-affirmative-vote threshold; that if the conference report is adopted, the Senate then proceed to the consideration of H. Con. Res. 111; that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

Mr. REID. Mr. President, I now ask unanimous consent that upon disposition of the conference report to accompany H.R. 3230, the Chair lay before the Senate a message from the House with respect to H.R. 5021; that following the reporting of the message, I be recognized to make a motion to recede from the Senate amendment; that following the leader's motion, Senator SESSIONS or his designee be recognized for the purpose of raising a point of order against the bill; that if the point of order is raised, Senator WYDEN or his designee be recognized to move to waive the point of order; that no other motions be in order to the bill; that if the motion to waive is made, there be up to 20 minutes equally divided between the two leaders or their designees and the Senate immediately proceed to vote on the motion to waive; that if the motion to waive is agreed to, the Senate proceed to vote on the motion to recede from its amendment to H.R. 5021.

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

The PRESIDING OFFICER. Under the previous order, the time until 6:45 p.m. will be equally divided between the two leaders.

The majority leader.

Mr. REID. Mr. President, we expect the votes to begin about 6:45 tonight, but they could come earlier, so everyone should be aware of that.

Seeing no one here to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, we are now in the closing hours of this session of the Congress. We are getting ready to take our break. I am rising to exhort our Members to vote for the urgent supplemental. I appreciate the fact that we have adopted the motion to proceed.

I remind our colleagues what is in the urgent supplemental. First, it is to fight wildfires in our own country: $615 million to fight 27 large fires that are sending homes and communities up in smoke in eight Western States.

Second, it fortifies Israel's anti-missile defense system, Iron Dome, by providing $225 million to enable Israel to purchase interceptor rockets that they have utilized in their own self-defense. It is lifesaving technology. It is defensive technology.

Third, and not at all least, it is to deal with issues on the border, providing $2.7 billion to deal with the surge of children coming through Central America, through a treacherous route through Mexico, presenting themselves to our border, asking that we consider their petition for refugee or asylum status. This bill is a reduction by $1 billion of what the President asked for. The President originally asked for $3.7 billion for the surge of the children all by itself and then additional funds for Iron Dome and the wildfires.

When we looked at the request for the surge at the border, we felt we could reduce that by $1 billion, and to ensure the taxpayers that we are doing rigorous and vigorous oversight, we have money in there for the inspector general.

This is an emergency spending bill, which means no offsets are required.

Also, it is meant to deal with humanitarian crises, both in our own country with firefighting and then a crisis a treasured ally is dealing with and then a crisis in Central America, where the violence is so severe that children are on the march to be able to escape it. These funds will pay for additional law enforcement for our Border Patrol, humanitarian assistance for HHS to house, clothe, and feed the children on a temporary basis while we find a relative and their legal status is determined; that is, do they qualify for asylum or refugee status.

Much has been said about the backlog and even a mockery—some States mocked the current system because they said there were so many awaiting these types of hearings. Maybe if we passed regular appropriations, which we haven't done in 3 years, we wouldn't be in this crisis. But this supplemental includes money for additional immigration judges to be able to expedite the determination of these children's legal status.

Also, it goes after the drug smugglers, the human smugglers, the drug traffickers, the human traffickers, and the coyotes who are exploiting, creating the misery and violence in Central America, and also, while they are doing that, exploiting these children who are on the move and on the march.

I understand there is a great deal of reluctance to either vote for the money or to weaken our asylum laws. I would caution us in weakening our asylum refugee laws, particularly as it affects children. I hope we can pass this bill and begin to move forward with it.

I want everyone to be aware we are talking about a surge of children—approximately 60,000 children, not 600,000 children—just barely enough to fill Ravens stadium. We are a country of 300 million; we are talking only about this.

I hope we can move on this bill, meet our responsibilities to our neighbors in the West facing wildfires and an ally who is running out of interceptor rockets to protect itself and not only deal with the children and their request to determine asylum status, but at the same time we put the money in the Federal checkbook to go where the crime and the criminals are, which is the narcotraffickers in Central America.

I will have more to say before we wrap up, but I now yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Texas.

Mr. CORNYN. Madam President, the distinguished Senator from Maryland has described the President's request and what she has proposed, the Appropriations Committee has proposed in response. The problem with the response is it does not solve the underlying problem, which is a loophole in a 2008 law, which is now being exploited as part of the business model of the cartels that smuggle children and other immigrants illegally from Central America through Mexico into South Texas.

It makes no sense to me just to write a check for this surge, which I agree that there is money needed for additional judges, additional detention facilities, and the like in some dollar figure. But if you do not solve the underlying problem, we are going to be back here months later and doing this all over again. This, of course, is an emergency supplemental. We will be doing this emergency every 2 or 3 months because what we have seen over the last couple years is that the numbers of children coming into the country because of this loophole in the 2008 law I described a moment ago—the numbers have nearly doubled over the last couple of years, and there are projections that there will be not just the 57,000

unaccompanied children who have been detained so far this year but that the number could grow as high as 90,000 by the end of this year and 145,000 next year. We are going to be in deep trouble, not to mention the crisis for these children. Our capacity to deal with them at the border and in local communities there is overtaxed, and there is the fact that the Border Patrol is diverted from interdicting illegal drug traffic and other necessary activities because they are taking care of these children, who deserve to be taken care of, at least while they are in our protective custody. So this is not a solution to the problem.

I know from meeting with the President—I see the distinguished majority leader and the majority whip here. We all were invited over to the White House this morning to talk to the President about national security matters. My distinct impression was the President understands the nature of the problem, and he conceded that we cannot endlessly accept people who want to come to the United States from troubled regions of the world because it would simply overtax and overwhelm our capacity to deal with it. That is why it is so important to have legal immigration. I agree that we need immigration reform. I do not agree that we need the Gang of 8 bill. But I am committed to trying to fix our broken immigration system on a step-by-step basis when we next have an opportunity to do so.

But right now we have an emergency that is disproportionately affecting my State, the State of Texas, and our local communities and our State are being overwhelmed. It is the Federal Government's responsibility and the Federal Government needs to step up. That is why I agree some amount of money—I do not agree it is $2.7 billion, as an emergency, but at some level we do need to come up with the money to deal with this emergency. But we cannot just write a check because, as I said, we will continue to come back. This crisis will be unabated and, in fact, it will get worse.

I mentioned earlier today the polling that I saw that miraculously said 68 percent of the American people disapprove of the way the President is handling this immigration crisis, which is a rather dramatic development. I think all that the American people expect and deserve from us is that we try to work together to solve this problem. Congressman HENRY CUELLAR, my friend from Laredo, TX, a Democrat, a self-described blue dog Democrat, and I have come up with one suggestion: The HUMANE Act. It is our proposal, and if anybody has a better idea, we are all ears and all willing to consider it. But so far we have heard no alternative proposals and only a request to write a check for $2.7 billion. I think it would be irresponsible for us to only appropriate money and not deal with the underlying cause.

So, Madam President, I ask unanimous consent to temporarily set aside the pending amendment so I may call up my amendment No. 3747, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. MIKULSKI. Madam President——

Mr. CORNYN. Madam President, if I may, I hold the floor, if I am not mistaken. I just have a couple concluding comments and then I will turn it back over.

What we need to do is learn the lesson that we learned in 2005 and 2006. In talking with Secretary Johnson, he understands this problem very well. I know the Senator from Arizona remembers this. In 2005, we saw a surge of what were at the time called OTMs, immigrants from countries other than Mexico. Strangely enough, we saw a surge of 30,000 Brazilians who were detained at our southwestern border.

What Secretary Chertoff came to learn is that a loophole they were exporting was the so-called catch and release at the time. They did not have detention facilities. What would be done is they would be released, essentially based on their own recognizance, and we would never hear from them again. They would escape into the great American landscape.

Well, the same phenomenon is happening now with these unaccompanied children because of that 2008 law that needs to be addressed so that they will remain in protective custody pending any court hearing, which we would give on an expedited basis. If they have a legal claim to stay, an asylum claim, a victim of human trafficking and the like, then the judge would determine that. And those who do not would have to be returned to their home country. I think I heard the President say as much today. I certainly have heard Secretary Johnson and others say the same thing.

That is what my amendment would do. I am sorry the distinguished Senator from Maryland has seen fit to object to it. I think this virtually guarantees that we will leave here today without having solved the problem, and that is a tragic circumstance.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, if I could respond to the Senator from Texas, first of all, I do not want my objection to be interpreted by him or by the Senate or those watching as a pugnacious dismissal of the Senator's request. The distinguished Senator from Texas has always stood for Texas and he has also stood for the protection of the border. He comes with an incredible background where he was a judge, a former judge of the highest court in Texas. So I understand. And I have also heard him speak repeatedly about the plight of these children, and he has spoken with great compassion. He and I both agree that we should not have open borders and open wallets, that we have to deal with this.

But I say to my colleague, this bill is a money bill. It is an appropriations bill. We do not legislate on appropriations. There is no legislative language in this bill. What the Senator is proposing, working with the administration, with the Judiciary Committee, on a bipartisan basis—because I think there is a sentiment perhaps we could arrive at some other language, but on this bill I objected because this would be legislating on appropriations. The type of pragmatic approach the Senator from Texas is proposing—and we have perhaps some ideas—cannot be done on this bill tonight with the urgent nature of it.

So I want the Senator from Texas to know my great respect for him and his advocacy on this issue, and I know of his heartfelt compassion for the children and his desire to have a broader immigration policy. I look forward to working with him on legislative matters in a different forum.

Mr. CORNYN. Madam President, will the Senator yield for a question?

Ms. MIKULSKI. The Senator will yield for a question.

The PRESIDING OFFICER. The minority whip.

Mr. CORNYN. Madam President, here is the conundrum I think we find ourselves in. The President has made a request for the money. The Secretary of Homeland Security has said he needs more authority in order to deal with the problem, and what my proposal would do is to give him that authority necessary to solve the problem.

The Senator from Maryland has always been very kind and gracious, and I appreciate her response, and I know of her compassion, given her background, particularly in social work, that she has great compassion for these children, as we all do. But we have a problem and we need to solve the problem.

What is so confusing to me is, when the House was considering a proposal which would combine both policy changes together with some money to deal with them, the White House issued a notice the President would veto it if it were passed. So it seems to me that—well, it is confusing, to say the least. I am not sure how we get out of this place we are in.

Ms. MIKULSKI. Is that the Senator's question?

Mr. CORNYN. The fact is, we are dysfunctional. But if the Senator has a suggestion for how we get out of this dysfunction, I would love to hear it.

Ms. MIKULSKI. First I would like to respond——

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you very much. We are eager to engage in conversation with each other.

It is the belief of the members of the Judiciary Committee—at least the Democrats on the Judiciary Committee—that the President has enough

current authority to provide what Secretary Johnson is asking. I too have heard what Secretary Johnson has. So there is a dispute about whether he needs more authority or whether the President can exercise the authority he has. We believe he already has enough authority.

Then there are two large issues. The two large issues are: immigration reform, commonsense, sensible, along the lines that passed the Senate—Senator MCCAIN of Arizona and others have worked on this, Senator DURBIN—and then the other is what is going on in Central America with these drug traffickers.

Quite frankly, the fact is we need to start to pay attention to our own hemisphere. I note that when everybody talks about how much money this is, it is less money than we are going to spend to give to the Afghan security force. OK. We give $4 billion to the Afghan security force. Let's hope they are going to use it and shoot in the right direction.

I am looking at making sure our country goes in the right direction, and I am going to work on a bipartisan basis. I say pass this bill. Let's put together a bipartisan task force and see if we can deal with these two problems of both immigration reform—to move it through both bodies—and also bring our focus back to our own hemisphere and deal with the issues in Central America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, as I was watching the back and forth here on the floor of the Senate, I could not help but notice that my three colleagues on the other side of the aisle there and I have roughly the same amount of time here in the Senate. In fact, the distinguished majority leader and my friend from Illinois and I came to the House together way back more than 30 years ago.

When I came to this body, and when they came to this body, we had leaders. We had leaders. Do you know what those leaders used to do? They would say at the beginning of the week: We are going to take up a certain piece of legislation, and we are going to work through it. We are going to do what the Senate does. We are going to have amendments proposed, and we are going to have votes on those amendments, and we are going to have the Senate be a deliberative and debating organization, praised as the greatest debating institution in the world, although that probably is not true—and Senator Byrd, a distinguished majority leader, Senator Mitchell, a distinguished majority leader—do you know what they would say—Senator Lott, Senator Dole—do you know what they would say They would say: We are going to take up a bill and we are going to have amendments and we are going to have debate and we are going to have votes, and then we are going to vote on final passage. For 30 years that is how I have watched the Senate function.

Now we have a humanitarian crisis on our border, a humanitarian crisis of incredible proportion, where thousands of young people—while they are being transported by these coyotes, young women are being raped, they are falling off trains, terrible things are happening—and what are we presented here in the Senate? I say shame on you. I say shame on you for not allowing those of us who represent the States that are most affected by this to have an amendment, an amendment voted on. That is unbelievable to me. We put together—and I say with great respect to the Senator from Maryland, saying that we do not legislate on appropriations—excuse me. Excuse me.

We have legislated a lot on appropriations, mostly to my dismay. Year after year I have watched legislating on appropriations. On the Defense authorization bill, it has caused me heartburn time after time. So please don't—please. I have been around here too long for you to tell me we do not legislate on appropriations.

I want to have some amendments debated. I want to be able to tell the people of my State that are being flooded by immigrants—I want to be able to tell them that I had a proposal representing them here in the Senate and I wanted it debated and I wanted it voted on. Is that a hell of a lot to ask? I do not think so. I do not think so.

This is a crisis of proportions that we have seldom seen the likes of. I am sure the majority leader will come over and talk about Republican obstructionism and how we cannot get anything done around here. We have now compiled a record, according to the experts, as the least productive Congress in history—in history. So I am supposed to go back to my home State of Arizona, which is experiencing terrific problems, horrific problems—my constituents are really angry. They expect me to come here and represent them in the Senate and debate and have their views and their desires and their ambitions and their reputation here in the Senate.

What have we done? The parliamentary situation is that there will be no amendments that will be allowed to be debated or voted on no matter what.

The Senator from Maryland said: Well, we do not legislate on appropriations.

We have some amendments on money that would either reduce or increase the amount of funding. Are we going to be able to have that amendment voted on? Hell no. We are not going to be able to have a single thing voted on. Everyone wants to get out of town. So sometime tonight or maybe tomorrow we are going to close up shop and we are going to go home. The humanitarian crisis goes on. It goes on.

What about these children? Are they going to be enticed by coyotes for their families to give a year's salary to transport them from one of these countries to the United States of America? Are an untold number of young women going to be raped along the way? Are there going to be kids who fall off these trains? Is that what is going to happen? We are going to go for 5 weeks without debate on a single amendment, not a single one. What kind of an institution is this? What has happened since the days when the Senator from Nevada and the Senator from Illinois and the Senator from Maryland and I came to this body proud—proud to be a Member of this institution?

I can remember time after time the junior Senator being able to come down here, propose an amendment, have it disposed of—usually losing but at least I was representing the people of my State. Now I cannot represent them. I cannot give them what they believe they deserve here in the Senate.

In a second I will stop and I will ask unanimous consent to set aside the pending amendment so that the amendment Senator FLAKE, my colleague from Arizona, and I have put together after visiting our border, after talking to all of our constituents, after discussing the issue with our Governor—we came here to represent them. How can I represent them if I am not allowed to express their beliefs and their ambitions and their desires to help solve this problem?

How do I go down to the ranchers in the southern part of my State and say: I am sorry there are people crossing your property every night. What do I say to the families of those people who are being separated? What am I supposed to tell my citizens whom I represent—that I came here to ask for something that I know is going to be objected to? What has happened to this body? What has happened to the Senate, I ask my colleagues?

The approval rating of Congress, the last time I checked, was either a single digit or low double digits. Everybody kind of thinks, well, that is normal. It is not normal. I hearken back again to the days when we first came here. Our approval rating with the people of our country was 70 percent, 80 percent, maybe even a little lower. Is all the fault on that side of the aisle? No. But I would say that the people in charge here have an obligation to allow all of us to represent the people who sent us here. That is not happening today. It has not happened all year. It may not happen until next January, where I am committed and I believe the majority of my conference is committed to bringing up legislation and having debate and having votes. That is the way the Senate was supposed to function.

I know what is going to happen here in about 30 seconds. I say to my colleagues, this is not right. This is not right. This is not the way we are supposed to represent the people we asked to send us here and let us represent them.

Senator FLAKE and I have pretty simple legislation. It has to do with the

fact that, as the President said, it would modify the Trafficking Victims Protection Reauthorization Act. It would do some other things. It would provide for funds—and I will not go through all of the details of it except to say that I know what is going to happen, but it is not right. It is not the right way for this institution to function. We all should be a bit embarrassed.

I ask unanimous consent to temporarily set aside the pending amendment so that I may call up amendment No. 3742, which is at the desk.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Madam President, reserving the right to object, let me say at the outset that I have the highest respect for my colleague from Arizona. We are friends. We came to Congress at the same time, as has mentioned on the floor, and spent month after month together on the comprehensive immigration bill. I believe there were 130 amendments that were considered to that bill. I thought that was an orderly, thoughtful process. I hope we can return to it.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Madam President, this is what we are facing: The President has come to us facing a crisis at the border. He has asked us for the resources for the Border Patrol that has to process these children coming in and for Health and Human Services so that once these children—some of whom are toddlers and infants—are in our country, they can be treated humanely. He has asked us for the resources for that purpose.

He has also asked us initially for some resources to get to the heart of the problem, which Senator CORNYN of Texas has acknowledged. The heart of the problem is not in the United States; the problem is in Honduras, El Salvador, and Guatemala. There is clearly a crisis situation there.

What Senator MIKULSKI, the chairman of the Senate Appropriations Committee, has done is reduced the President's budget request by $1 billion, if I am not mistaken, and said: We will respond to this emergency request with these resources and realize that more is going to be done.

On the other side of the aisle, the senior Senator from Texas has come in and talked about changing immigration law. He was kind enough to acknowledge that we made an effort to change the immigration law right here on the floor of the Senate over a year ago with 68 votes. Fourteen Republicans joined the Democrats in a comprehensive immigration bill. The Senator from Texas acknowledged he did not vote for it. Had he voted for it, he would have voted for the most dramatic increase in border security in American history. But he voted against it. That is his choice. I respect his judgment. But to come to us today and say: Now we have to vote again on border security—we had a chance. The Senate passed it. What happened to the comprehensive immigration reform bill? It made it over to the House of Representatives and disappeared into vapor. It was never called for consideration.

So it is not as if we have ignored the problems of immigration. We addressed them forthrightly in a bipartisan fashion, in a comprehensive fashion, and the House of Representatives refused to even call the bill.

Let's go to this particular issue. The heart of the problem is clearly in three Central American countries that are so lawless that people are desperately sending their children to the United States of America. We have to deal with that issue. We are. The President has dealt with it. The Vice President has visited those countries. Last week the Presidents of all three countries came here. So to say the President is doing nothing about the cause of the crisis is not accurate. The President is addressing it directly to discourage any more children from making this dangerous, deadly journey, No. 1.

No. 2, I hope we all agree: No mercy for these smugglers. No mercy for those coyotes who are exploiting these families and sadly abusing many of these children.

No. 3—and the President has made this point—we have an obligation. When a child is entrusted to you, people stand in judgment of how you treat that child. We have many children now entrusted to us on a temporary basis. The President has asked for money so that they can be treated humanely on a temporary basis. Not an unreasonable request.

Time and again America has responded to crises around the world—families and children who are victims of war, earthquakes, tsunamis. For virtually every natural disaster, we have been there. America has a reputation for being there. Now that children are at our border, will we do anything less?

What we are doing with the bill before us, the supplemental bill, is providing enough money for humanitarian care and still working on the root causes of the problem. I think that is responsible.

I hope we do not leave here this week having failed to come up with this money. I hope we provide the resources to this administration. I hope my colleagues on a bipartisan basis will do two things: Vote for this emergency appropriation and, secondly, let's join in a thoughtful discussion about how to pass a comprehensive immigration bill which includes this aspect—asylees and refugees.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I think I have said enough with enough emotion. But I will say to my friend from Illinois that the way you have a thoughtful discussion is to have debate and amendments and votes. That is generally the accepted way. You want a thoughtful discussion; I want a thoughtful discussion. Why can't we just accept the fact that we should go forward with our amendments and have debate? That way we can best serve the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, how much time is remaining?

The PRESIDING OFFICER. The Republicans have 8 minutes remaining.

Mr. SESSIONS. Madam President, the problem we have at the border today is a direct result of the actions of the President of the United States. In 2011 we had 6,000 young people coming to America unlawfully. They were apprehended. Now we have 60,000. It was because of his DACA program and his open statement that was heard throughout the world as: If you come to America as a young person, you will be able to stay.

That was exactly and I think to some degree remains the situation.

If you come to America as a young person from Central America, not Mexico, and you turn yourself in, you will be released on a permiso or bond or promise to reappear.

People come and pick up the children and they stay.

This is no way to run a lawful system of immigration. You know, it was said: Well, we offered a comprehensive bill to fix it.

That bill was flawed. I opposed that bill. It was rejected by the House of Representatives.

I would say with great confidence that because the House of Representatives rejected the bill that Members of this Senate supported and that the President of the United States supported does not thereby mean the President of the United States can do what the bill says when it was rejected and did not become law. It takes both Houses to pass a piece of legislation.

The bill would not have worked. It would not have been effective. The people of the United States, through their elected representatives, did not allow it to become law.

I would point out that this administration amazingly has announced its intention to bypass Congress and to implement an executive amnesty by fiat. This would include, as has been widely reported, 5 million to 6 million work permits and legal status for illegal immigrants into America.

This is contrary to Congress's decision. Congress has not approved that. But Congress has approved a law that says it is unlawful for somebody in the country, for example, to work if they are not here lawfully. They can't work in the United States. They are not approved for work.

The President is saying he is going to give them legal status and permission to work contrary to plain law. This is

very serious. This action would be in violation of the Immigration and Nationality Act. It would be an executive nullification of our laws and the protections that American workers are entitled to. Congress must not surrender to such lawlessness.

It has been in half a dozen papers. The Wall Street Journal 2 days ago: Millions of people by executive action of the President—it is unbelievable to be so open and bold about this, as if he thinks maybe this would intimidate Congress to force us to adopt legislation Congress has rejected.

We have the power—the power of the purse—to stop it. That is the appropriate response of Congress. When the President proposes something that is improper and outside of law, when we have powers as coequal branches of government, we can respond, and we should use the power of the purse.

Senator CRUZ has filed an amendment to this bill that would prohibit the executive expenditures by the President of any funds for administrative amnesty or work authorization for unlawful immigrants. However, the majority leader, with the support of his conference, has blocked all amendments to this border supplemental. If we do not stop this Presidential action, we will ensure that the border crisis continues a catastrophe.

The President's planned action would also represent a total breach of our constitutional system, and it would be a hammer blow to millions of unemployed American citizens. We do have the power to stop this. We ought to stop it. We have a duty to Congress, we have a duty to the rule of law, and we have a duty to the Constitution.

What we can do today by voting yes on my motion to clear the amendment tree and to consider and pass Senator CRUZ's amendment would fix this problem. It would say: Mr. President, you are not authorized to utilize any money of the U.S. Government to spend on a program to grant amnesty and work permits to millions.

The vote we are about to have will be a vote on whether to support the President's illegal amnesty or to block it. It will be a vote to allow us to vote on it, because right now the tree is filled and we can't vote.

I am going to be asking to table what is on the tree and clear that amendment out so we can vote on this amendment, and we will have a vote on it. Everyone in this Chamber will cast a vote before this whole Nation and reveal whether they stand for our laws, for our border sovereignty or whether they stand in support of the President's illegal activities, in truth.

A number of cosponsors support this amendment. I think it is the right thing to do, and we will be asking for that later today.

Colleagues, in addition, the administration has announced its intention to bypass Congress, according to the Associated Press, the Wall Street Journal, Time Magazine, and others, with as many as 5 million to 6 million of these work permits.

Unfortunately, the bill before us is merely a blank check to perpetuate the failure of this administration to fix the problems at the border. This can be done, colleagues. It is not impossible. It is not hopeless. We simply need a President who wants it to happen.

He has been sued by his own ICE officers, saying that they are being blocked from doing their duty. They asked a court to give them relief and tell their supervisors to quit telling them to violate the law and not enforce the law. That is amazing. Their morale is in the tank.

The current crisis on the border can be attributed to specific actions taken unilaterally by the President. After his 2012 Executive order, the number of unaccompanied minors apprehended at the border jumped from 7,100 in 2011 to nearly 15,000 in 2012, and now we have already hit more than 57,000 heading to 90,000. Estimates suggest approximately 32,000 unaccompanied minors are projected to cross the border in the remaining months of this fiscal year.

We have this egregious funding supplemental before us that would equal more than $110,000 per child who is coming into the country.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. I thank my colleagues. We do have good colleagues here, and we have great robust debate, and I appreciate the chairman of the committee, Senator MIKULSKI.

Moreover, this border supplemental provides the Department with unlimited transfer authority of $1.1 billion—an unlimited ability of up to $1 billion. It becomes, really, a slush fund in that sense. They can use it for anything. Finally, the border supplemental would provide an additional $1.2 billion to the Department of Homeland Security.

So I am raising a point of order. And I am sure a motion to waive will be heard. But make no mistake. A vote to suspend the budget rules and to block our point of order is a vote for the President's amnesty; it is a vote for continued chaos. I urge my colleagues to sustain it.

The bill before us today is in clear violation of the budget. All the money is borrowed money, it violates the budget, and I raise that point of order.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, a parliamentary question: Did the Senator from Alabama raise a budget point of order? Did the Senator from Alabama raise a budget point of order?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I have not raised it at this point, but I do intend to. I thought we had an understanding so we could make the votes occur at the agreed-upon time.

Ms. MIKULSKI. I say to the Senator from Alabama, do you want to raise it now or do you want to raise it later?

Mr. SESSIONS. I would raise it later.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I note that the Senator from Maryland wishes to respond.

How much time do the Democrats have in this debate?

The PRESIDING OFFICER. The Democrats have 9 minutes remaining.

Ms. MIKULSKI. I ask unanimous consent that the Senator from Illinois have 4 minutes to offer a rebuttal and I have 5 minutes for the wrapup debate before we move to vote.

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

The Senator from Illinois.

Mr. DURBIN. Madam President, the Senator from Alabama now joins the Senator from Texas, coming to the floor of the Senate complaining about the state of immigration laws in America. They have in common the fact that they both voted against comprehensive immigration reform.

When we had a chance in committee—which the Senator from Alabama and the Senator from Texas serve on—and on the floor to offer amendments and change the bill accordingly, both of them at the end of the day voted against comprehensive immigration reform. Now, over a year later, they come and complain about the state of law when it comes to immigration in America. They can't have it both ways.

They could have participated with us in changing the law in a positive fashion. They chose not to. They wanted to wait until a year later and complain about President Obama not meeting his obligation.

When it comes to comprehensive immigration reform, the Senate met its obligation, and those who voted for it did as well. It was the House of Representatives that failed to call the bill.

Now the Senator from Alabama says, well, the reason these children are coming to our border is because President Obama signed an Executive order which said that if you were a child brought to the United States by August 15, 2007, you could qualify to be benefited by this order and not deported, under DACA on a temporary basis.

Now, that has nothing to do with any child that comes after that date. They are not covered by that order. They are not protected by that order. To blame President Obama for the children coming to the border is to ignore the obvious. The law that brings these children to the border was a law signed by President George W. Bush in 2008. That is the law that governs the treatment of these children. Everything has to be blamed on President Obama from that side of the aisle. In this case, the law was signed by President George W. Bush.

I happen to believe that this DACA Executive order by the President was thoughtful and humane. Here is what it said: If you were brought to the United States before the age of 16, as a child, you lived in the United States and finished high school, with no criminal record of any magnitude, you would be allowed to stay in the United States on a temporary basis and not deported.

I have met these children. There are many of them who are growing into magnificent contributors to America—doctors, engineers, teachers. They beg to join our military. They are not what they are characterized to be. These are young people who believe this is their homeland, this is their country, and all they are asking for is a chance.

President Obama gave them that chance, and the Republicans time and again—Senator SESSIONS now, later Senator CRUZ—can't wait to deport all these children who have gone through high school, gone through college, and only aspire to be contributors to the future of America. That is the Republican party position for some: Deport these children; we don't want them in our country any longer. That is their position. That is not the position of a majority of Americans. They deserve a chance to prove themselves and earn their way to legal status. And to blame them for this border crisis is unfair.

Mr. GRASSLEY. Madam President, the majority leader has brought a $3.5 billion emergency supplemental spending bill to the floor at the request of President Obama. This bill, while it shaves off $1 billion from the President's original request, is still a blank check that does not solve the crisis along our southern border.

This Democratic spending bill isn't a solution, and it is not a reasonable or responsible request. The majority in the Senate want taxpayers to fund a bandaid that is needed because of the President's own policies and practices.

Not only does the President want a blank check, but he wants unfettered authority to keep people unlawfully in the country from being returned to their home country. While we are facing a crisis, President Obama is looking at ways to weaken our immigration laws.

I understand that there are a variety of reasons that people come here—to be with family, to find work, and to have a better life. We are a compassionate country, and we provide a safe haven for people who need it. But we are also a country based on the rule of law.

That rule of law has been a principle of our country since its founding. This principle means that the government will enforce the laws it writes. People need to be able to trust their government and trust that it will be fair.

Today, people don't trust the government to enforce the laws. They see lawlessness at the border. Individuals—including both children and adults—are crossing the border without repercussions, and instead of taking responsibility for it, the President wants to fuel the fire and provide them with more benefits.

Instead of providing a blank check, Republicans have come forward with solutions. Today, Senators CORNYN, MCCONNELL, FLAKE and I are introducing a humanitarian solution to the problem. We provide funding while changing the law to ensure speedy repatriation of unaccompanied minors to their home country.

We provide equal treatment to young children of noncontiguous countries to voluntarily return to their home country when apprehended by a border agent. Today, these young people can't voluntarily return. They wait 6 or 12 months until they go before an immigration judge. They are released, and we can only hope that they will show up for their court date.

Our bill provides a new and special process for unaccompanied children to have an immediate court proceeding. This new process would be conducted within 7 days, and children would remain in protective custody.

We also require expedited removal—meaning, no opportunity for formal removal proceedings—of criminals, gang members, those who have previously violated our immigration laws, and those who have fraudulently claimed to be an unaccompanied alien child. Expedited removal is a tool that will help border agents return people who don't have a right to be here, and it will avoid an influx of individuals going through our lengthy court system.

Our efforts, unfortunately, are only worthwhile if the home countries cooperate. We would require the President to certify that the Governments of El Salvador, Guatemala, and Honduras are cooperating in taking back their nationals. Moreover, we tie taxpayer dollars to their cooperation.

In addition to fixing the immigration court system for children, our alternative approach requires information sharing between Federal partners, including the Departments of Homeland Security and Health and Human Services.

It requires information sharing between the Federal Government and States, providing transparency and notice to States about individuals released. This administration has an abysmal record with transparency, and many States are left wondering how they are going to deal with the influx of undocumented children in their schools and health systems.

By the end of this fiscal year, up to 90,000 children will have entered the country. People are rightly concerned that they are being released into our communities. They are also being released to nonrelatives and people without lawful immigration status. Our bill fixes that. It requires children to be in the government's protective custody unless their parent is in legal status and undergoes a criminal background check.

Our bill prohibits the government from placing children with sex offenders or traffickers. Doesn't that just make sense. We are talking about vulnerable young people, and we need to be careful about who is taking custody of them.

Why are these young people coming? Aside from President Obama's weak policies, there is reason to believe that they are being trafficked and used as a commodity by drug traffickers. There are serious gang issues in some of these countries. And these issues are seeping into our country.

Our bill ensures that alien gang members are not provided a safe haven in the United States by rendering them inadmissible and deportable, requiring the government to detain them, and it prohibits alien gang members from gaining U.S. immigration benefits such as asylum or temporary protected status.

Border Patrol agents are being strained during this crisis. They are being taken off the line to care for children and adults. States along the border are stepping up and paying the price. Our bill supports State and local governments by reimbursing the costs they have had to bear.

Our bill ensures that Customs and Border Protection agents are provided access to Federal lands along the border. It also increases the penalties for smuggling offenses.

Finally, our bill deals with the lawless policies of this President and his administration. Over the last few years, the President has shown an astonishing disregard for the Constitution, the rule of law, and the rights of American citizens and legal residents. He has made promises and threats to go around Congress by using his phone and pen.

Well, today we are exercising our constitutional right in cutting off funding for the President to expand his administrative amnesties. Our bill would stop him from expanding the deferred action for childhood arrivals. It would stop other legalization programs that President Obama is contemplating. Congress has a role to play in reforming our immigration system. He should not circumvent the process and go against the will of the American people.

Again, our bill is a reasonable alternative to a blank check. We have a solution that provides due process for minors who illegally enter our country. We are being responsible and showing leadership on this issue, and I encourage my fellow colleagues to seriously consider our proposal so that we can humanely deal with this crisis.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, as we begin to close out this part of the debate, I would just say that the issues I am advocating are deeply personal to me and, I believe, deeply personal to all Senators.

When I talk about the fact that we have to fund help for wildfires in several States and help them be able to help themselves by replenishing the money for the Forest Service, I am reminded of the fact that a great writer by the name of de Tocqueville came to the United States to hear: What is this thing called democracy? He wrote that famous book, ''Democracy in America.'' In it he called for something that he observed. He said what sets America apart is its habits of the heart, that it helps neighbor helping neighbor.

Now, we used to do that through barn raising and pancake suppers. But, my gosh, these issues have gotten too big, too horrific. We now have thousands of acres burning, homes being destroyed, businesses being destroyed. We need to be able to help our neighbors in the West.

And I say to my colleagues from the West: I appreciate all the support you have given us on the East Coast who faced hurricanes. We didn't say we practice ZIP Code politics, that we only help one part of the country when they are facing a disaster.

Habits of the heart, de Tocqueville said that is what defines us. We now need to help that.

This issue now in terms of the Israelis and Iron Dome began for me right after I was elected to the Congress. When I traveled to Poland I went to Auschwitz and saw forever and a day—6 million Jews exterminated—why they needed a homeland, forever—a homeland safe and secure. Now they are asking for help to replenish their interceptor rockets on the eve of the Warsaw Ghetto Uprising, where people fought with sticks and stones and children crawled through sewers to defend themselves.

We are not going to fool around here. We are not going to delay until we come back from the 5-week break. Israel is the homeland for the Jews. We need to help them defend themselves.

My journey in Central America began as a brand new Member of Congress, with four Maryknoll nuns and a woman named Jean Donovan, who were raped and killed by the death squads in El Salvador. I watched a gallant, brilliant, charismatic bishop named Oscar Romero killed, gunned down in his own cathedral. Then we finally got around to looking at Central America and what was going on. We were worried more about communism than the rise of violence. For 30 years we have been up and down in Central America. We have inherited the winds. Our way of ignoring these three countries is by turning a blind eye, by always looking elsewhere in the world. If we have $4 billion to arm the Afghan security forces, I think we ought to back our Border Patrol, back our FBI, back our law enforcement to go after organized crime in Central America, because if we don't, it will be an additional threat and it will not only be the children—and now we have 60,000 children crossing the border.

I understand Texas and Arizona, the border States, are facing these problems. We do want to work together. But could we in the final minutes of this Congress get ourselves together enough to meet the urgent supplemental request to do this? This is what America is. This is who we are, helping our neighbors in the West, helping the country fighting for its survival, and also helping our own country dealing with the crisis in Central America facing our border.

I think it is time we pass this legislation, move forward, and come back and deal with the crisis there and also at the same time take a good look at immigration reform and do it in the way I think we can do it.

How much time do I have?

The PRESIDING OFFICER (Mr. KAINE). The Senator has 10 seconds remaining.

Ms. MIKULSKI. With that I urge the adoption of this bill and hope we could move forward as a united bipartisan Congress.

I yield the floor. I yield what time I would have.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, this is a $2 billion bill, all the money borrowed as a result of a crisis the President has created at the border, money this country does not have, and there are zero policy changes in it.

Republicans on the floor today have filed and argued for a number of amendments and attempted to offer those that are focused on critical policy changes to strengthen this legislation and make it more effective.

Unfortunately, the parliamentary maneuvering has been executed, the amendment tree is filled, and we have been prevented from offering any amendments at all that are necessary to establish a lawful system of immigration that works and that we can be proud of.

So I move to table the Reid amendment on the tree, 3751, for the purpose of offering the Cruz amendment. That amendment would prohibit the President of the United States from expending any funds to unilaterally provide amnesty and work authorizations for millions of people as has been reported in the press. The Cruz amendment is No. 3720.

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 on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

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 43, nays 52, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—43

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

NAYS—52

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

NOT VOTING—5

Alexander	Harkin	Schatz
Cochran	Roberts	

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that all remaining votes be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the pending measure, S. 2648—a bill providing emergency supplemental appropriations for fiscal year 2014—contains a number of provisions in violation of the Budget Act and spends in violation of the Budget Act. Specifically, it contains matter within the jurisdiction of the Budget Committee that was not reported or discharged from the Budget Committee. Therefore, I raise a point of order against the measure pursuant to section 306 of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending bill, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, first of all, the Senate is not in order.

The PRESIDING OFFICER. The Senate will come to order.

The Senator from Maryland is recognized.

Ms. MIKULSKI. I ask unanimous consent to speak for up to 3 minutes in support of my motion to waive.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MIKULSKI. The bill that is before the Senate contains $3.57 billion of emergency spending, a reduction of $1 billion, to help fund and care for the children who seek refuge and to fight the criminal traffickers at the border. We fund fighting wildfires for our States and we also help Israel replenish its interceptor rockets.

What happens if the motion to waive fails? If the Senate fails to waive the point of order, the bill will go back to the Appropriations Committee, but the urgent need will remain. If the Senate fails to waive the point of order, agencies will take from other programs to fund this compelling need. What does that mean?

It means that HHS, which has already cut $138 million from the National Institutes of Health, the Centers for Disease Control, and others—we could have an ebola crisis in the world, and maybe even come to our border, and we are fooling around cutting HHS and CDC and other agencies. Please, let's look at what we are doing.

Homeland Security is also spending resources that would otherwise be used to secure the border, such as FEMA disaster relief money has to be there if we have a hurricane.

Simply put, failing to act is irresponsible. Let's waive the Budget Act, let's get on with the bill, and let's do our job.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. I respect the remarks of the chairman of the Appropriations Committee, but I would note that every penny of this bill is borrowed. None of it is funded through any offsets or other sources of income. This country has to be more careful. The bill needs to go through the Budget Committee. It did not get approved properly there. I would note, again, it is all borrowed. It does not make any policy changes. I think we all should stand firm to reject this bill, and to sustain the point of order.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive.

The yeas and nays were previously ordered.

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 North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

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

The yeas and nays resulted—yeas 50, nays 44, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—50

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

NAYS—44

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

NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. On this vote the yeas are 50, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected and the point of order is sustained.

The majority leader.

Mr. REID. Mr. President, it is regretful that the Republicans have blocked the Senate from addressing urgent needs.

Senator MIKULSKI has worked very hard on this urgent supplemental. It is very regrettable that we are not able to move forward on it. I would like to address at least two of what I believe are urgent needs. I understand that Republican Senators are unwilling to fund a proposed response to the crisis we have at the border. But certainly could we not agree that we have situation in the western part of the United States that is very difficult.

We responded when we had problems in the South with the hurricanes, in the East with the hurricanes. We have a problem in the West. We have fires that are raging all over the West. We have a fire in Washington that has been burning for weeks. Hundreds of homes have been burned. In Oregon, we have 400,000 acres that are burning. California has a couple of big fires. Nevada has a fire. A fire started, I understand, in Idaho a day or two ago. Thousands and thousands of firefighters are there. With temperatures rising, we have a drought all over the western part of the United States. Fires have gotten more and more difficult to fight and more expensive. They have been easier and easier to start.

We are in dire need of additional funds. That is why this is part of the emergency supplemental. This is an emergency. The West is burning. The funds we seek would ensure that we protect life and property in the West without draining funds from other programs that help us stop this destructive wildfire cycle.

Another urgent need. We have all watched as the tiny state of Israel, our friend who is with us on everything, they have had in the last 3 weeks 3,000 rockets fired into their country—3,000. Iron Dome, as I have spoken here on the floor, has done a good job, but it does not cover Israel. They are mobile units. They move them around as well as they can. They depend on Iron Dome. The system works 90 percent of the time, not all of the time.

Last week Secretary of Defense Chuck Hagel asked for $225 million in emergency funding so that Israel's arsenal as it relates to the Iron Dome could be replenished. It is clear this is an emergency. We should be able to agree on that. That is why I make the following unanimous consent request.

First of all, so everyone understands, I am going to make a request that we have emergency funding for the wildfires in the West and the money I have talked about for Israel and Iron Dome.

UNANIMOUS CONSENT REQUESTS—H.J. RES. 76

I ask unanimous consent that the Senate proceed to Calendar No. 220, H.J. Res. 76; that a Mikulski substitute amendment at the desk providing emergency appropriations for the Iron Dome defense system in Israel and combating wildfires in the Western States be agreed to; that the joint resolution, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, the President has called the crisis at the border a humanitarian crisis. If that is not an emergency, I do not know what is. But as a result of the majority leader's refusal to allow us to offer any constructive suggestions to reform the law to

stop this flow of humanity across our borders and actually solve the problem, the supplemental has now fallen to a budget point of order.

Likewise, this unanimous consent request to fund Iron Dome and wildfires exceeds the budget caps and the Budget Control Act. It is subject to a budget point of offer. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I am frankly not surprised that this objection has been made. It is too bad. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 220, H.J. Res. 76; that a Mikulski substitute amendment at the desk providing emergency appropriations for combating wildfires in the Western States be agreed to; that the joint resolution, as amended, be read a third time and passed and the motion to reconsider be considered made and laid on the table with no intervening action or debate.

This relates just to the wildfires.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CORNYN. Mr. President, reserving the right to object, I agree, like the crisis at the border, the wildfires in the Western States represent a genuine emergency and something we should address. But inasmuch as this consent asks for money that would break the budget caps and the Budget Control Act, it is subject to a budget point of order. I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, this is an emergency. There are no budget caps involved with an emergency. Everyone knows that. I am shocked that anyone in this Chamber would stop us from getting these critical funds to fight these fires that I have outlined on a very preliminary basis, and, of course, to help defend Israel.

By requesting this amendment, I am disappointed that it has been rejected. I have one more and then we can go on to something else.

I ask unanimous consent the Senate proceed to Calendar No. 220, that a Reid-McConnell-Mikulski substitute amendment at the desk providing emergency funding for the Iron Dome defense system in Israel be agreed to; that the joint resolution, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, reserving the right to object, would the Senator from Nevada, the majority leader, consider an amendment that would modify his request that would provide an offset for this bill?

The PRESIDING OFFICER. Does the majority leader agree to modify his request?

Mr. REID. Mr. President, reserving the right to object, this is an emergency. Our No. 1 ally, at least in my mind, is under attack. If this is not an emergency, I do not know anything that is. So I refuse to modify my request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, the Senator's amendment would cut the United States assessed contribution to NATO and the World Health Organization. Now as we speak, they are fighting to control an Ebola outbreak in Central Africa. Peace Corps volunteers have been called home from three different countries.

The amendment of the Senator, my friend from Oklahoma, would cut the International Civil Aviation Organization, which is now investigating what took place in Ukraine, killing 298 people. So even if you do not like the U.N., the Senator's amendment would cut UNICEF funds to help the world's poorest children. The Senator's amendment would cut the U.N. Voluntary Fund for Victims of Torture.

Now, that says it all. I have no more to say.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I would note—everybody should know that the U.N. gets well over $7 billion of money every year from this Congress, the American people, with absolutely no accountability. There is no transparency on how it is spent. There is no accountability. They are not held accountable for how it is spent. The oversight that we have done over the past 6 or 7 years shows that the waste associated with the money that is sent to the U.N. is at least 30 percent—at least 30 percent when you do the actual oversight of it.

So we can talk about specifics. We can take a small portion from everywhere. I do not care. Or I will offer another pay-for. But the fact is, we do not get any accountability of the money this country sends to the U.N. today. Go see if you can find it. You cannot. You will not be able to find it. I want to fund Israel. I want to supply them. I also want to make sure our children have a future. It is not hard to find $225 million out of $4 trillion.

I yield the floor.

Mr. REID. Mr. President, under the previous order, I call for the Senate to proceed to the veterans conference report.

VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014—CONFERENCE REPORT

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 3230, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill H.R. 3230, making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of July 28, 2014.)

Mr. McCAIN. What is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Oklahoma is to be recognized to raise a budget point of order.

Mr. COBURN. Mr. President, let me say, first of all, I voted for the bill when it left here with the hope that we could accomplish something. We did accomplish some things. But it came back with $12 billion unpaid for. Because of that, I raise a point of order against the emergency designation provision contained in section 8803(b) of the conference report for H.R. 3230, the Veterans' Access to Care Through Choice, Accountability and Transparency Act of 2014 pursuant to section 403(e)(1) of the fiscal year 2010 budget resolution, S. Con. Res. 13.

I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending conference report.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I will speak very briefly. Mainly, I come here on the floor to thank the Senator from Vermont and my good friend from North Carolina on the hard work they and members of the Veterans Affairs' Committee have done on this issue. I greatly respect my dear friend from Oklahoma and his concern. But I would have to say to my colleagues: If there was ever a definition of an emergency, that emergency faces us today because our veterans are not receiving the care we owe them as a nation.

There are veterans who are dying as we speak for lack of care. There is gross mismanagement. There are problems that will take our new Secretary of Veterans Affairs literally years to

fix. I am proud that in this legislation there is choice, and there is the ability of the Secretary of Veterans Affairs to fire people who are not doing their job.

Those are the important aspects, most important to me, because I think we can change the Veterans Administration. But the present situation cries out for immediate action. Obviously there were parts of this legislation that I did not agree with. Obviously there were parts that the Senator from Vermont did not agree with. But the hard work put together by the Senator from North Carolina and the Senator from Vermont—I am very proud to say we bring before you a way to put a final stamp on beginning to end. This is not the beginning of the end. This is the beginning of the beginning of our effort to help those men and women who have defended our Nation with honor and dignity. We owe them that.

I urge my colleagues to vote in favor of the waiver of the Budget Act and to vote in favor of this legislation.

Mr. SANDERS. Mr. President, yesterday the House voted 420 to 5 for this conference report. They understood that taking care of veterans, as Senator MCCAIN just indicated—the men and women who have put their lives on the line to defend us, who have sacrificed so much—is a cost of war, and in fact what we are talking about is an emergency. That is what the House said overwhelmingly yesterday.

On June 11, 2014, 6 or so weeks ago, by a vote of 93 to 3, the Senate supported the Sanders-McCain bill and it was emergency funded as a cost of war.

This bill, as Senator COBURN indicated, is about one-third of the cost of what we voted on in the original Sanders-McCain bill.

Let us defeat this point of order. Let us stand with the veterans of this country, let us reform the VA, and let us go forward.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I will be very quick.

What our colleagues should know is, since 2009, the VA budget has increased 58.7 percent, a 40-percent increase in the number of providers, with a 17-percent increase in the number of veterans using those providers. The problem is not money at the VA. The problem is management, accountability, and culture. So we are going to borrow $12 billion from our children and reward the poor behavior and charge it to our children.

I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I would say in response to my dear friend from Oklahoma, I agree with every single thing that he has said. But we must embark on fixing this problem. The choice and the ability to give the Secretary of Veterans Affairs the authority to hire and fire people is important to me that I believe they deserve our support.

I would also ask my friend from Oklahoma, can we leave here for 5 weeks and not address this issue? There are 50 veterans in my State that have probably died—at least allegations are such. Can we leave here and not act?

If I had written this bill with only you and me, I would say to my friend from Oklahoma, it would probably be $10 billion less and all of it paid for. But we had to negotiate, not only with the other side of the aisle but with the other side of the Capitol.

So this is not perfect legislation. But for us not to pass it at this time would send a message to the men and women who have served this country that we have abandoned them. We can't do that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I first thank everybody who worked on this. I know there are a lot of political conundrums that people find themselves in. We have an August recess. This issue has come up. But I wonder if I could ask a question of the Senator from Oklahoma, who knows so much about these issues.

Our staff has looked at the CBO report, and people keep talking about $10 billion on the floor, but the Choice Program is only funded for 3 years. It looks to me as if this bill is really creating an unfunded liability. It is a $250 billion cost over the next decade. I can't verify that based on the CBO numbers that have come out. But as we look at them, it looks as if the Choice Program continues and grows, and the number we are talking about is massive.

So I do wish we had more detailed information from CBO, the kind of information we got on the first bill after the fact. For some reason, we are not getting it on this.

But it appears to me that if this choice concept continues and we don't do those things to actually wind down and backfill—wind down VA for not providing services to these people because they are seeking it elsewhere—the cost of this could well be $250 billion over the next 10 years unpaid for.

I would like for somebody to answer that. I don't know if Senator COBURN or someone else could. But we are not talking about $10 billion is all I am saying.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. What we are talking about is an errant CBO score that doesn't fit with reality or the information given to them by the VA.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, what we are talking about, really, is rather than get in a car or van and drive for 40 miles and hours and have that all reimbursed and paid for, a person will go to the local care provider. Common sense shows that costs one heck of a lot less, I would say to my colleague.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, Senator COBURN forgot to mention one point when talking about the increase in VA funding. He forgot to mention that we were in two wars.

He forgot to mention that 500,000 men and women came back from Iraq and Afghanistan with posttraumatic stress disorder and TBI, not to mention the loss of legs, the loss of arms, eyesight and hearing.

He forgot to mention that many of the veterans from World War II, Korea, and Vietnam are getting older and need more detailed care.

So I think it is important that we put $5 billion into the VA to provide the doctors, the nurses, the personnel they need, so that the veterans can get into the VA and have quality and timely care. That is what this legislation is about.

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

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

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

The yeas and nays resulted—yeas 86, nays 8, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—86

Ayotte	Grassley	Murray
Baldwin	Hatch	Nelson
Begich	Heinrich	Paul
Bennet	Heitkamp	Portman
Blumenthal	Heller	Pryor
Blunt	Hirono	Reed
Booker	Hoeven	Reid
Boozman	Inhofe	Risch
Boxer	Isakson	Rockefeller
Brown	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Kaine	Schumer
Cardin	King	Scott
Carper	Kirk	Shaheen
Casey	Klobuchar	Shelby
Chambliss	Landrieu	Stabenow
Coats	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Toomey
Cornyn	Markey	Udall (CO)
Crapo	McCain	Udall (NM)
Cruz	McCaskill	Vitter
Donnelly	McConnell	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Fischer	Mikulski	Whitehouse
Franken	Moran	Wicker
Gillibrand	Murkowski	Wyden
Graham	Murphy	

NAYS—8

Barrasso	Enzi	Lee
Coburn	Flake	Sessions
Corker	Johnson (WI)	

NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. On the motion to waive, the yeas are 86, the nays are 8. The motion to waive is agreed to.

Mr. DURBIN. Mr. President, this week, the Senate confirmed Bob McDonald as the new Secretary of the VA and today we passed a compromise veterans bill that will help repair the overwhelmed Veterans Health Administration. These are two steps in the right direction to help the men and women who serve in our military receive the care they need when they come home.

Bob McDonald is an excellent choice to head the VA. I met with McDonald soon after he was nominated for this position and there is no doubt he is eager to take on the task of seeing that the VA honors its promise to the men and women of our armed services. McDonald ran Proctor and Gamble for several years and knows what it means to put the customer first. At the VA, veterans are the customers and we have to provide them with the best service possible. McDonald is a veteran, a West Point grad, and best of all, he is from Arlington Heights, IL. I am confident he is the right person for this difficult job.

After an internal audit, the VA confirmed whistleblower assertions that many VA employees manipulated waitlists to make wait times look better than they really were. The agency found that in some cases, staff intimidated schedulers into falsifying data. This is unacceptable.

I visited the Hines VA Hospital near Chicago last Friday where I met with Joan Ricard, director of the facility, and Rob Nabors, President Obama's Deputy Chief of Staff, who is overseeing the investigation into problems at the VA. We discussed some problems identified by whistleblowers at Hines pertaining to waitlists and other issues.

I am pleased that the Senate adopted the Veterans bill conference report. The House passed the bill 420-to-5 yesterday. VA Committee Chairman SANDERS worked very hard both with Members across the aisle and in the House to put this bill together. It will begin to fix some of the problems identified by the various investigations into misconduct at VA medical facilities.

This bill will allow the Secretary to fire senior staff who are not doing their job or who lied about secret waitlists. It will create 27 new VA health facilities to expand capacity, including a new research lab at Hines in Chicago. That research lab is 100-years-old and in dire need of repair. The new lease will help make it usable again.

This legislation will make it easier for veterans to get the care they need outside the VA system if necessary. Now, any enrolled veteran who lives more than 40-miles from the nearest VA facility or who would have to wait too long for an appointment will be able to go to a private doctor. We need to get those waitlists down, and this is one way to make sure veterans are seen.

The IG investigation has cited a shortage of doctors, nurses, and other staff as being partly to blame for the waitlist problem. There simply is not enough staff to see all the veterans who need treatment. The bill also provides $5 billion to hire new staff.

These are improvements we can all agree on.

Some have expressed concern about the cost of this bill but caring for veterans is part of the cost of going to war. We spent $1.7 trillion in the Iraq War alone. We can spend $12 billion to honor the promise we made to our servicemembers.

When we talk about war, we are not just talking about the thousands of people who died in Iraq and Afghanistan. We're talking about 200,000 men and women who came home with major injuries, both those we can see and some we cannot. We are talking about people with post-traumatic stress and traumatic brain injury, people missing limbs and those who lost hearing or eyesight. Veterans who are entitled to healthcare services should get the best healthcare they can, and they should get it in a timely manner.

There is no question that we need to fix this health care system. Where misconduct has been identified, those responsible should face the consequences, criminal or otherwise. The Sanders-Miller compromise is a good step in that direction. Secret waitlists and failures to provide care do not reflect the promise we made to the men and women who serve this country. Wars create veterans and veterans need medical care. Caring for servicemembers is part of the cost of going to war.

The PRESIDING OFFICER. The question occurs on adoption of the conference report.

The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, before we vote, I wish to take this opportunity to thank Senator MCCAIN for his intervention and making sure that we had serious negotiations.

I thank the staff of the Veterans' Affairs Committee: Steve Robertson, Dahlia Melendrez, Travis Murphy, Jason Dean, Carlos Fuentes, Becky Thowman, Ann Vallandingham, Janet Gehring, Elizabeth Austin-Mackenzie, Kathryn Monet, Katie Van Haste, Shanna Lawrie, Raphael Anderson, and Shannon Jackson. These guys worked really hard for months, and I very much appreciate what they did.

The PRESIDING OFFICER. The question is on agreeing to the adoption of the conference report.

Mr. BARRASSO. Mr. President, 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

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

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 254 Leg.]

YEAS—91

Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hatch	Nelson
Begich	Heinrich	Paul
Bennet	Heitkamp	Portman
Blumenthal	Heller	Pryor
Blunt	Hirono	Reed
Booker	Hoeven	Reid
Boozman	Inhofe	Risch
Boxer	Isakson	Rockefeller
Brown	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kaine	Scott
Carper	King	Shaheen
Casey	Kirk	Shelby
Chambliss	Klobuchar	Stabenow
Coats	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Cornyn	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	Markey	Vitter
Donnelly	McCain	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	
Gillibrand	Murkowski	

NAYS—3

Coburn	Corker	Sessions

NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of the conference report, the conference report is agreed to.

MAKING CERTAIN CORRECTIONS IN THE ENROLLMENT OF H.R. 3230

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of H. Con. Res. 111 which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 111) directing the Clerk of the House of Representatives to make certain corrections in the enrollment of the bill H.R. 3230.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution (H. Con. Res. 111) is agreed to

and the motion to reconsider will be considered made and laid upon the table.

The majority leader.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following disposition of the House message related to H.R. 5021, the highway bill, the Senate vote on cloture on Calendar No. 848, the Pryor nomination; further, that if cloture is invoked, all postcloture time be expired at 5:30 p.m. on Monday, September 8, 2014, the Senate resume executive session and the Senate proceed to vote on confirmation of the nomination; further, that if 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 statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, we will have two more votes.

We will be in session tomorrow. There will be no votes tomorrow, but there will be some activity here that we have to complete. So the next vote will be Monday, September 8.

HIGHWAY AND TRANSPORTATION FUNDING ACT

Mr. REID. Mr. President, I ask that the Chair lay before the Senate the House message to H.R. 5021.

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

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 5021) entitled ''An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the highway trust fund and for other purposes.''

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to recede in the Senate amendment to H.R. 5021.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we request 2 minutes of debate on this side, 1 minute for the chairman of the Finance Committee and 1 minute for the chairman of the public works committee.

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

Mr. REID. Following that, I ask that 18 minutes be dispensed with.

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

The Senator from Oregon.

Mr. WYDEN. Mr. President, it is no secret that this Transportation bill is not the Senate's first choice. However, the alternative to acting tonight on transportation is to put at risk America's economy, our communities, and our quality of life. As Senator HATCH noted earlier tonight, the Senate had a real transportation debate this week with amendments, alternatives, and bipartisan initiatives. This will serve us well as we begin to work as soon as the Senate returns to develop a long-term, bipartisan transportation plan that ensures that our big-league economy is not plagued by little-league infrastructure.

I urge the Senate to support the legislation.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Senators, I will be brief. It is so unfortunate that the House walked away from the work we did, the bipartisan work we did together—79 votes. My goodness. We can't get that these days for Mother's Day. So it was fantastic what we did: the work of Senator WYDEN and Senator HATCH, the work of Senator CARPER and Senator CORKER, the work of Senator VITTER in our committee that I as chair. It is very sad because what we wanted to do was to take care of this problem this year, in this Congress, on our watch, not kick the can down the road. That is what they chose to do in the House. It is most unfortunate, and their pay-fors were just a lot of smoke and mirrors.

Having said all of that, we all know—and colleagues have asked me how am I going to vote—that we can't walk away from the highway trust fund. We can't let it stagger and fall. Millions of jobs and thousands of businesses depend on it.

So I will be voting aye, and I will be working with Senator WYDEN and the rest of my friends and colleagues to make sure we get a multiyear bill as soon as possible.

Thank you. I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

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

The result was announced—yeas 81, nays 13, as follows:

[Rollcall Vote No. 255 Leg.]

YEAS—81

Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Barrasso	Grassley	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Risch
Boxer	Inhofe	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (SD)	Shaheen
Cardin	Kaine	Shelby
Casey	King	Stabenow
Chambliss	Kirk	Tester
Coats	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Donnelly	Markey	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Franken	Mikulski	Wyden

NAYS—13

Carper	Johnson (WI)	Rubio
Coburn	Lee	Scott
Corker	McCain	Sessions
Cruz	Paul	
Flake	Portman	

NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. The motion to recede from the Senate amendment to H.R. 5021 is agreed to.

EXECUTIVE SESSION

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant 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 Jill A. Pryor, of Georgia, to be United State Circuit Judge for the Eleventh Circuit.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Patty Murray, Amy Klobuchar, Maria Cantwell, Jack Reed, Bill Nelson, Elizabeth Warren, Tom Udall, Mazie K. Hirono, Richard Blumenthal, Barbara Boxer, Tom Harkin, Benjamin L. Cardin, Charles E. Schumer.

Mr. LEAHY. Madam President, for the fifth year in a row, more than a dozen qualified, consensus judicial nominees pending before the full Senate will remain on the Executive Calendar during the August recess. Each year, I have come before the Senate to remind my fellow Senators that their refusal to take action on these nominations prior to the August recess is an unfortunate departure from Senate tradition and to urge them to stop their obstructive practices and delay tactics. Again, I am disappointed to see partisanship and senseless obstruction

continue to keep the Senate from fulfilling its constitutional duty of advice and consent.

We could be voting today to confirm 13 nominees to serve on our Federal courts, 12 of whom were reported favorably by the Senate Judiciary Committee by unanimous voice vote. Instead, we are voting to invoke cloture on only one nomination, that of Jill Pryor, to fill a judicial emergency vacancy on the U.S. Court of Appeals for the Eleventh Circuit. She has received the American Bar Association's highest rating of unanimously ''well qualified'' and has the support of both of her Republican home State Senators. She will no doubt be confirmed unanimously, or near unanimously, when we return in September. As the senior Senator from Georgia, Mr. CHAMBLISS, noted at her confirmation hearing, ''Jill Pryor has been in private practice in Atlanta for nearly 25 years. During that time she has played a pivotal role in some of the largest and most complex cases in Georgia history.'' We have before us an outstanding candidate to serve on the Federal bench. Yet her nomination is being filibustered by Senate Republicans who are delaying her vote for the sake of obstruction.

Despite this unyielding and irrational partisan strategy, the Senate has made great strides to fill vacancies on courts around the Nation by confirming 61 circuit and district court nominees this year. I have heard some Republican Senators point to these confirmations to claim that today's Senate is treating judicial nominees fairly. These Senators overlook an important truth: This progress was made because of the persistent dedication of the majority leader and Democratic Senators to confront vacancies on the Federal bench and despite the unprecedented levels of opposition and obstruction from Republican Senators.

Because of our Democratic leadership in the Senate, there are now fewer vacancies on the Federal courts than at any time since January 2009. Since the beginning of this year, we have reduced the vacancies on our Federal courts by over a third, from 92 to 57, and reduced the number of judicial emergency vacancies by nearly half, from 37 to 19. There are now only eight vacancies on the U.S. courts of appeals. Not since December 1990—over 23 years ago—have there been so few. This is real progress for the millions of Americans who depend on our courts for justice.

Many of these confirmations were of nominees to courts that began the year with record-high numbers of vacancies. In Arizona, I worked with Senator MCCAIN and Senator FLAKE to confirm six nominees to fill judicial emergency vacancies on their district court. In Florida, I worked with Senator NELSON and Senator RUBIO to confirm seven nominees to fill judicial emergency vacancies in the Southern and Middle Districts of Florida as well as on the Eleventh Circuit. These States are success stories, and the people of Arizona and Florida are better served for having trial and appellate judges ready to hear their cases.

No Senator should believe, however, that our work is done. There are 13 judicial nominees pending on the Senate floor who should be confirmed without delay. Yet, even if the Senate were to confirm these nominees today, the Federal judiciary would remain understaffed. In addition to the 57 current vacancies, the Judicial Conference has identified the need for 91 new judgeships in some of America's judicial districts and circuits with the most burdensome caseloads. Last year, Senator COONS and I introduced the Federal Judgeship Act of 2013 to enact these recommendations into law. The timely administration of justice should not be a partisan issue. It is an issue that affects all Americans and the Senate should take it seriously by passing this bill.

The recommendations of the Judicial Conference only underscore how, despite the 61 judicial confirmations so far in 2014, the Senate continues to fall short of its obligations to the Federal judiciary and the American people. I have heard some Republican Senators claim the opposite by citing the total judicial confirmation figures of current and former Presidents. It is true that the Senate has now confirmed 277 of President Obama's circuit, district, and U.S. Court of International Trade nominees, compared to 253 confirmations at the same point in the last administration. Yet these numbers are meaningless without providing their proper context. These confirmations were sorely needed. There remain 57 vacancies on the Federal bench—far more than the 42 vacancies at this point during the Bush administration. There are an additional 24 announced future vacancies on our Federal courts that will also need to be filled in the coming months.

Vacancies remain high not because of a failure of Senate Democrats or President Obama to make judicial confirmations a priority; Americans seeking justice around the country face delays because of the endless obstruction of partisan Republicans who take every opportunity they can to shut down the important work of the Senate. Last year, no longer content to block individual judges, Senate Republicans attempted a wholesale filibuster of three nominees to the DC Circuit, without even considering their qualifications. Then, instead of confirming the consensus judicial nominees pending on the Executive Calendar prior to the end of the congressional session, Republicans forced the President to renominate each nominee and the Senate Judiciary Committee to report them again this year.

This year, Senate Republicans have proceeded to filibuster each and every judicial nominee. After today, the Senate will have taken 62 cloture votes on judicial nominations so far this year, amounting to well over 400 wasted hours the Senate should have spent considering legislation to help the American people. Never before has the Senate seen the systematic filibuster of every judicial nominee, or such unfair treatment of qualified, consensus nominees.

The result of these tactics has been high vacancy levels on the Federal courts. The implications of these vacancies were made clear by a recent Brennan Center for Justice paper titled ''The Impact of Judicial Vacancies on Federal Trial Courts.'' In it, judges and attorneys in districts with high levels of vacancies describe the way empty court rooms slow the administration of justice, ''raise the cost of litigation, cause evidence to go stale, make it harder to settle civil cases, and even put pressure on criminal defendants to plead guilty.'' Chief Judge Leonard Davis in the Eastern District of Texas said the impact of vacancies comes down to ''simple math.'' Vacancies lead to heavier caseloads and judges ''have less time to give to [an individual] case . . . It affects the quality of justice that's being dispensed and the quantity of work you can complete.''

The incredible burden facing Federal courts in Texas is understandable with its nine current district court vacancies—more than any other State. Therefore, I hope that Republicans on the Judiciary Committee, including both Senators from Texas, will be ready to proceed with a hearing on the three pending Texas district court nominees as soon as the Senate returns to session in September. I also hope that the Texas Senators will continue to work with the administration on nominees to fill the six other current district vacancies in their State as well as the four known future district court vacancies.

The continued high number of vacancies across our Federal courts is unacceptable to me and should be unacceptable to every Member of this body. The Senate should act quickly to confirm the consensus nominees pending on the Senate floor. The Senate should also pass the Federal Judgeship Act of 2013 to ensure that our coequal branch of government has the resources it needs to serve its constitutionally mandated function.

I am glad that we are voting to overcome the Republican filibuster of the nomination of Jill Pryor, and I thank the majority leader for taking action on her nomination. If the Senate were operating as it once did, without this partisan treatment of judicial nominations, she would have been confirmed weeks ago.

I hope that in the weeks following the August recess Senators will start working together to continue the progress we have made so far in 2014. The American people deserve courts capable of providing access to swift justice, not empty courtrooms and delays.

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 Jill A. Pryor, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, 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 North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. ROBERTS), the Senator from South Carolina (Mr. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

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

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

The yeas and nays resulted—yeas 58, nays 33, as follows:

[Rollcall Vote No. 256 Ex.]

YEAS—58

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

NAYS—33

Barrasso	Graham	McConnell
Blunt	Grassley	Moran
Boozman	Hatch	Paul
Burr	Heller	Portman
Coats	Hoeven	Risch
Coburn	Inhofe	Rubio
Corker	Johanns	Sessions
Crapo	Johnson (WI)	Shelby
Cruz	Kirk	Thune
Enzi	Lee	Vitter
Flake	McCain	Wicker

NOT VOTING—9

Alexander	Hagan	Schatz
Cochran	Harkin	Scott
Cornyn	Roberts	Toomey

The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 33. The motion is agreed to.

NOMINATION OF JILL A. PRYOR TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—H.J. RES. 76

Mr. REID. Madam President, I renew the request I made earlier this evening.

I ask unanimous consent that the Senate proceed to Calendar No. 220; that a Reid-McConnell-Mikulski substitute amendment at the desk providing emergency appropriations for the Iron Dome defense system in Israel be agreed to; that the joint resolution, as amended, be read a third time and passed; that the motions to reconsider be considered made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, I rise in support of all of the career Foreign Service officers whose nominations have been held up in the Chamber until there is a crisis somewhere in the world, until there is a Presidential or Vice Presidential trip to some part of the world that suddenly demands our attention, and then miraculously holds are lifted and nominees are approved.

On a Thursday, Malaysian Airlines Flight 17 crashed in eastern Ukraine. On the following Monday, the Senate confirmed Michael Lawson as the U.S. Ambassador to the International Civil Aviation Organization. He had been pending before the Senate. His first day on the job, his first time meeting his colleagues, he was forced to grapple with this crisis.

In the last week or 10 days, two more plane crashes have occurred in Taiwan and in Mali, an Algerian plane. Random events around the world cannot determine when the Senate acts on nominees. We cannot continue to follow a policy of confirmation by crisis. It took the President to travel to Saudi Arabia—an important ally—and the Vice President to travel to Chile for the Senate to confirm the nominees to those countries. In the case of Chile, Ambassador Hammer was taken to his new office in Santiago for his first day on the job on Air Force Two because the Senate approved his nomination just before the Vice President was to visit Chile. It should not require flying on Air Force Two to get to your posting for your first day of work as a U.S. Ambassador. Take the case of our Ambassador to Qatar. She waited for months, and then Bergdahl was exchanged for five Guantanamo detainees released to Qatar, and suddenly she was approved. It almost required the President to be ''wheels up'' on Air Force One on his way to Riyadh before we confirmed an Ambassador to Saudi Arabia.

I repeat, the criteria for confirming nominees should not be determined by a sudden just-breaking crisis, with the urgent need to fill a vacant post. Confirmation-by-crisis is not a strategy. It is not in the national security interests of the United States.

Now the Foreign Relations Committee has moved judiciously—in some cases with record-setting speed—to confirm nominees. In the face of obstructionism on the floor of the Senate, the committee has proven that bipartisanship is not only possible but it can thrive when American national security interests are put first.

It is my view that we must lift up our Ambassadors and their families, not put them down. These individuals are serving our Nation. Their families are sacrificing for our Nation. They deserve better. Our career Foreign Service officers serve Democratic and Republican Presidents. They should not, must not be treated as political pawns.

We cannot continue to allow the pulpits where we preach American values to remain vacant. No Nation can listen to us if we are not present to speak for ourselves. American leadership can only occur if American leaders are present on the international stage.

The Senate standoff that has left so many career Foreign Service nominees in political and personal limbo is damaging our credibility, undermining our national security, and it has to end now.

I rise today for the career ambassadors who have not gotten the decency of a vote in the Senate, career ambassadors who are waiting, along with their families, for months, some more than a year, to take their posts. They are trapped on the Executive Calendar, unable to assume their appointed posts because the leadership on the Republican side has chosen to hold them hostage as a political tool. They have consciously chosen a strategy to do nothing, pass nothing, approve nothing, and leave key diplomatic posts unfilled for months, threatening national security and our ability to conduct foreign policy.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominees: Calendar No. 524, Adam M. Scheinman to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador; Calendar No. 533, Karen Stanton to be the Ambassador to the Republic of Timor-Leste; Calendar No. 536, Eric Schultz to be Ambassador to the Republic of Zambia; Calendar No. 540, Donald Lu to be the Ambassador to the Republic of Albania; Calendar No. 542, Amy Hyatt to be Ambassador to the Republic of Palau; Calendar No. 544, John Hoover to be the Ambassador to the Republic of Sierra Leone; Calendar No. 546, Matthew Harrington to be the Ambassador to the Kingdom of Lesotho; Calendar No. 548, Thomas Daughton to be the Ambassador to Namibia; Calendar No. 637, Arnold Chacon to be Director General of the Foreign Service; Calendar No. 696, Luis Moreno to be Ambassador to Jamaica; Calendar No. 699, Maureen

Cormack to be the Ambassador to Bosnia and Herzegovina; Calendar No. 707, Linda Thomas-Greenfield, an Assistant Secretary of State of African Affairs, to be a Member of the Board of Directors of the African Development Foundation; Calendar No. 898, Ted Osius to be Ambassador to the Republic of Vietnam; Calendar No. 902, Gentry O. Smith to be Director of the Office of Foreign Missions and have the rank of Ambassador during his tenure; Calendar No. 927, Leslie Bassett to be Ambassador to Paraguay; Calendar No. 953, George Albert Krol to be Ambassador to the Republic of Kazakhstan; Calendar No. 954, Marcia Stephens Bloom Bernicat to be Ambassador to the People's Republic of Bangladesh; Calendar No. 955, James D. Pettit to be Ambassador to the Republic of Moldova; Calendar No. 956, John R. Bass to be Ambassador to the Republic of Turkey; Calendar No. 957, Allan P. Mustard to be Ambassador to Turkmenistan; Calendar No. 958, Todd Robinson to be Ambassador to the Republic of Guatemala; Calendar No. 961, Erica J. Barks Ruggles to be Ambassador to the Republic of Rwanda; Calendar No. 962, Brent Robert Hartley to be Ambassador to the Republic of Slovenia; Calendar No. 966, Michele Jeanne Sison to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America to the Security Council of the United Nations; finally, Calendar No. 967, Michele Jeanne Sison to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as the Deputy Representative of the United States of America to the United Nations.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Madam President, I don't think he is finished with his unanimous consent request.

Mr. MENENDEZ. I appreciate that.

Further, that their 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; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Madam President, reserving the right to object, we used to pass ambassadors and all kinds of people en bloc like that. But we have this nuclear option that the majority chose, so it takes a little longer to do the whole process.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Madam President, I don't know about nuclear options, but I do know about national security.

When we have objections to some career ambassadors—I am not even talking about other nominees who are equally as important to places in the world where we face a challenge. But when I extract those out of the list that are also pending before the Senate in critical places in the world and just say, my God, if a career ambassador—someone who serves under Democratic and Republican administrations and has committed their life to the service of our country in the foreign service—cannot get to their places, I don't understand.

I don't understand how we can actually object to places like Guatemala where we are having the crisis that we just debated right now. Wouldn't it be great to have a U.S. Ambassador to Guatemala to direct the Guatemalan Government as to our concerns about how children are coming here? Wouldn't it be great to have the Ambassador to Turkey at a time when we have all of these challenges in the region, where Turkey has a huge number of Syrian refugees. And we say we object to those? Or Vietnam, where we are looking at a 123 nuclear agreement and where we are concerned about what China is doing in the South China Sea as it ultimately challenges Vietnam in international waters for drilling purposes? And the list goes on and on.

So let me at least try some. If I can't do them as a bloc, let's see if we can get somebody confirmed here at the end of the day to critical positions.

So let me ask unanimous consent that the Senate proceed to executive session to consider this following nomination: Calendar No. 968, John Tefft to be Ambassador to Russia, a career ambassador.

Now, imagine if we cannot send a United States Ambassador to Russia in the midst of the enormous challenges.

So I ask unanimous consent that the Senate proceed to executive session to consider nomination Calendar No. 968, John Tefft, Ambassador to Russia; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to that nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Madam President, this is the procedure the majority set up. And the majority is going to be stuck with their decision to delay people, thinking they could speed them up and take away some of the minority rights.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Madam President, this is not a procedure the majority set up. The procedure that is being set up is one where career nominees and critical nominees are being held on the floor as a procedure that the Republicans have decided to do.

Let me try once again. Let's see whether there is a more important place than Russia.

I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Mark Lippert to be Ambassador to South Korea, Calendar No. 893; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be made in order to that nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative business.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Madam President, this is a political appointment, not a career appointment. If I objected to a career appointment, I certainly object to a political appointment.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. It is true it is a political appointment, but to the Republic of South Korea. At a time when we are facing challenges in the South China Sea, where there is a dispute between China and Korea, where we have critical interests, where we are dealing with North Korea, we can't have an Ambassador to South Korea?

Let me just say that I could go through a list of critical countries. And it is pretty amazing to me. I have some of my colleagues who have come to the floor to talk about national security. Well, national security isn't only about having a trigger and a gun. National security is also about having an ambassador in a country to ultimately press our case and our concerns as it relates to our bilateral relationship with that country.

So places like Russia, which was objected to, places like South Korea, places like Guatemala, where we are having the crisis, and a whole bunch of African countries that were in the career list—we are going to have the African leader come here next Monday and Tuesday, but we are not going to have ambassadors to a whole bunch of their countries—career ambassadors to a whole bunch of their countries. That is not in the national interests and security of the United States.

I hope that after having waited quite some time in order to finally get to this point where I felt the necessity to come to the floor and ask for unanimous consent, that instead of the trickle that we occasionally get because there is a crisis and therefore there is a response to the crisis, that

we can avoid responding by crisis and having people in places that maybe would help us to ensure that the crisis doesn't take place.

Madam President, I yield the floor.

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

Mr. MENENDEZ. I would be happy to yield.

Mr. CARPER. Would the chairman tell us again the name of the ambassador nominated by the President to be Ambassador to Guatemala?

Mr. MENENDEZ. The gentleman who is nominated, a career nominee to be the Ambassador to Guatemala is Todd D. Robinson.

Mr. CARPER. I would say to my colleagues, as chairman of the homeland security committee, I have been down to a number of Central American countries—Mexico, Colombia, Guatemala, El Salvador. If there is anybody that needs a U.S. ambassador down there, it is Guatemala. We see all these young people, not so young people, coming to this country, trying to get in this country. The reason they are coming up here is there is no hope—no economic hope, crime, lack of opportunity—and we have no ambassador there. We haven't had an ambassador there for months.

I would just make a plea for the chairman to make a unanimous consent if only for the Ambassador to Guatemala. And I would just plead with my colleague, my friend from Wyoming, not to object.

Mr. MENENDEZ. I say to my distinguished colleague from Delaware that I already included the Ambassador to Guatemala in my list and there was objection. If the Senator from Wyoming, who I believe is not doing this in his own course but on behalf of his leadership, has an indication that he would accept that, I would be happy to do it; otherwise, I think we would further not be able to achieve it.

Mr. CARPER. I would ask, would the Senator one more time make the unanimous consent request for Todd Robinson.

Mr. MENENDEZ. I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 958, Todd D. Robinson to be the Ambassador to Guatemala; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no intervening action or debate or further motions be in order to that nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. We have been through this nomination and the others before. There is a procedure that was set up that is recognized now by both sides but that our side feels forced into because of the nuclear option where the other side broke the rules in order to change the rules. And the way that works, the majority leader is still the one that has every power within this body—except the Congressional Review Act—and he hasn't chosen to bring these up in the normal order, instead asking to bring them up en bloc.

My college roommate was a career ambassador, and I helped him get assignments and brought a lot of people through en bloc at the same time. But that was before we had the nuclear option.

So on that basis, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Madam President, I will close on this. Look, the reality is that if each of these ambassadors was going to be brought up and had to go through cloture and go through the whole process of time or the debate time that would be attributed to each one of them, we would spend the rest of this congressional session doing exactly that. That would not help our national security interests in terms of getting these people in place.

I want to get these people in place. I have limited the requests to countries that have career individuals and to countries that also are critical for our national security. I just hope that, in the national interest of the United States, we can come to a better position at some other time.

Madam President, I yield the floor.

NOMINATION OF JILL A. PRYOR TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT

The PRESIDING OFFICER. Cloture having been invoked on the Pryor nomination, the Chair directs the clerk to report the nomination.

The legislative clerk read the nomination of Jill A. Pryor, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Senator from Wyoming.

MORNING BUSINESS

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. MERKLEY. Madam President, reserving the right to object, would the Senator from Wyoming consider modifying that request to include me to follow on, following his remarks?

Mr. ENZI. Certainly.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. COBURN. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Senator RUBIO has been waiting all day to offer a unanimous consent request on a bill he has. I ask unanimous consent that the 2 minutes that Senator RUBIO would like to have be available between Senator ENZI and Senator MERKLEY.

Mr. MERKLEY. I have absolutely no objection to that.

Mr. ENZI. I revise my unanimous consent request for my speech, then Senator RUBIO for 2 minutes, then Senator MERKLEY.

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

Mr. MENENDEZ. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. I will be very brief. I want to join Senator RUBIO, if I can have 2 minutes as well, before going to Senator MERKLEY.

THE PRESIDING OFFICER. Without objection, the modified request is agreed to.

The Senator from Wyoming.

RETIREMENT OF ROBIN BAILEY

Mr. ENZI. Madam President, the speech I need to give now is not one of my favorite speeches. It is a very important speech.

There is an old saying we have all heard before: Good help is hard to find. Here is my experience: Good help is not only hard to find, it is almost impossible to replace. Those words have come to my mind quite often in the days since my State director Robin Bailey told us she had decided to retire.

As we began our search for a new State director, it soon became apparent that you can't replace Robin Bailey.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5195. An act to provide additional visas for the Afghan Special Immigrant Visa Program, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 1799. An act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

At 4:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 5021) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2709. A bill to extend and reauthorize the Export-Import Bank of the United States, and for other purposes.

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

H.R. 4450. An act to extend the Travel Promotion Act of 2009, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2772. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

S. 2773. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 31, 2014, she had presented to the President of the United States the following enrolled bill:

S. 1799. An act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

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–6686. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bifenazate; Pesticide Tolerances'' (FRL No. 9912–92) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6687. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of one (1) officer authorized to wear the insignia of the grade of major general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6688. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, (9) reports relative to vacancy announcements within the Department, received in the Office of the President of the Senate on July 30, 2014; to the Committee on Armed Services.

EC–6689. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, (25) reports relative to vacancy announcements within the Department, received in the Office of the President of the Senate on July 30, 2014; to the Committee on Armed Services.

EC–6690. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing—Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Federal Housing Administration (FHA): Refinancing an Existing Cooperative Under Section 207 Pursuant to Section 223(f) of the National Housing Act'' (RIN2502–AI92) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6691. A communication from the Acting Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2014–0002)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6692. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2014'' ((RIN3150–AJ32) (NRC–2013–0276)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Environment and Public Works.

EC–6693. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Redesignation Requests, Associated Maintenance Plans, and Motor Vehicle Emissions Budgets for the Delaware Portion of the Philadelphia-Wilmington, PA–NJ-DE Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standards, and the 2007 Comprehensive Emissions Inventory for the 2006 24-Hour Fine Particulate Matter Standard'' (FRL No. 9914–53–Region 3) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Environment and Public Works.

EC–6694. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Nebraska; Fine Particulate Matter New Source Review Requirements'' (FRL No. 9914–52–Region 7) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Environment and Public Works.

EC–6695. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska; Interstate Transport of Pollution'' (FRL No. 9914–48–Region 10) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Environment and Public Works.

EC–6696. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for the 1997 8-Hour Ozone National Ambient Air Quality Standard'' (FRL No. 9914–45–Region 6) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Environment and Public Works.

EC–6697. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Navajo Nation; Regional Haze Requirements for Navajo Generating Station'' (FRL No. 9914–62–Region 9) received in the Office of the President of the Senate on July 29, 2014; to the Committee on Environment and Public Works.

EC–6698. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Export Controls and Physical Security Standards'' ((RIN3150–AJ33) (NRC–2014–0007)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Foreign Relations.

EC–6699. A communication from the Acting Chief Financial Officer, transmitting, pursuant to law, a report entitled ''U.S. Department of Homeland Security Annual Performance Report for Fiscal Years 2013–2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–6700. A communication from the General Counsel, Office of Compliance, United States Congress, transmitting, pursuant to law, a biennial report to Congress entitled ''Americans with Disabilities Act Inspections Relating to Public Services and Accommodations''; to the Committee on Homeland Security and Governmental Affairs.

EC–6701. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Annual Events in the Captain of the Port Zone Buffalo'' ((RIN1625–AA00) (Docket No. USCG–2014–0081)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6702. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Lake Michigan; Winnetka, IL'' ((RIN1625–AA00) (Docket No. USCG–2014–0259)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6703. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Patapsco River; Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2014–0201)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6704. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Columbus Road Bridge Installation, Cuyahoga River, Cleveland, OH''

((RIN1625–AA00) (Docket No. USCG–2014–0556)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6705. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 2014 Fireworks Displays in Northern New England'' ((RIN1625–AA00) (Docket No. USCG–2014–0491)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6706. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Belt Parkway Bridge Construction, Gerritsen Inlet; Brooklyn, NY—Correction'' ((RIN1625–AA00) (Docket No. USCG–2013–0471)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6707. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Marine Week Seattle Seahawks Demonstration, Lake Washington; Seattle, WA'' ((RIN1625–AA00) (Docket No. USCG–2014–0574)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6708. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Upper Hiwassee Highlands Viticultural Area'' (RIN1513–AC02) received in the Office of the President of the Senate on July 30, 2014; to the Committee on the Judiciary.

EC–6709. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act during fiscal year 2013; to the Committee on the Judiciary.

EC–6710. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to applications for delayed-notice search warrants and extensions during fiscal year 2013; to the Committee on the Judiciary.

EC–6711. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2014''; to the Committee on Veterans' Affairs.

EC–6712. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Federal Acquisition Regulation Supplement (NFS): Contractor Whistleblower Protections'' (RIN2700–AE08) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6713. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; 2014 Atlantic Bluefin Tuna Quota Specifications'' (RIN0648–XD092) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6714. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Suncoast Offshore Grand Prix; Gulf of Mexico, Sarasota, FL'' ((RIN1625–AA08) (Docket No. USCG–2013–0789)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6715. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation and Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District'' ((RIN1625–AA08) (Docket No. USCG–2014–0095)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6716. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Venice, FL'' ((RIN1625–AA09) (Docket No. USCG–2013–0848)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6717. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments'' ((RIN1625–AC13) (Docket No. USCG–2014–0410)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6718. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area and Safety Zone: Tappan Zee Bridge Construction Project, Hudson River; South Nyack and Tarrytown, NY'' ((RIN1625–AA00; 1625–AA11) (Docket No. USCG–2013–0705)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6719. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Lifesaving Equipment: Production Testing and Harmonization with International Standards'' ((RIN1625–AA00) (Docket No. USCG–2010–0048)) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6720. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Quarterly Listings; Safety Zones, Security Zones, Special Local Regulations, Drawbridge Operation Regulations and Regulated Navigation Areas'' (Docket No. USCG–2014–0567) received in the Office of the President of the Senate on July 30, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6721. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Malibu Coast Viticultural Area'' (RIN1513–AC01) received in the Office of the President of the Senate on July 31, 2014; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 1771. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes (Rept. No. 113–225).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1800. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets (Rept. No. 113–226).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment:

S. 1946. A bill to amend the Reclamation Safety of Dams Act of 1978 to modify the authorization of appropriations (Rept. No. 113–227).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 1965. A bill to amend the East Bench Irrigation District Water Contract Extension Act to permit the Secretary of the Interior to extend the contract for certain water services (Rept. No. 113–228).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2010. A bill to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes (Rept. No. 113–229).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with amendments:

S. 2019. A bill to reauthorize and update certain provisions of the Secure Water Act (Rept. No. 113–230).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1963. A bill to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes (Rept. No. 113–231).

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. 2741. An original bill to authorize appropriations for fiscal year 2015 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 113–233).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2250. A bill to extend the Travel Promotion Act of 2009, and for other purposes (Rept. No. 113–234).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 231. A bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp (Rept. No. 113–235).

S. 1214. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government (Rept. No. 113–236).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1486. A bill to improve, sustain, and transform the United States Postal Service (Rept. No. 113–237).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1961. A bill to protect surface water from contamination by chemical storage facilities, and for other purposes (Rept. No. 113–238).

S. 2042. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes (Rept. No. 113–239).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 2519. A bill to codify an existing operations center for cybersecurity (Rept. No. 113–240).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 606. A bill to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building''.

H.R. 1671. A bill to designate the facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, as the ''James 'Jim' Kohnen Post Office''.

H.R. 2291. A bill to designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the ''Vincent R. Sombrotto Post Office''.

H.R. 3472. A bill to designate the facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, as the ''Sergeant Brett E. Gornewicz Memorial Post Office''.

H.R. 3765. A bill to designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the ''Specialist Ryan P. Jayne Post Office Building''.

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 4194. A bill to provide for the elimination or modification of Federal reporting requirements.

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4197. A bill to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

S. 2117. A bill to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Finance.

*Maria Cancian, of Wisconsin, to be Assistant Secretary for Family Support, Department of Health and Human Services.

*D. Nathan Sheets, of Maryland, to be an Under Secretary of the Treasury.

*Robert W. Holleyman II, of Louisiana, to be a Deputy United States Trade Representative, with the rank of Ambassador.

*Ramin Toloui, of Iowa, to be a Deputy Under Secretary of the Treasury.

*Cary Douglas Pugh, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. BLUNT (for himself and Mrs. MCCASKILL):

S. 2714. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER:

S. 2715. A bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes; to the Committee on Finance.

By Mr. BEGICH:

S. 2716. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the sites associated with the forced relocation and confinement of the Aleut people during World War II in the State of Alaska as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 2717. A bill to amend the Internal Revenue Code to provide a refundable credit for costs associated with Information Sharing and Analysis Organizations; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2718. A bill to promote youth athletic safety and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Mr. GRAHAM):

S. 2719. A bill to emphasize manufacturing in engineering programs by directing the National Institute of Standards and Technology, in coordination with other appropriate Federal agencies including the Department of Defense, Department of Energy, and National Science Foundation, to designate United States manufacturing universities; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself and Mr. BURR):

S. 2720. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 with respect to high priority corridors on the National Highway System, and for other purposes; to the Committee on Environment and Public Works.

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

S. 2721. A bill to amend title 23, United States Code, with respect to weight limitations for natural gas vehicles, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MCCONNELL:

S. 2722. A bill to facilitate identification and dissemination of evidence-informed recommendations for addressing maternal addiction and neonatal abstinence syndrome and to provide for studies with respect to neonatal abstinence syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself, Mr. PORTMAN, Mrs. MURRAY, and Ms. COLLINS):

S. 2723. A bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 2724. A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of small business start-up savings accounts; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. RISCH, Mr. HATCH, and Mr. WICKER):

S. 2725. A bill to address noncompliance by the Russian Federation of its obligations under the Intermediate-Range Nuclear Forces (INF) Treaty; to the Committee on Foreign Relations.

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

S. 2726. A bill to clarify the definition of nonadmitted insurer under the Nonadmitted and Reinsurance Reform Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 2727. A bill to approve and implement the Klamath Basin agreements, to improve natural resource management, support economic development, and sustain agricultural production in the Klamath River Basin in the public interest and the interest of the United States, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2728. A bill to amend title XVIII of the Social Security Act to provide community-based medical education payments to primary care teaching centers, to provide for a Medicare indirect medical education performance adjustment, and to increase Medicare graduate medical education transparency, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. BOOZMAN):

S. 2729. A bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to publish and make available for public comment a draft economic analysis at the time a proposed rule to designate critical habitat is published; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself and Mr. BLUNT):

S. 2730. A bill to establish or integrate an online significant event tracker (SET) system for tracking, reporting, and summarizing exposures of members of the Armed Forces, including members of the reserve components thereof, to traumatic events, and for other purposes; to the Committee on Armed Services.

By Mr. NELSON (for himself and Mr. PORTMAN):

S. 2731. A bill to amend title XVIII of the Social Security Act to provide for the application of Medicare secondary payer rules to certain workers' compensation settlement agreements and qualified Medicare set-aside provisions; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. DONNELLY):

S. 2732. A bill to increase from $10,000,000,000 to $50,000,000,000 the threshold figure at which regulated depository institutions are subject to direct examination and reporting requirements of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN (for himself and Mr. BARRASSO):

S. 2733. A bill to establish a certification process for opting out of the individual health insurance mandate; to the Committee on Finance.

By Mr. WYDEN:

S. 2734. A bill to improve timber management of Oregon and California Railroad and Coos Bay Wagon Road grant land, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. WYDEN):

S. 2735. A bill to provide for an extension of the Internet Tax Freedom Act; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. WYDEN):

S. 2736. A bill to amend the Internal Revenue Code of 1986 to prevent identity theft related tax refund fraud, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. MERKLEY, and Ms. BALDWIN):

S. 2737. A bill to ensure that transportation and infrastructure projects carried out using Federal financial assistance are constructed with steel, iron, and manufactured goods that are produced in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself, Mr. MORAN, and Mr. BEGICH):

S. 2738. A bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces, to establish an advisory board on exposure to toxic substances, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER:

S. 2739. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property eligible for the energy credit and to permit new clean renewable energy bonds to finance qualified biogas property; to the Committee on Finance.

By Ms. HEITKAMP:

S. 2740. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN:

S. 2741. An original bill to authorize appropriations for fiscal year 2015 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. SCHUMER (for himself, Mr. NELSON, and Mr. BEGICH):

S. 2742. A bill to provide for public notice and input prior to the closure, consolidation, or public access limitation of field or hearing offices of the Social Security Administration, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. FLAKE, Mr. COATS, Mr. ISAKSON, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, and Mr. COCHRAN):

S. 2743. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes; to the Committee on Appropriations.

By Mrs. HAGAN:

S. 2744. A bill to authorize a settlement in accordance with the agreement entered into by the Tennessee Valley Authority, the Department of the Interior, and counties within the Great Smoky Mountains National Park; to the Committee on Energy and Natural Resources.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 2745. A bill to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself and Ms. AYOTTE):

S. 2746. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK:

S. 2747. A bill to require Federal agencies to review certain rules and regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE:

S. 2748. A bill to amend the Endangered Species Act of 1973 to conform citizen suits under that Act with other existing law, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 2749. A bill to establish a board of directors and CEO to oversee the Federal Exchange and State Exchanges, and to provide health insurance oversight; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK:

S. 2750. A bill to encourage investments in airports through public-private partnerships, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WALSH:

S. 2751. A bill to provide payments to States for activities to expand early voting access, provide for an equitable distribution of early voting polling locations, including early voting polling locations on Indian tribal land, and to implement voter registration reforms for elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. LEE:

S. 2752. A bill to amend the Endangered Species Act of 1973 to improve the disclosure of certain expenditures under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER:

S. 2753. A bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 2754. A bill to provide limits on bundling, to reform the lobbyist registration process, and for other purposes; to the Committee on Rules and Administration.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. LEAHY):

S. 2755. A bill to prevent deaths occurring from drug overdoses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, and Mr. LEE):

S. 2756. A bill to promote competition and help consumers save money by giving them the freedom to choose where they buy prescription pet medications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER (for himself, Mr. DURBIN, Mr. NELSON, Mr. PRYOR, Mr. COONS, and Mr. MARKEY):

S. 2757. A bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself, Mr. PRYOR, Mr. BEGICH, Mr. WALSH, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. ENZI, and Mr. CARPER):

S. 2758. A bill to authorize the Secretary of the Air Force to modernize C–130 aircraft using alternative communication, navigation, surveillance, and air traffic management program kits and to ensure that such aircraft meet applicable regulations of the Federal Aviation Administration; to the Committee on Armed Services.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. 2759. A bill to release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL:

S. 2760. A bill to extend National Highway Traffic Safety Administration authorizations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER:

S. 2761. A bill to amend title 23, United States Code, to permit the consolidation of metropolitan planning organizations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FRANKEN (for himself, Mr. PORTMAN, and Ms. BALDWIN):

S. 2762. A bill to prevent future propane shortages, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY:

S. 2763. A bill to amend the Older Americans Act of 1965 to create a collaborative network with a single point of entry for services and supports, to improve programs to prevent elder financial exploitation, to create a community care wrap-around support demonstration program, and to create a national campaign to raise awareness of the aging network and promote advance integrated long-term care planning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WALSH:

S. 2764. A bill to support country-of-origin labeling, ban imports of fresh meat and meat food products from countries with foot-and-mouth disease, reform certain livestock programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KIRK (for himself and Mr. MANCHIN):

S. 2765. A bill to amend the Investment Advisers Act of 1940 to prevent duplicative regulation of advisers of small business investment companies; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO:

S. 2766. A bill to combat terrorism and promote reform in the Palestinian Authority and the United Nations, and for other purposes; to the Committee on Foreign Relations.

By Mr. KIRK:

S. 2767. A bill to prohibit the fraudulent transfer of custody of unaccompanied alien children; to the Committee on the Judiciary.

By Mr. HELLER (for himself, Mr. CRAPO, Mr. RISCH, Mr. BARRASSO, and Mr. HATCH):

S. 2768. A bill to amend the Healthy Forests Restoration Act of 2003 to expand the use of categorical exclusions for hazardous fuel reduction projects; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WICKER (for himself, Mr. TESTER, and Mr. CORNYN):

S. 2769. A bill to ensure appropriate judicial review of Federal Government actions by amending the prohibition on the exercise of jurisdiction by the United States Court of Federal Claims of certain claims pending in other courts; to the Committee on the Judiciary.

By Mr. WALSH:

S. 2770. A bill to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2771. A bill to establish a WaterSense program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE:

S. 2772. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; read the first time.

By Mr. CORNYN (for himself, Mr. GRASSLEY, and Mr. MCCONNELL):

S. 2773. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes; read the first time.

By Mr. MURPHY (for himself and Mr. GRASSLEY):

S.J. Res. 41. A joint resolution approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself and Mr. MCCAIN):

S. Res. 531. A resolution honoring the life, accomplishments, and legacy of Louis Zamperini and expressing condolences on his passing; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. GRASSLEY, Mr. KING, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MARKEY, Mr. MURPHY, Mr. PORTMAN, Mr. ROCKEFELLER, and Ms. WARREN):

S. Res. 532. A resolution designating the week beginning September 7, 2014, as ''National Direct Support Professionals Recognition Week''; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 533. A resolution designating September 2014 as ''National Spinal Cord Injury Awareness Month''; considered and agreed to.

By Mr. KIRK (for himself and Mr. DURBIN):

S. Res. 534. A resolution designating September 6, 2014, as ''Everett McKinley Dirksen and Marigold Day''; considered and agreed to.

By Mr. SCHUMER:

S. Res. 535. A resolution to authorize the printing of a revised edition of the Senate Rules and Manual; considered and agreed to.

By Mr. JOHANNS (for himself and Ms. AYOTTE):

S. Con. Res. 42. A concurrent resolution recognizing caregiving as a profession and the extraordinary contributions of paid and family caregivers; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 234

At the request of Mr. REID, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 240

At the request of Mr. TESTER, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 338

At the request of Mr. KAINE, his name was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 567

At the request of Mr. HARKIN, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 567, a bill to improve the retirement of American families by strengthening Social Security.

S. 635

At the request of Mr. BROWN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 641

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 734

At the request of Mr. NELSON, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Idaho (Mr. CRAPO) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 754

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 759

At the request of Mr. CASEY, the names of the Senator from Virginia (Mr. WARNER), the Senator from Rhode Island (Mr. REED), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 809

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 809, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 987

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1012

At the request of Mr. BLUNT, the names of the Senator from Montana (Mr. WALSH) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1030

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1030, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1158

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1323

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1323, a bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues.

S. 1406

At the request of Mr. NELSON, his name was added as a cosponsor 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. 1410

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1463

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1477

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1477, a bill to clarify the rights of Indians and Indian tribes on Indian lands the National Labor Relations Act.

S. 1555

At the request of Mr. WICKER, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1555, a bill to amend titles XVIII and XIX of the Social Security Act to provide for a delay in the implementation schedule of the reductions in disproportionate share hospital payments, and for other purposes.

S. 1645

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor 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. 1842

At the request of Mr. GRASSLEY, his name was withdrawn as a cosponsor of S. 1842, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1904

At the request of Mr. LEE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1904, a bill to amend the eligibility requirements for funding under title IV of the Higher Education Act of 1965.

S. 1974

At the request of Mr. ROBERTS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1974, a bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal education mandates, and for other purposes.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2141

At the request of Mr. REED, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2141, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

S. 2143

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2143, a bill to increase access to capital for veteran entrepreneurs to help create jobs.

S. 2182

At the request of Mr. WALSH, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2192

At the request of Mr. MARKEY, the names of the Senator from Montana (Mr. WALSH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2250

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2309

At the request of Mr. TOOMEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2309, a bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

S. 2329

At the request of Mrs. SHAHEEN, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2333

At the request of Mrs. MURRAY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2333, a bill to amend title 10, United States Code, to provide for certain behavioral health treatment under TRICARE for children and adults with developmental disabilities.

S. 2340

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2359

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2359, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 2396

At the request of Mr. PRYOR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2396, a bill to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes.

S. 2501

At the request of Mr. MANCHIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2501, a bill to amend title XVIII of the Social Security Act to make improvements to the Medicare hospital readmissions reduction program.

S. 2508

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2508, a bill to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes.

S. 2513

At the request of Mr. ENZI, his name was withdrawn as a cosponsor of S. 2513, a bill to establish a demonstration project for competency-based education.

S. 2520

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2520, a bill to improve the Freedom of Information Act.

S. 2527

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2527, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 2543

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2543, a bill to support afterschool and out-of-school-time science, technology, engineering, and mathematics programs, and for other purposes.

S. 2545

At the request of Ms. AYOTTE, the names of the Senator from Maine (Ms. COLLINS) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 2545, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 2547

At the request of Ms. HEITKAMP, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2547, a bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 2552

At the request of Mr. BROWN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2552, a bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes.

S. 2567

At the request of Mr. PAUL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2567, a bill to provide for the sealing or expungement of records relating to Federal nonviolent criminal offenses, and for other purposes.

S. 2591

At the request of Mr. RUBIO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2591, a bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

S. 2609

At the request of Mr. ENZI, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2609, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 2631

At the request of Mr. CRUZ, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2631, a bill to prevent the expansion of the Deferred Action for Childhood Arrivals program unlawfully created by Executive memorandum on August 15, 2012.

S. 2650

At the request of Mr. CORKER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2650, a bill to provide for congressional review of agreements relating to Iran's nuclear program, and for other purposes.

S. 2659

At the request of Mr. MURPHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2659, a bill to amend title 49, United States Code, to require the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish a process for providing expedited and dignified passenger screening services for veterans traveling to visit war memorials built and dedicated to honor their services, and for other purposes.

S. 2660

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2660, a bill to amend the Internal Revenue Code of 1986 to clarify the special rules for accident and health plans of certain governmental entities, and for other purposes.

S. 2664

At the request of Mr. BEGICH, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2664, a bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

S. 2667

At the request of Mr. KIRK, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2667, a bill to prohibit the exercise of any waiver of the imposition of certain sanctions with respect to Iran unless the President certifies to Congress that the waiver will not result in the provision of funds to the Government of Iran for activities in support of international terrorism, to develop nuclear weapons, or to violate the human rights of the people of Iran.

S. 2685

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2685, 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. 2687

At the request of Mrs. SHAHEEN, the names of the Senator from Colorado (Mr. UDALL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2687, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 2693

At the request of Ms. CANTWELL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2693, a bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes.

S. 2703

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2703, a bill to establish eligibility, assignment, training, and certification requirements for sexual assault forensic examiners for the Armed Forces, and for other purposes.

S. 2709

At the request of Mr. MANCHIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Washington (Mrs. MURRAY), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2709, a bill to extend and reauthorize the Export-Import Bank of the United States, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2709, supra.

S. 2710

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2710, a bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes.

S. RES. 513

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 513, a resolution honoring the 70th anniversary of the Warsaw Uprising.

S. RES. 522

At the request of Mr. COONS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 522, a resolution expressing the sense of the Senate supporting the U.S.—Africa Leaders Summit to be held in Washington, DC from August 4 through 6, 2014.

S. RES. 530

At the request of Mr. PORTMAN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. Res. 530, a resolution expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State, formerly known as the Islamic State of Iraq and the Levant (ISIL), as it expands its control over areas in northwestern Iraq.

AMENDMENT NO. 3588

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 3588 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3719

At the request of Mr. WICKER, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of amendment No. 3719 intended to be proposed to S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 3720

At the request of Mr. CRUZ, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 3720 intended to be proposed to S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 2722. A bill to facilitate identification and dissemination of evidence-informed recommendations for addressing maternal addiction and neonatal abstinence syndrome and to provide for studies with respect to neonatal abstinence syndrome; to the Committee on Health, Education, Labor, and Pensions.

Mr. MCCONNELL. 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. 2722

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 Our Infants Act of 2014''.

SEC. 2. EVIDENCE-INFORMED RECOMMENDATIONS WITH RESPECT TO MATERNAL ADDICTION AND NEONATAL ABSTINENCE SYNDROME.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall coordinate and facilitate the—

(1) identification and compilation of evidence-informed recommendations for physicians, nurses, and hospital facilities with respect to neonatal abstinence syndrome; and

(2) identification of any gaps, as appropriate, in such evidence-informed recommendations that may require additional research or analysis with respect to—

(A) screening and intervention for maternal substance abuse, including the misuse or abuse of prescription drugs in women of childbearing age and pregnant women;

(B) treatment for pregnant and postpartum women with a substance use disorder, including the misuse or abuse of prescription drugs;

(C) screening of infants for neonatal abstinence syndrome and for the risk of developing neonatal abstinence syndrome;

(D) treatment for infants with neonatal abstinence syndrome, including evidence-informed recommendations surrounding evaluation and treatment with pharmacological and non-pharmacological interventions; and

(E) ongoing treatment, services, and supports for postpartum women with a substance use disorder, including misuse or abuse of prescription drugs, and infants and children with neonatal abstinence syndrome.

(b) INPUT.—In carrying out subsection (a), the Secretary shall consider input from stakeholders, such as health professionals, public health officials, and law enforcement.

(c) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate to appropriate stakeholders in States and local communities the evidence-informed recommendations identified under subsection (a).

(d) ADDRESSING RESEARCH NEEDS FOR MATERNAL ADDICTION AND NEONATAL ABSTINENCE SYNDROME.—The Secretary shall conduct a study to evaluate—

(1) factors related to the increased prevalence of maternal opiate misuse and abuse;

(2) factors related to maternal misuse and abuse of opiates, including—

(A) barriers to identifying and treating maternal misuse and abuse of opiates; and

(B) the most effective prevention and treatment strategies for pregnant women and other women of childbearing age who are at risk for or dependent on opiates; and

(3) factors related to neonatal abstinence syndrome, including—

(A) epidemiological studies concerning neonatal abstinence syndrome;

(B) the most effective methods to diagnose and treat neonatal abstinence syndrome; and

(C) the long-term effects of neonatal abstinence syndrome and the need for a longer-term study on infants and children at risk for developing neonatal abstinence syndrome or diagnosed with neonatal abstinence syndrome.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives the findings from the study under subsection (d) and a report that identifies the gaps in evidence-informed recommendations that require additional research or analysis, and priority areas for additional research.

SEC. 3. IMPROVING DATA ON NEONATAL ABSTINENCE SYNDROME.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall provide technical assistance to States to improve the availability and quality of data collection and surveillance activities regarding neonatal abstinence syndrome, including—

(1) incidence and prevalence of neonatal abstinence syndrome;

(2) the identification of causes for neonatal abstinence syndrome, including new and emerging trends; and

(3) the identification of demographics and other relevant information associated with neonatal abstinence syndrome.

SEC. 4. PAIN MANAGEMENT ALTERNATIVES.

It is the sense of Congress that the Director of the National Institutes of Health should continue research with respect to pain management, including for women of childbearing age.

SEC. 5. GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study evaluating—

(1) the availability and effectiveness of federally-facilitated substance abuse treatment programs for pregnant women and their children;

(2) the availability and effectiveness of Federal programs that encourage State adoption and implementation of programs to ensure—

(A) the safety and health of mothers who have a substance use disorder; and

(B) the safety and health of children with neonatal abstinence syndrome;

(3) the effectiveness of Federal data systems and surveillance programs used to monitor or track drug utilization and resulting trends, including whether information on neonatal abstinence syndrome is incorporated into such data systems; and

(4) the identification of the use of all discretionary funds to address maternal substance abuse, including the misuse and abuse of prescription drugs.

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

S. 2726. A bill to clarify the definition of nonadmitted insurer under the Nonadmitted and Reinsurance Reform Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEAHY. Mr. President, today, I introduce the Captive Insurers Clarification Act. This simple, commonsense legislation will clarify terms included in the Dodd-Frank Wall Street Reform and Consumer Protection Act that stand to threaten the viability of the captive insurance industry in Vermont, South Carolina, and across the country. I am glad to have Senator Graham's support in this effort.

Vermont is one of the leading onshore captive insurance domiciles in the country, with over 1000 licensed captive insurance companies. I have heard from the captive industry in Vermont, understandably concerned that language included in the Dodd-Frank Act may result in the double taxation of captives that operate in states where their headquarters are not domiciled. The Nonadmitted and Reinsurance Reform Act, NRRA, as included in Dodd-Frank, intended to facilitate the proper collection and allocation of self-procurement taxes. Captives are taxed and regulated in the state in which they are domiciled, not necessarily where their corporate headquarters are located. However, due to the ambiguity of the NRRA, captive insurers are concerned that both the state in which a captive is headquartered, and the state in which the captive is domiciled, may claim the premium tax.

The Captive Insurers Clarification Act would simply clarify that such companies were never intended to be included under the Nonadmitted and Reinsurance Reform Act. Applying the NRRA to captives would eliminate the specialized regulation of the captive industry that states like Vermont have worked to cultivate.

This is commonsense legislation to clarify the intention of Congress in passing the Nonadmitted and Reinsurance Reform Act, and I hope Members of Congress will support its enactment.

By Mr. HATCH (for himself and Mr. WYDEN):

S. 2736. A bill to amend the Internal Revenue Code of 1986 to prevent identity theft related tax refund fraud, and for other purposes; to the Committee on Finance.

Mr. HATCH. 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. 2736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Refund Theft Prevention Act of 2014''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; etc.
Sec. 2. Safe harbor for de minimis errors on information returns and payee statements.
Sec. 3. Internet platform for Form 1099 filings.
Sec. 4. Requirement that electronically prepared paper returns include scannable code.
Sec. 5. Single point of contact for identity theft victims.
Sec. 6. Criminal penalty for misappropriating taxpayer identity in connection with tax fraud.
Sec. 7. Extend Internal Revenue Service authority to require truncated social security numbers on Form W-2.
Sec. 8. Improvement in access to information in the National Directory of New Hires for tax administration purposes.
Sec. 9. Password system for prevention of identity theft tax fraud.
Sec. 10. Increased penalty for improper disclosure or use of information by preparers of returns.
Sec. 11. Increase electronic filing of returns.
Sec. 12. Increased real-time filing.
Sec. 13. Limitation on multiple individual income tax refunds to the same account.
Sec. 14. Identity verification required under due diligence rules.
Sec. 15. Report on refund fraud.

SEC. 2. SAFE HARBOR FOR DE MINIMIS ERRORS ON INFORMATION RETURNS AND PAYEE STATEMENTS.

(a) IN GENERAL.—Subsection (c) of section 6721 is amended—

(1) by striking ''EXCEPTION FOR DE MINIMIS FAILURE TO INCLUDE ALL REQUIRED INFORMATION'' in the heading and inserting ''EXCEPTIONS FOR CERTAIN DE MINIMIS FAILURES'',

(2) by striking ''IN GENERAL'' in the heading of paragraph (1) and inserting ''EXCEPTION FOR DE MINIMIS FAILURE TO INCLUDE ALL REQUIRED INFORMATION'', and

(3) by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to an information return filed with the Secretary—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount, and

''(ii) no single amount in error differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such return shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to returns required under section 6049.

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this subparagraph shall not apply to the extent necessary to prevent any such abuse.''.

(b) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—Subsection (c) of section 6722 is amended by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to any payee statement—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount, and

''(ii) no single amount in error differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such statement shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to payee statements required under section 6049.

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this subparagraph shall not apply to the extent necessary to prevent any such abuse.''.

(c) CONFORMING AMENDMENTS.—

(1) Subsection (i) of section 408 is amended by striking ''$10'' and inserting ''$25''.

(2) Paragraph (5) of section 3406(b) is amended—

(A) by striking ''$10'' both places it appears and inserting ''$25'', and

(B) by adding at the end the following flush text:

''The preceding sentence shall not apply to payments of interest to which section 6049 applies.''.

(3) Subparagraphs (A) and (B) of section 6042(a)(1) are each amended by striking ''$10'' and inserting ''$25''.

(4) Paragraph (2) of section 6042(a) is amended by striking ''$10'' and inserting ''$25''.

(5) Paragraphs (1) and (2) of section 6044(a) are each amended by striking ''$10'' and inserting ''$25''.

(6) Paragraph (1) of section 6047(d) is amended by striking ''$10'' and inserting ''$25''.

(7) Subsection (a) of section 6050B is amended by striking ''$10'' and inserting ''$25''.

(8) Subsection (a) of section 6050E is amended by striking ''$10'' and inserting ''$25''.

(9) Paragraphs (1) and (2) of section 6050N(a) are each amended by striking ''$10'' and inserting ''$25''.

(10) Paragraphs (1) and (2) of section 6652(a) are each amended by striking ''$10'' and inserting ''$25''.

(11) The heading of subsection (a) of section 6652 is amended by striking ''$10'' and inserting ''$25''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to information returns required to be filed, and payee statements required to be provided, on or after the date of the enactment of this Act.

SEC. 3. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of the Treasury (or such Secretary's delegate) shall make available an Internet website or other electronic media, similar to the Business Services Online Suite of Services provided by the Social Security Administration, that will provide taxpayers access to resources and guidance provided by the Internal Revenue Service and will allow taxpayers to—

(1) prepare and file (in batches of not more than 50) Forms 1099,

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service, and

(3) create and maintain necessary taxpayer records.

(b) EARLY IMPLEMENTATION FOR FORMS 1099-MISC.—Not later than 1 year after the date of the enactment of this Act, the Internet website under subsection (a) shall be available in a partial form that will allow taxpayers to take the actions described in such subsection with respect to Forms 1099-MISC required to be filed or distributed by such taxpayers.

SEC. 4. REQUIREMENT THAT ELECTRONICALLY PREPARED PAPER RETURNS INCLUDE SCANNABLE CODE.

(a) IN GENERAL.—Subsection (e) of section 6011 is amended by adding at the end the following new paragraph:

''(5) SPECIAL RULE FOR RETURNS PREPARED ELECTRONICALLY AND SUBMITTED ON PAPER.—The Secretary shall require that any return of tax which is prepared electronically, but is printed and filed on paper, bear a code which can, when scanned, convert such return to electronic format.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) is amended by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (5)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns of tax the due date for which (determined without regard to extensions) is after December 31, 2014.

SEC. 5. SINGLE POINT OF CONTACT FOR IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or such Secretary's delegate) shall establish new procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to misappropriation of the taxpayer's taxpayer identity (as defined in section 6103(b)(6) of the Internal Revenue Code of 1986) has a single point of contact who—

(1) is an individual employee of the Internal Revenue Service, and

(2) tracks the case of the taxpayer from start to finish and coordinates with other specialized units to resolve case issues as quickly as possible.

(b) CHANGE OF CONTACT.—The procedures under subsection (a) shall provide that the single point of contact may be changed—

(1) upon request of the taxpayer, or

(2) in any case where the individual employee ceases employment or is otherwise unavailable for any period, or a change is required to meet agency staffing needs, but only if the taxpayer is notified of any such change within 5 business days.

SEC. 6. CRIMINAL PENALTY FOR MISAPPROPRIATING TAXPAYER IDENTITY IN CONNECTION WITH TAX FRAUD.

(a) IN GENERAL.—Section 7206 is amended—

(1) by striking ''Any person'' and inserting the following:

''(a) IN GENERAL.—Any person'', and

(2) by adding at the end the following new subsection:

''(b) MISAPPROPRIATION OF IDENTITY.—Any person who willfully misappropriates another person's taxpayer identity (as defined in section 6103(b)(6)) for the purpose of making any list, return, account, statement, or other document submitted to the Secretary under the provisions of this title shall be guilty of a felony and, upon conviction thereof, shall be fined not more than $250,000 ($500,000 in the case of a corporation) or imprisoned not more than 5 years, or both, together with the costs of prosecution.''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(c) of title 18, United States Code, is amended by striking ''or'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; or'', and by adding at the end the following new paragraph:

''(12) section 7206(b) of the Internal Revenue Code of 1986 (relating to misappropriation of identity in connection with tax fraud).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offenses committed on or after the date of the enactment of this Act.

SEC. 7. EXTEND INTERNAL REVENUE SERVICE AUTHORITY TO REQUIRE TRUNCATED SOCIAL SECURITY NUMBERS ON FORM W-2.

(a) IN GENERAL.—Paragraph (2) of section 6051(a) is amended by striking ''his social security number'' and inserting ''an identifying number for the employee''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 8. IMPROVEMENT IN ACCESS TO INFORMATION IN THE NATIONAL DIRECTORY OF NEW HIRES FOR TAX ADMINISTRATION PURPOSES.

(a) IN GENERAL.—Paragraph (3) of section 453(i) of the Social Security Act (42 U.S.C. 653(i)) is amended to read as follows:

''(3) ADMINISTRATION OF FEDERAL TAX LAWS RELATING TO FRAUD.—The Secretary of the Treasury shall have access to the information in the National Directory of New Hires for the sole purpose of identifying and preventing fraudulent tax return filings and claims for refund under the Internal Revenue Code of 1986.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 9. PASSWORD SYSTEM FOR PREVENTION OF IDENTITY THEFT TAX FRAUD.

(a) IN GENERAL.—The Secretary of the Treasury shall implement an identity theft tax fraud prevention program under which any individual taxpayer may elect to be provided with a unique password which, as a result of such election, will be required to be included on any Federal tax return filed by such individual before the return will be processed. Such program shall be available not later than January 1 of the first calendar year beginning on or after the date that is 2 years after the date of the enactment of this Act.

(b) STUDY AND REPORT.—The Secretary of the Treasury shall conduct a study of the program under subsection (a) and, not later than 3 years after the January 1 date under such subsection, shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the efficacy of such program in reducing tax refund fraud. Such report shall include a recommendation as to whether the program under subsection (a) should be made mandatory, rather than elective, for all taxpayers.

SEC. 10. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and

(2) by inserting after subsection (a) the following new subsection:

''(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

''(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

''(A) by substituting '$1,000' for '$250', and

''(B) by substituting '$50,000' for '$10,000'.

''(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this paragraph applies and to which it does not apply.''.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking ''$1,000'' and inserting ''$1,000 ($100,000 in the case of a disclosure or use to which section 6713(b) applies)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses after the date of the enactment of this Act.

SEC. 11. INCREASE ELECTRONIC FILING OF RETURNS.

(a) IN GENERAL.—Subparagraph (A) of section 6011(e)(2) is amended by striking ''250'' and inserting ''the applicable number of''.

(b) APPLICABLE NUMBER.—Subsection (e) of section 6011, as amended by this Act, is amended by adding at the end the following new paragraph:

''(6) APPLICABLE NUMBER.—For purposes of paragraph (2)(A), the applicable number is—

''(A) in the case of returns and statements relating to calendar years before 2015, 250,

''(B) in the case of returns and statements relating to calendar year 2015, 100,

''(C) in the case of returns and statements relating to calendar year 2016, 50, and

''(D) in the case of returns and statements relating to calendar years after 2016, 20.''.

(c) RETURNS FILED BY A TAX RETURN PREPARER.—

(1) IN GENERAL.—Subparagraph (A) of section 6011(e)(3) is amended to read as follows:

''(A) IN GENERAL.—The Secretary shall require that—

''(i) any individual income tax return, and

''(ii) any return or statement under subpart B, C, or E of part III of this subchapter,

which is prepared by a tax return preparer be filed on magnetic media. The Secretary may waive the requirement of the preceding sentence if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement based on technological constraints (including lack of access to the Internet).''.

(2) CONFORMING AMENDMENT.—Paragraph (3) of section 6011(e) is amended by striking subparagraph (B), and by redesignating subparagraph (C) as subparagraph (B).

(d) EFFECTIVE DATES.—The amendments made by this section shall apply to returns the due date for which (determined without regard to extensions) is after December 31, 2014.

SEC. 12. INCREASED REAL-TIME FILING.

(a) ACCELERATED FILING OF FORMS W-2 AND W-3.—

(1) IN GENERAL.—Section 6071 is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

''(c) RETURNS RELATING TO EMPLOYEE WAGE INFORMATION.—Returns and statements made under sections 6051 and 6052 shall be filed on or before February 15 of the year following the calendar year to which such returns relate.''.

(2) CONFORMING AMENDMENT.—Subsection (b) of section 6071 is amended by striking ''subparts B and C'' and inserting ''section 6053 and subpart B''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns and statements relating to calendar years beginning after the date of the enactment of this Act.

(b) ACCELERATED FILING FOR CERTAIN FORMS 1099.—

(1) IN GENERAL.—Subsection (c) of section 6071, as amended by subsection (a), is amended—

(A) by striking ''WAGE INFORMATION'' in the heading and inserting ''WAGE INFORMATION AND FORMS 1099-MISC'', and

(B) by inserting '', and any return which is filed on Form 1099-MISC,'' after ''6052''.

(2) CONFORMING AMENDMENT.—Subsection (b) of section 6071, as amended by this Act, is amended by striking ''section 6053 and subpart B of part III of this subchapter'' and inserting ''subpart B of part III of this subchapter (other than returns filed on Form 1099-MISC)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns relating to calendar years beginning after December 31, 2014.

(c) STUDY REGARDING ADMINISTRATIVE IMPLEMENTATION.—Not later than January 1, 2017, the Secretary of the Treasury shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives including—

(1) a recommendation of whether the due dates for filing Forms W-2 and W-3 with the Internal Revenue Service and the Social Security Administration should be accelerated to January 31 to match the due date for furnishing copies of such forms to the recipient of the reported income,

(2) recommendations for processes—

(A) to match the information reported on Forms W-2 and Forms 1099-MISC for the effective processing of returns and accurate determination of refunds, and

(B) to correct errors on such documents, and

(3) any other recommendations such Secretary may have for accelerating information reporting, including the identification of any other forms that should be due on an accelerated schedule in order to prevent tax refund fraud.

SEC. 13. LIMITATION ON MULTIPLE INDIVIDUAL INCOME TAX REFUNDS TO THE SAME ACCOUNT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall issue regulations that restrict the delivery or deposit of multiple individual income tax refunds from the same tax year to the same individual account or mailing address.

(b) EXCEPTION.—The regulation promulgated under subsection (a) shall provide that the restrictions shall not apply in cases and situations where the Secretary of the Treasury determines there is not a likelihood of tax fraud.

SEC. 14. IDENTITY VERIFICATION REQUIRED UNDER DUE DILIGENCE RULES.

(a) IN GENERAL.—Subsection (g) of section 6695 is amended by adding at the end the following new sentence: ''Such due diligence requirements shall include a requirement that such preparer verify (in such manner and with such documentation as the Secretary shall provide) the identity of the taxpayer with respect to such return or claim for refund.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns or claims for refund filed after December 31, 2014.

SEC. 15. REPORT ON REFUND FRAUD.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury (or the Secretary's delegate) shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the extent and nature of fraud involving the use of a misappropriated taxpayer identity with respect to claims for refund under the Internal Revenue Code of 1986 during the preceding completed income tax filing season, and the detection, prevention, and enforcement activities undertaken by the Internal Revenue Service with respect to such fraud, including—

(1) the development of fraud detection filters and how they are or may be updated and improved;

(2) the effectiveness of fraud detection activities, and the ways in which such effectiveness is measured; and

(3) the methods by which such Service categorizes of refund fraud, and the amounts of fraud that are associated with each category.

By Ms. HEITKAMP:

S. 2740. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

Ms. HEITKAMP. Mr. President, today I am introducing legislation to help new veterans get information about the programs, benefits and services available to them as they transition back to civilian life. The Connect with Veterans Act will make it easier for cities, counties and tribes, as well as the State Departments of Veterans Affairs, to interact directly with new veterans.

Since I joined the Senate in January 2013, I have traveled all across North Dakota, listening to our veterans. One thing I heard, time and time again, was the need for more information about programs and services. Recently, I hosted my first Native American Veterans Summit in Bismarck, ND. One of the things which struck me at the Summit was how the Department of Veterans Affairs and other agencies simply weren't connecting with the veterans who wanted information about health care options and other benefits. It is clear that we, as a society, must do better.

In June 2013, I was proud to form the Senate Defense Communities Caucus along with my co-chair, Senator JOHNNY ISAKSON. We found that people and communities all across the nation are passionate about helping our military perform its mission. Through my work with the Caucus, I found these communities are equally passionate about helping our veterans as well. I heard, through a close partnership with the Association of Defense Communities, that folks wanted to do more, at the local level, to help veterans.

From those ideas, the Connect with Veterans Act was created. It is a simple bill, and one that is entirely voluntary. Separating servicemembers can choose to share their contact information with the communities they are moving to after their military service. Interested cities, counties and tribes can request the contact information for the new veterans moving to their area and then provide them with information about services and benefits. Throughout this process, the veterans contact information will be kept secure.

It is critical that we provide veterans with access to the benefits and services they have earned once they leave the military and—knowing what services and benefits are available to them is the first step. This bill will expand the sources of information available to veterans. It is not just the VA that has the responsibility to help veterans. We all share that responsibility.

I have heard from North Dakotans, in particular, about how this bill would be incredibly beneficial as many communities in my state have unmet employment needs. Veterans have proven to be great employees. And, with good-paying jobs in North Dakota, this program can provide a way to bring veterans into these open positions. But this bill gives local control of what information is provided to veterans. Communities throughout the nation will be able to make this program fit their needs.

Our Nation must do a better job of taking care of our veterans. A great first step is figuring out how best to welcome new veterans into our communities. I know my bill will help that critical process.

By Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. FLAKE, Mr. COATS, Mr. ISAKSON, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, and Mr. COCHRAN):

S. 2743. A bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes; to the Committee on Appropriations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums

are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2014, and for other purposes, namely:

DIVISION A—SUPPLEMENTAL APPROPRIATIONS

TITLE I

DEPARTMENTS OF COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

For an additional amount for ''Administrative Review and Appeals'', $63,200,000, to remain available until September 30, 2015, as follows:

(1) $54,000,000 for the Executive Office for Immigration Review to hire 54 Immigration Judge Teams, which shall be trained and assigned to adjudicate juvenile cases.

(2) $6,700,000 for the Executive Office for Immigration Review for the purchase of video teleconferencing equipment, digital audio recording devices, and other technology that will enable expanded immigration courtroom capacity and capability.

(3) $2,500,000 for the Executive Office for Immigration Review's Legal Orientation Program, of which not less than $1,000,000 shall be for the Legal Orientation Program for Custodians:

Provided, That not later than 15 days after the date of enactment of this Act, the Executive Office for Immigration Review shall submit a reorganization plan to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that includes detailed plans for prioritizing the adjudication of non-detained, unaccompanied alien children and specific plans to reassign Immigration Judge Teams to expedite the adjudication of juveniles on the non-detained docket:

Provided further, That the submitted plan shall ensure that juveniles will appear before an immigration judge for an initial hearing not later than 10 days after the juvenile is apprehended.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $1,100,000, for necessary expenses to respond to the significant rise in unaccompanied children and adults with children at the southwest border and related activities, to remain available until September 30, 2014.

TITLE II

DEPARTMENT OF HOMELAND SECURITY

U. S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, including the acquisition, construction, improvement, repair, and management of facilities, and for necessary expenses related to border security, $71,000,000, to remain available until September 30, 2015.

U. S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, and for the necessary expenses for enforcement of immigration and customs law, detention and removals of adults with children crossing the border unlawfully, and investigations, $398,000,000, to remain available until September 30, 2015, of which, $50,000,000 shall be expended for 50 additional fugitive operations teams and not less than $14,000,000 shall be expended for vetted units operations in Central America and human smuggling and trafficking investigations: *Provided*, That the Secretary of Homeland Security shall support no fewer than an additional 3,000 family and 800 other beds and substantially increase the availability and utilization of detention space for adults with children.

GENERAL PROVISIONS

SEC. 201. (a) For an additional amount for meeting the data collection and reporting requirements of this Act, $5,000,000.

(b) Notwithstanding section 503 of Division F of the Consolidated Appropriations Act, 2014 (Public Law 113–76), funds made available under subsection (a) for data collection and reporting requirements may be transferred by the Secretary of Homeland Security between appropriations for the same purpose.

(c) The Secretary may not make a transfer described in subsection (b) until 15 days after notifying the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives of such transfer.

TITLE III

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Refugee and Entrant Assistance'', $150,000,000, to be merged with and available for the same period and purposes as funds appropriated in Public Law 113–76 ''for carrying out such sections 414, 501, 462, and 235'': *Provided*, That funds appropriated under this heading may also be used for other medical response expenses of the Department of Health and Human Services in assisting individuals identified under subsection (b) of such section 235: *Provided further*, That, the Secretary may, in this fiscal year and hereafter, accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or other donation for carrying out such sections: *Provided further*, That funds appropriated under this heading for medical response expenses may be transferred to and merged with the ''Public Health and Social Services Emergency Fund'': *Provided further*, That transfer authority under this heading is subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

GENERAL PROVISIONS

(RESCISSION)

SEC. 301. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act (42 U.S.C. 1397ee(a)(3)(E)), $1,700,000,000 is rescinded.

TITLE IV

GENERAL PROVISIONS—THIS TITLE

REPATRIATION AND REINTEGRATION

SEC. 401. (a) Of the funds appropriated in titles III and IV of division K of Public Law 113–76, and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, for assistance for the countries in Central America, up to $40,000,000 shall be made available for such countries for repatriation and reintegration activities: *Provided*, That funds made available pursuant to this section may be obligated notwithstanding subsections (c) and (e) of section 7045 of division K of Public Law 113–76.

(b) Prior to the initial obligation of funds made available pursuant to this section, but not later than 15 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2015, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on the obligation of funds made available pursuant to this section by country and the steps taken by the government of each country to—

(1) improve border security;

(2) enforce laws and policies to stem the flow of illegal entries into the United States;

(3) enact laws and implement new policies to stem the flow of illegal entries into the United States, including increasing penalties for human smuggling;

(4) conduct public outreach campaigns to explain the dangers of the journey to the Southwest Border of the United States and to emphasize the lack of immigration benefits available; and

(5) cooperate with United States Federal agencies to facilitate and expedite the return, repatriation, and reintegration of illegal migrants arriving at the Southwest Border of the United States.

(c) The Secretary of State shall suspend assistance provided pursuant to this section to the government of a country if such government is not making significant progress on each item described in paragraphs (1) through (5) of subsection (b): *Provided*, That assistance may only be resumed if the Secretary reports to the appropriate congressional committees that subsequent to the suspension of assistance such government is making significant progress on each of the items enumerated in such subsection.

(d) Funds made available pursuant to this section shall be subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of House of Representatives and the Senate.

TITLE V

GENERAL PROVISIONS — THIS ACT

SEC. 501. Not later than 30 days after the date of the enactment of this Act, the Attorney General, working in coordination with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals whose cases will be adjudicated by the Executive Office for Immigration Review that ensures that—

(1) the Department of Justice is capable of electronically receiving information from the Department of Homeland Security and the Department of Health and Human Services related to the apprehension, processing, detention, placement, and adjudication of such individuals, including unaccompanied alien children;

(2) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically integrated with information collected by the Department of Justice's Executive Office for Immigration Review during the adjudication process;

(3) cases are coded to reflect immigration status and appropriate categories at apprehension, such as unaccompanied alien children and family units;

(4) information pertaining to cases and dockets are collected and maintained by the

Department of Justice in an electronic, searchable database that includes—

(A) the status of the individual appearing before the court upon apprehension;

(B) the docket upon which the case is placed;

(C) the individual's presence for court proceedings;

(D) the final disposition of each case;

(E) the number of days each case remained on the docket before final disposition; and

(F) any other information the Attorney General determines to be necessary and appropriate; and

(5) the final disposition of an adjudication or an order of removal is electronically submitted to—

(A) the Department of Homeland Security; and

(B) the Department of Health and Human Services, if appropriate.

SEC. 502. Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security, working in coordination with the Attorney General and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals who are apprehended or encountered for immigration enforcement purposes by the Department of Homeland Security that ensures that—

(1) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically transmitted to—

(A) the Department of Justice's Executive Office for Immigration Review for integration with case files prepared during the adjudication process; and

(B) to the Department of Health and Human Services, as appropriate, if the files relate to unaccompanied alien children;

(2) the Department of Homeland Security is capable of electronically receiving information pertaining to the disposition of an adjudication, including removal orders and the individual's failure to appear for proceedings, from the Department of Justice's Executive Office for Immigration Review; and

(3) information is collected and shared with the Department of Justice regarding the immigration status and appropriate categories of such individuals at the time of apprehension, such as—

(A) unaccompanied alien children or family units;

(B) the location of their apprehension;

(C) the number of days they remain in the custody of the Department of Homeland Security;

(D) the reason for releasing the individual from custody;

(E) the geographic location of their residence, if released from custody;

(F) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding an individual's failure to appear before the court;

(G) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding the disposition of an adjudication; and

(H) any other information that the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 503. Not later than 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services, working in coordination with the Attorney General and the Secretary of Homeland Security, shall institute a process for collecting, exchanging, and sharing specific data pertaining to unaccompanied alien children that ensures that—

(1) the Department of Health and Human Services is capable of electronically receiving information from the Department of Homeland Security and the Department of Justice related to the apprehension, processing, placement, and adjudication of unaccompanied alien children;

(2) the Department of Health and Human Services shares information with the Department of Homeland Security regarding its capacity and capability to meet the 72-hour mandate required under section 235(b)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)(3)); and

(3) information is collected and shared with the Department of Justice and the Department of Homeland Security regarding—

(A) the number of days a child remained in the custody of the Department of Health and Human Services;

(B) whether the child was placed in a facility operated by the Department of Defense;

(C) for children placed with a sponsor—

(i) the number of children placed with the sponsor;

(ii) the relationship of the sponsor taking custody of the child;

(iii) the type of background check conducted on the potential sponsor; and

(iv) the geographic location of the sponsor; and

(D) any other information the Attorney General or the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 504. The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 505. This Act may be cited as the ''Protecting Children and America's Homeland Act of 2014''.

DIVISION B—UNACCOMPANIED ALIEN CHILDREN AND BORDER SECURITY

TITLE X—UNACCOMPANIED ALIEN CHILDREN

Subtitle A—Protection and Due Process for Unaccompanied Alien Children

SEC. 1001. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by amending the paragraph heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(B) in subparagraph (A), in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States''; and

(C) in subparagraph (C)—

(i) by amending the subparagraph heading to read as follows: ''AGREEMENTS WITH FOREIGN COUNTRIES.—''; and

(ii) in the matter preceding clause (i), by striking ''countries contiguous to the United States'' and inserting ''Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate'';

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) inserting after paragraph (2) the following:

''(3) MANDATORY EXPEDITED REMOVAL OF CRIMINALS AND GANG MEMBERS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall place an unaccompanied alien child in a proceeding in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225a) if, the Secretary determines or has reason to believe the alien—

''(A) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

''(B) has been convicted of an offense which involved—

''(i) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(iii) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(iv) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

''(v) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

''(vi) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

''(C) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

''(D) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

''(E) is or was a member of a criminal gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(F) provided materially false, fictitious, or fraudulent information regarding age or identity to the United States Government with the intent to wrongfully be classified as an unaccompanied alien child; or

''(G) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.''; and

(4) in subparagraph (D) of paragraph (6), as redesignated by paragraph (2)—

(A) by amending the subparagraph heading to read as follows: ''EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(B) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2), shall be—'' and inserting ''who meets the criteria listed in paragraph (2)(A)—'';

(C) by striking clause (i) and inserting the following:

''(i) shall be placed in a proceeding in accordance with section 235B of the Immigration and Nationality Act, which shall commence not later than 7 days after the screening of an unaccompanied alien child described in paragraph (4);'';

(D) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(E) by inserting after clause (i) the following:

''(ii) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government until the child is repatriated unless the child—

''(I) is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act; and

''(II) is placed or released in accordance with subsection (c)(2)(C) of this section.'';

(F) in clause (iii), as redesignated, by inserting ''is'' before ''eligible''; and

(G) in clause (iv), as redesignated, by inserting ''shall be'' before ''provided''.

SEC. 1002. EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

(a) HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) IN GENERAL.—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) is amended by inserting after section 235A the following:

''SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

''(a) ASYLUM OFFICER DEFINED.—In this section, the term 'asylum officer' means an immigration officer who—

''(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208; and

''(2) is supervised by an officer who—

''(A) meets the condition described in paragraph (1); and

''(B) has had substantial experience adjudicating asylum applications.

''(b) PROCEEDING.—

''(1) IN GENERAL.—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(5) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(5)), an immigration judge shall conduct and conclude a proceeding to inspect, screen, and determine the status of the unaccompanied alien child who is an applicant for admission to the United States.

''(2) TIME LIMIT.—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

''(c) CONDUCT OF PROCEEDING.—

''(1) AUTHORITY OF IMMIGRATION JUDGE.—The immigration judge conducting a proceeding under this section—

''(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the unaccompanied alien child and any witnesses;

''(B) may issue subpoenas for the attendance of witnesses and presentation of evidence;

''(C) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge's proper exercise of authority under this Act; and

''(D) shall determine whether the unaccompanied alien child meets any of the criteria set out in subparagraphs (A) through (G) of paragraph (3) of section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)), and if so, order the alien removed under subsection (e)(2) of this section.

''(2) FORM OF PROCEEDING.—A proceeding under this section may take place—

''(A) in person;

''(B) at a location agreed to by the parties, in the absence of the unaccompanied alien child;

''(C) through video conference; or

''(D) through telephone conference.

''(3) PRESENCE OF ALIEN.—If it is impracticable by reason of the mental incompetency of the unaccompanied alien child for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

''(4) RIGHTS OF THE ALIEN.—In a proceeding under this section—

''(A) the unaccompanied alien child shall be given the privilege of being represented, at no expense to the Government, by counsel of the alien's choosing who is authorized to practice in the proceedings;

''(B) the alien shall be given a reasonable opportunity—

''(i) to examine the evidence against the alien;

''(ii) to present evidence on the alien's own behalf; and

''(iii) to cross-examine witnesses presented by the Government;

''(C) the rights set forth in subparagraph (B) shall not entitle the alien—

''(i) to examine such national security information as the Government may proffer in opposition to the alien's admission to the United States; or

''(ii) to an application by the alien for discretionary relief under this Act; and

''(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

''(5) WITHDRAWAL OF APPLICATION FOR ADMISSION.—An unaccompanied alien child applying for admission to the United States may, and at any time prior to the issuance of a final order of removal, be permitted to withdraw the application and immediately be returned to the alien's country of nationality or country of last habitual residence.

''(6) CONSEQUENCES OF FAILURE TO APPEAR.—An unaccompanied alien child who does not attend a proceeding under this section, shall be ordered removed, except under exceptional circumstances where the alien's absence is the fault of the Government, a medical emergency, or an act of nature.

''(d) DECISION AND BURDEN OF PROOF.—

''(1) DECISION.—

''(A) IN GENERAL.—At the conclusion of a proceeding under this section, the immigration judge shall determine whether an unaccompanied alien child is likely to be—

''(i) admissible to the United States; or

''(ii) eligible for any form of relief from removal under this Act.

''(B) EVIDENCE.—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

''(2) BURDEN OF PROOF.—

''(A) IN GENERAL.—In a proceeding under this section, an unaccompanied alien child who is an applicant for admission has the burden of establishing, by a preponderance of the evidence, that the alien—

''(i) is likely to be entitled to be lawfully admitted to the United States or eligible for any form of relief from removal under this Act; or

''(ii) is lawfully present in the United States pursuant to a prior admission.

''(B) ACCESS TO DOCUMENTS.—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

''(i) the alien's visa or other entry document, if any; and

''(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien's admission or presence in the United States.

''(e) ORDERS.—

''(1) PLACEMENT IN FURTHER PROCEEDINGS.—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the immigration judge shall—

''(A) order the alien to be placed in further proceedings in accordance with section 240; and

''(B) order the Secretary of Homeland Security to place the alien on the U.S. Immigration and Customs Enforcement detained docket for purposes of carrying out such proceedings.

''(2) ORDERS OF REMOVAL.—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

''(A) an intention to apply for asylum under section 208; or

''(B) a fear of persecution.

''(3) CLAIMS FOR ASYLUM.—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a fear of persecution, the immigration judge shall order the alien referred for an interview by an asylum officer under subsection (f).

''(f) ASYLUM INTERVIEWS.—

''(1) CREDIBLE FEAR OF PERSECUTION DEFINED.—In this subsection, the term 'credible fear of persecution' means, after taking into account the credibility of the statements made by an unaccompanied alien child in support of the alien's claim and such other facts as are known to the asylum officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208.

''(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct the interviews of an unaccompanied alien child referred under subsection (e)(3).

''(3) REFERRAL OF CERTAIN ALIENS.—If the asylum officer determines at the time of the interview that an unaccompanied alien child has a credible fear of persecution, the alien shall be held in the custody of the Secretary for Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

''(4) REMOVAL WITHOUT FURTHER REVIEW IF NO CREDIBLE FEAR OF PERSECUTION.—

''(A) IN GENERAL.—Subject to subparagraph (C), if the asylum officer determines that an unaccompanied alien child does not have a credible fear of persecution, the asylum officer shall order the alien removed from the United States without further hearing or review.

''(B) RECORD OF DETERMINATION.—The asylum officer shall prepare a written record of a determination under subparagraph (A), which shall include—

''(i) a summary of the material facts as stated by the alien;

''(ii) such additional facts (if any) relied upon by the asylum officer;

''(iii) the asylum officer's analysis of why, in light of such facts, the alien has not established a credible fear of persecution; and

''(iv) a copy of the asylum officer's interview notes.

''(C) REVIEW OF DETERMINATION.—

''(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien's request, of a determination under subparagraph (A) that the alien does not have a credible fear of persecution.

''(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

''(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

''(II) shall be concluded as expeditiously as possible, to the maximum extent practicable within 24 hours, but in no case later than 7 days after the date of the determination under subparagraph (A).

''(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b))—

''(i) pending a final determination of an application for asylum under this subsection; and

''(ii) after a determination under this subsection that the alien does not have a credible fear of persecution, until the alien is removed.

''(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

''(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penal ties for falsely making such claim under such conditions to have been—

''(A) lawfully admitted for permanent residence;

''(B) admitted as a refugee under section 207; or

''(C) granted asylum under section 208.

''(h) LAST IN, FIRST OUT.—In any proceedings, determinations, or removals under this section, priority shall be accorded to the alien who has most recently arrived in the United States.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 235A the following:

''Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.''.

(b) JUDICIAL REVIEW OF ORDERS OF REMOVAL.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''section 235(b)(1))'' and inserting ''section 235(b)(1) or an order of removal issued to an unaccompanied alien child after proceedings under section 235B''; and

(B) in paragraph (2)—

(i) by inserting ''or section 235B'' after ''section 235(b)(1)'' each place it appears; and

(ii) in subparagraph (A)—

(I) in the subparagraph heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)''; and

(II) in clause (iii), by striking ''section 235(b)(1)(B),'' and inserting ''section 235(b)(1)(B) or 235B(f);''; and

(2) in subsection (e)—

(A) in the subsection heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)'';

(B) by inserting ''or section 235B'' after ''section 235(b)(1)'' each place it appears;

(C) in subparagraph (2)(C), by inserting ''or section 235B(g)'' after ''section 235(b)(1)(C)''; and

(D) in subparagraph (3)(A), by inserting ''or section 235B'' after ''section 235(b)''.

SEC. 1003. EXPEDITED DUE PROCESS FOR UNACCOMPANIED ALIEN CHILDREN PRESENT IN THE UNITED STATES.

(a) SPECIAL MOTIONS FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) FILING AUTHORIZED.—During the 60-day period beginning on the date of the enactment of this Act, the Secretary of Homeland Security shall, notwithstanding any other provision of law, permit an unaccompanied alien child who was issued a notice to appear under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act—

(A) to appear, in-person, before an immigration judge who has been authorized by the Attorney General to conduct proceedings under section 235B of the Immigration and Nationality Act, as added by section 1002;

(B) to attest that the unaccompanied alien child desires to apply for admission to the United States; and

(C) to file a motion—

(i) to replace any notice to appear issued between January 1, 2013, and the date of the enactment of this Act under such section 239 that has not resulted in a final order of removal; and

(ii) to apply for admission to the United States by being placed in proceedings under such section 235B.

(2) ADJUDICATION OF MOTION.—An immigration judge may, at the sole and unreviewable discretion of the judge, grant a motion filed under paragraph (1)(C) upon a finding that—

(A) the petitioner was an unaccompanied alien child (as defined in section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232)) on the date on which a notice to appear was issued to the alien under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229);

(B) the notice to appear was issued during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act;

(C) the unaccompanied alien child is applying for admission to the United States; and

(D) the granting of such motion would not be manifestly unjust.

(3) EFFECT OF MOTION.—Notwithstanding any other provision of law, upon the granting of a motion to replace a notice to appear under paragraph (2), the immigration judge who granted such motion shall—

(A) while the petitioner remains in-person, immediately inspect and screen the petitioner for admission to the United States by conducting a proceeding under section 235B of the Immigration and Nationality Act, as added by section 1002;

(B) immediately notify the petitioner of the petitioner's ability, under section 235B(c)(5) of the Immigration and Nationality Act to withdraw the petitioner's application for admission to the United States and immediately be returned to the petitioner's country of nationality or country of last habitual residence; and

(C) replace the petitioner's notice to appear with an order under section 235B(e) of the Immigration and Nationality Act.

(4) PROTECTIVE CUSTODY.—An unaccompanied alien child who has been granted a motion under paragraph (2) shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232).

SEC. 1004. CHILD WELFARE AND LAW ENFORCEMENT INFORMATION SHARING.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended by adding at the end the following:

''(5) INFORMATION SHARING.—

''(A) IMMIGRATION STATUS.—If the Secretary of Health and Human Services considers placement of an unaccompanied alien child with a potential sponsor, the Secretary of Homeland Security shall provide to the Secretary of Health and Human Services the immigration status of such potential sponsor prior to the placement of the unaccompanied alien child.

''(B) OTHER INFORMATION.—The Secretary of Health and Human Services shall provide to the Secretary of Homeland Security and the Attorney General any relevant information related to an unaccompanied alien child who is or has been in the custody of the Secretary of Health and Human Services, including the location of the child and any person to whom custody of the child has been transferred, for any legitimate law enforcement objective, including enforcement of the immigration laws.''.

SEC. 1005. ACCOUNTABILITY FOR CHILDREN AND TAXPAYERS.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)), as amended by section 1004, is further amended by inserting at the end the following:

''(6) INSPECTION OF FACILITIES.—The Inspector General of the Department of Health and Human Services shall conduct regular inspections of facilities utilized by the Secretary of Health and Human Services to provide care and custody of an unaccompanied alien children who are in the immediate custody of the Secretary to ensure that such facilities are operated in the most efficient manner practicable.

''(7) FACILITY OPERATIONS COSTS.—The Secretary of Health and Human Services shall ensure that facilities utilized to provide care and custody of unaccompanied alien children are operated efficiently and at a rate of cost that is not greater than $500 per day for each child housed or detained at such facility, unless the Secretary certifies that compliance with this requirement is temporarily impossible due to emergency circumstances.''.

SEC. 1006. CUSTODY OF UNACCOMPANIED ALIEN CHILDREN IN FORMAL REMOVAL PROCEEDING.

Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (2) by inserting at the end the following:

''(C) CHILDREN IN FORMAL REMOVAL PROCEEDINGS.—

''(i) LIMITATION ON PLACEMENT.—An unaccompanied alien child who has been placed in a proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government unless—

''(I) the nongovernmental sponsor is a biological or adoptive parent of the unaccompanied alien child;

''(II) the parent is legally present in the United States at the time of the placement;

''(III) the parent has undergone a mandatory biometric criminal history check; and

''(IV) the Secretary of Health and Human Services has determined that the unaccompanied alien child is not a danger to self, danger to the community, or risk of flight.

''(ii) EXCEPTIONS.—If the Secretary of Health and Human Services determines that an unaccompanied alien child is a victim of severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened, or a child with mental health needs that require ongoing assistance from a social welfare agency, the unaccompanied alien child may be placed with a grandparent or adult sibling if the grandparent or adult sibling meets the

requirements set out in subclauses (II), (III), and (IV) of clause (i).

''(iii) MONITORING.—

''(I) IN GENERAL.—An unaccompanied alien child who is 15, 16, or 17 years of age placed with a nongovernmental sponsor or, in the case of an unaccompanied alien child younger than 15 years of age placed with a nongovernmental sponsor, such nongovernmental sponsor shall—

''(aa) enroll in the alternative to detention program of U.S. Immigration and Customs Enforcement; and

''(bb) continuously wear an electronic ankle monitor while the unaccompanied alien child is in removal proceedings.

''(II) PENALTY FOR MONITOR TAMPERING.—If an electronic ankle monitor required by subclause (I) is tampered with, the sponsor of the unaccompanied alien child shall be subject to a civil penalty of $150 for each day the monitor is not functioning due to the tampering, up to a maximum of $3,000.

''(iv) EFFECT OF VIOLATION OF CONDITIONS.—The Secretary of Health and Human Services shall remove an unaccompanied alien child from a sponsor if the sponsor violates the terms of the agreement specifying the conditions under which the alien was placed with the sponsor.

''(v) FAILURE TO APPEAR.—

''(I) CIVIL PENALTY.—If an unaccompanied alien child is placed with a sponsor and fails to appear in a mandatory court appearance, the sponsor shall be subject to a civil penalty of $250 for each day until the alien appears in court, up to a maximum of $5,000.

''(II) BURDEN OF PROOF.—The sponsor is not subject to the penalty imposed under subclause (I) if the sponsor—

''(aa) appears in person and proves to the immigration court that the failure to appear by the unaccompanied alien child was not the fault of the sponsor; and

''(bb) supplies the immigration court with documentary evidence that supports the assertion described in item (aa).

''(vi) PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.—The Secretary of Health and Human Services may not place an unaccompanied alien child under this subparagraph in the custody of an individual who has been convicted of, or the Secretary has reason to believe was otherwise involved in the commission of—

''(I) a sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S. 16911)); or

''(II) a crime involving severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

''(vii) REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.—A biometric criminal history check required by clause (i)(IV) shall be conducted using a set of fingerprints or other biometric identifier through—

''(I) the Federal Bureau of Investigation;

''(II) criminal history repositories of all States that the individual lists as current or former residences; and

''(III) any other State or Federal database or repository that the Secretary of Health and Human Services determines is appropriate.''.

SEC. 1007. FRAUD IN CONNECTION WITH THE TRANSFER OF CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. Fraud in connection with the transfer of custody of unaccompanied alien children

''(a) IN GENERAL.—It shall be unlawful for a person to obtain custody of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)) by—

''(1) making any materially false, fictitious, or fraudulent statement or representation; or

''(2) making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

''(b) PENALTIES.—

''(1) IN GENERAL.—Any person who violates, or attempts or conspires to violate, this section shall be fined under this title and imprisoned for not less than 1 year.

''(2) ENHANCED PENALTY FOR TRAFFICKING.—If the primary purpose of the violation, attempted violation, or conspiracy to violate this section was to subject the child to sexually explicit activity or any other form of exploitation, the offender shall be fined under this title and imprisoned for not less than 15 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

''1041. Fraud in connection with the transfer of custody of unaccompanied alien children.''.

SEC. 1008. NOTIFICATION OF STATES, REPORTING, AND MONITORING.

(a) NOTIFICATION.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) NOTIFICATION TO STATES.—

''(1) PRIOR TO PLACEMENT.—The Secretary of Homeland Security or the Secretary of Health and Human Services shall notify the Governor of a State not later than 48 hours prior to the placement of an unaccompanied alien child from in custody of such Secretary in the care of a facility or sponsor in such State.

''(2) INITIAL REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Governor of each State in which an unaccompanied alien child was discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary during the period beginning October 1, 2013 and ending on the date of the enactment of the Protecting Children and America's Homeland Act of 2014.

''(3) MONTHLY REPORTS.—The Secretary of Health and Human Services shall submit a monthly report to the Governor of each State in which, during the reporting period, unaccompanied alien children were discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary of Health and Human Services.

''(4) CONTENTS.—Each report required to be submitted to the Governor of a State by paragraph (2) or (3) shall identify the number of unaccompanied alien children placed in the State during the reporting period, disaggregated by—

''(A) the locality in which the aliens were placed; and

''(B) the age of the aliens.''.

(b) MONITORING REQUIREMENT.—The Secretary of Health and Human Services shall—

(1) require all sponsors to agree—

(A) to receive approval from the Secretary of Health and Human Services prior to changing the location in which the sponsor is housing an unaccompanied alien child placed in the sponsor's custody; and

(B) to provide a current address for the child and the reason for the change of address;

(2) provide regular and frequent monitoring of the physical and emotional well-being of each unaccompanied alien child who has been discharged to a sponsor or remained in the legal custody of the Secretary until the child's immigration case is resolved; and

(3) not later than 60 days after the date of the enactment of this Act, provide to Congress a plan for implementing the requirement of paragraph (2).

SEC. 1009. EMERGENCY IMMIGRATION JUDGE RESOURCES.

(a) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 100 immigration judges, including through the temporary or permanent hiring of retired immigration judges, magistrate judges, or administrative law judges, or the reassignment of current immigration judges, that are dedicated to—

(1) conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 1002; or

(2) reducing existing backlogs in immigration court proceedings initiated under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229).

(b) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a)(1) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act, as added by section 1002.

SEC. 1010. REPORTS TO CONGRESS.

(a) REPORTS ON CARE OF UNACCOMPANIED ALIEN CHILD.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Health and Human Services shall submit to Congress and make publically available a report that includes—

(1) a detailed summary of the contracts in effect to care for and house unaccompanied alien children, including the names and locations of contractors and the facilities being used;

(2) the cost per day to care for and house an unaccompanied alien child, including an explanation of such cost;

(3) the number of unaccompanied alien children who have been released to a sponsor, if any;

(4) a list of the States to which unaccompanied alien children have been released from the custody of the Secretary of Health and Human Services to the care of a sponsor or placement in a facility;

(5) the number of unaccompanied alien children who have been released to a sponsor who is not lawfully present in the United States, including the country of nationality or last habitual residence and age of such children;

(6) a determination of whether more than 1 unaccompanied alien child has been released to the same sponsor, including the number of children who were released to such sponsor;

(7) an assessment of the extent to which the Secretary of Health and Human Services is monitoring the release of unaccompanied alien children, including home studies done and ankle bracelets or other devices used;

(8) an assessment of the extent to which the Secretary of Health and Human Services is making efforts—

(A) to educate unaccompanied alien children about their legal rights; and

(B) to provide unaccompanied alien children with access to pro bono counsel; and

(9) the extent of the public health issues of unaccompanied alien children, including contagious diseases, the benefits or medical services provided, and the outreach to States and localities about public health issues, that could affect the public.

(b) REPORTS ON REPATRIATION AGREEMENTS.—Not later than February 31, 2015 and

August 31, 2015, the Secretary of State shall submit to Congress and make publically available a report that—

(1) describes—

(A) any repatriation agreement for unaccompanied alien children in effect and a copy of such agreement; and

(B) any such repatriation agreement that is being considered or negotiated; and

(2) describes the funding provided to the 20 countries that have the highest number of nationals entering the United States as unaccompanied alien children, including amounts provided—

(A) to deter the nationals of each country from illegally entering the United States; and

(B) to care for or reintegrate repatriated unaccompanied alien children in the country of nationality or last habitual residence.

(c) REPORTS ON RETURNS TO COUNTRY OF NATIONALITY.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Homeland Security shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who have voluntarily returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or habitual residence; and

(B) age of the unaccompanied alien children;

(2) the number of unaccompanied alien children who have been returned to their country of nationality or habitual residence, including assessment of the length of time such children were present in the United States;

(3) the number of unaccompanied alien children who have not been returned to their country of nationality or habitual residence pending travel documents or other requirements from such country, including how long they have been waiting to return; and

(4) the number of unaccompanied alien children who were granted relief in the United States, whether through asylum or any other immigration benefit.

(d) REPORTS ON IMMIGRATION PROCEEDINGS.—Not later than September 30, 2015, and once every 3 months thereafter, the Director of the Executive Office for Immigration Review shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who, after proceedings under section 235B of the Immigration and Nationality Act, as added by section 1002, were returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or residence; and

(B) age and gender of such aliens;

(2) the number of unaccompanied alien children who, after proceedings under such section 235B, prove a claim of admissibility and are place in proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a);

(3) the number of unaccompanied alien children who fail to appear at a removal hearing that such alien was required to attend;

(4) the number of sponsors who were levied a penalty, including the amount and whether the penalty was collected, for the failure of an unaccompanied alien child to appear at a removal hearing; and

(5) the number of aliens that are classified as unaccompanied alien children, the ages and countries of nationality of such children, and the orders issued by the immigration judge at the conclusion of proceedings under such section 235B for such children.

Subtitle B—Cooperation With Countries of Nationality of Unaccompanied Alien Children

SEC. 1021. IN-COUNTRY REFUGEE PROCESSING.

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)) and section 207(e) of such Act (8 U.S.C. 1157(e)), special circumstances currently exist due to grave humanitarian concerns throughout the travel, and attempts to travel, to the United States by unaccompanied children sufficient to justify and require, for fiscal years 2014 and 2015, the allowance of processing of in-country refugee applications in El Salvador, Guatemala, and Honduras in order to prevent such children from undertaking the long and dangerous journey across Central America and Mexico.

(2) Grave humanitarian concerns exist due to—

(A) at least 60,000 unaccompanied children having undertaken the long and dangerous journey to the United States from Central America in fiscal year 2014 alone;

(B) substantial reports of unaccompanied children becoming, during the course of their journey intended for the United States, victims of—

(i) significant injury, including loss of limbs;

(ii) severe forms of violence;

(iii) death due to accident and intentional killing;

(iv) severe forms of human trafficking;

(v) kidnap for ransom; and

(vi) sexual assault and rape; and

(C) the likelihood that the vast majority of the unaccompanied children seeking admission or immigration relief, including through application as a refugee or claims of asylum, do not qualify for such admission or relief, and therefore will be repatriated.

(3) While special circumstances currently exist to justify in-country refugee application processing for El Salvador, Guatemala, and Honduras, it is appropriate to determine the admissibility of individuals applying for refugee status from those countries according to current law and granting administrative relief in instances in which refugee or asylum applications are denied, or are expected to be denied, would exacerbate the grave humanitarian concerns described in paragraph (2) by further encouraging attempts at migration.

(b) AUTHORITY FOR IN-COUNTRY REFUGEE PROCESSING.—Notwithstanding section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)), for fiscal years 2014 and 2015, the Secretary of State, in consultation with the Secretary of Homeland Security and the Director of the Office of Refugee Resettlement of the Department of Health and Human Services, shall process an application for refugee status—

(1) for an alien who is a national of El Salvador, Guatemala, or Honduras and is located in such country; or

(2) in the case of an alien having no nationality, for an alien who is habitually residing in such country and is located in such country.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as a grant of immigration benefit or relief, nor as a change to existing law regarding the eligibility for any individual for such benefit or relief, other than to the extent refugee applications shall be permitted in-country in accordance with this section.

SEC. 1022. REFUGEE ADMISSIONS FROM CERTAIN COUNTRIES.

Notwithstanding any other provision of law, the President, in determining the number of refugees who may be admitted under section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a))—

(1) for fiscal year 2014, may —

(A) allocate the unallocated reserve refugee number set out in the Presidential Memorandum on Refugee Admissions for Fiscal Year 2014 issued on October 2, 2013 to admit refugees from Central America; and

(B) allocate any unused admissions allocated to a particular region for Central American refugee admissions; and

(2) for fiscal year 2015, shall include Central America among the regional allocations included in the Presidential determination for refugee admissions that fiscal year.

SEC. 1023. FOREIGN GOVERNMENT COOPERATION IN REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) CERTIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), on the date that is 60 days after the date of the enactment of this Act, and annually thereafter, the President shall make a certification of whether the Government of El Salvador, Guatemala, or Honduras—

(A) is actively working to reduce the number of unaccompanied alien children from that country who are attempting to migrate northward in order to illegally enter the United States;

(B) is cooperating with the Government of the United States to facilitate the repatriation of unaccompanied alien children who are removed from the United States and returned to their country of nationality or habitual residence; and

(C) has negotiated or is actively negotiating an agreement under section 235(a)(2)(C) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(2)(C)), as amended by section 1001.

(2) INTERIM CERTIFICATION.—If prior to the date an annual certification is required by paragraph (1) the President determines the most recent such certification for the Government of El Salvador, Guatemala, or Honduras is no longer accurate, the President may make an accurate certification for that country prior to such date.

(b) LIMITATION ON ASSISTANCE.—The Federal Government may not provide any assistance (other than security assistance) to El Salvador, Guatemala, or Honduras unless in the most recent certification for that country under subsection (a) is that the Government of El Salvador, Guatemala, or Honduras, respectively, meets the requirements of subparagraphs (A), (B), and (C) of subsection (a)(1).

TITLE XI—CRIMINAL ALIENS

SEC. 1101. ALIEN GANG MEMBERS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i)(I) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(II) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B); or

''(ii) that has been designated as a criminal gang under section 220 by the Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State.

''(B) The offenses described in this subparagraph, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of the Protecting Children and America's Homeland Act of 2014, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(C) Notwithstanding any other provision of law (including any effective date), the term 'criminal gang' applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by inserting after section 219 the following:

''SEC. 220. DESIGNATION OF CRIMINAL GANGS.

''(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State may designate a group or association as a criminal gang if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of nationals of the United States or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—A designation made under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 219 the following:

''220. Designation of criminal gangs.''.

(e) MANDATORY DETENTION OF CRIMINAL GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by striking ''section 212(a)(3)(B)'' and inserting ''paragraph (2)(J) or (3)(B) of section 212(a)''; and

(B) by striking ''237(a)(4)(B),'' and inserting ''paragraph (2)(G) or (4)(B) of section 237(a),''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) (relating to participation in criminal gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place that term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B)—

(A) in clause (i), by striking ''States, or'' and inserting ''States;'';

(B) in clause (ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang.''; and

(3) in subsection (d)—

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) SPECIAL IMMIGRANT JUVENILE VISAS.—Section 101(a)(27)(J)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(iii)) is amended—

(1) in subclause (I), by striking ''and'';

(2) in subclause (II), by inserting ''and'' at the end; and

(3) by adding at the end the following:

''(III) no alien who is, or was at any time after admission has been, a member of a criminal gang shall be eligible for any immigration benefit under this subparagraph;''.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 1102. MANDATORY EXPEDITED REMOVAL OF DANGEROUS CRIMINALS, TERRORISTS, AND GANG MEMBERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, an immigration officer who finds an alien described in subsection (b) at a land border or port of entry of the United States and determines that such alien is inadmissible under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall treat such alien in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225).

(b) THREATS TO PUBLIC SAFETY.—An alien described in this subsection is an alien who the Secretary of Homeland Security determines, or has reason to believe—

(1) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

(2) has been convicted of an offense which involved—

(A) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(B) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(C) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

(D) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

(E) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

(F) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(3) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

(4) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

(5) is or was a member of a criminal street gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as added by section 1101(a)); or

(6) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.

SEC. 1103. FUGITIVE OPERATIONS.

The Secretary of Homeland Security is authorized to hire 350 U.S. Immigration and Customs Enforcement detention officers that comprise 50 Fugitive Operations Teams responsible for identifying, locating, and arresting fugitive aliens.

SEC. 1104. ADDITIONAL DETENTION CAPACITY FOR FAMILY UNITS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall increase the number of detention beds available for aliens placed in removal proceedings under the Immigration and Nationality Act (8 U.S.C. 1101

et seq.) by not less than 5,000, including such detention beds available for family units.

TITLE XII—BORDER SECURITY

SEC. 1201. REDUCING INCENTIVES FOR ILLEGAL IMMIGRATION.

No Federal funds or resources may be used to issue a new directive, memorandum, or Executive Order that provides for relief from removal or work authorization to a class of individuals who are not otherwise eligible for such relief under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or such work authorization, including expanding deferred action for childhood arrivals.

SEC. 1202. BORDER SECURITY ON CERTAIN FEDERAL LANDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the international border between the United States and Mexico.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in paragraph (1).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary of Homeland Security on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary of Homeland Security to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1203. STATE AND LOCAL ASSISTANCE TO ALLEVIATE HUMANITARIAN CRISIS.

(a) STATE AND LOCAL ASSISTANCE.—The Administrator of the Federal Emergency Management Agency shall enhance law enforcement preparedness, humanitarian responses, and operational readiness along the international border between the United States and Mexico through Operation Stonegarden.

(b) GRANTS AND REIMBURSEMENTS.—

(1) IN GENERAL.—Amounts made available to carry out this section shall be allocated for grants and reimbursements to State and local governments in Border Patrol Sectors on the along the international border between the United States and Mexico for—

(A) costs personnel, overtime, and travel;

(B) costs related to combating illegal immigration and drug smuggling; and

(C) costs related to providing humanitarian relief to unaccompanied alien children and family units who have entered the United States.

(2) FUNDING FOR STATE AND LOCAL GOVERNMENTS.—Allocations for grants and reimbursements to State and local governments under this paragraph shall be made by the Administrator of the Federal Emergency Management Agency through a competitive process.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2014 and 2015 such sums as may be necessary to carry out this section.

SEC. 1204. PREVENTING ORGANIZED SMUGGLING.

(a) UNLAWFULLY HINDERING IMMIGRATION, BORDER, OR CUSTOMS CONTROLS.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—

(A) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

''§ 556. Unlawfully hindering immigration, border, or customs controls

''(a) ILLICIT SPOTTING.—Any person who knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, importation of controlled substances, agriculture products, or monetary instruments, or other border controls shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Any person who knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry, or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry—

''(1) shall be fined under this title, imprisoned not more than 10 years, or both; and

''(2) if, at the time of the offense, the person uses or carries a firearm or, in furtherance of any such crime, possesses a firearm, shall be fined under this title, imprisoned not more than 20 years, or both.

''(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) shall be punished in the same manner as a person who completes a violation of such subsection.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by inserting after the item relating to section 555 the following:

''556. Unlawfully hindering immigration, border, or customs controls.''.

(2) PROHIBITING CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting '', alien smuggling crime,'' after ''crime of violence'' each place such term appears; and

(ii) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(B) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

(3) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting ''556 (hindering immigration, border, or customs controls), 1598 (organized human smuggling),'' before ''1581''.

(b) ORGANIZED HUMAN SMUGGLING.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''§ 1598. Organized human smuggling

''(a) PROHIBITED ACTIVITIES.—It shall be unlawful for any person, while acting for profit or other financial gain, to knowingly direct or participate in an effort or scheme to assist or cause 3 or more persons—

''(1) to enter, attempt to enter, or prepare to enter the United States—

''(A) by fraud, falsehood, or other corrupt means;

''(B) at any place other than a port or place of entry designated by the Secretary of Homeland Security; or

''(C) in a manner not prescribed by the immigration laws and regulations of the United States;

''(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

''(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

''(B) with the intent to aid or further such entry or attempted entry; or

''(3) to be transported or moved outside of the United States—

''(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

''(B) under circumstances in which the persons are seeking to enter the United States without official permission or legal authority.

''(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) shall be punished in the same manner as a person who completes a violation of such subsection.

''(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under this title, imprisoned for not more than 20 years, or both.

''(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b)—

''(1) in the case of a violation causing a serious bodily injury (as defined in section 1365) to any person, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(2) in the case of a violation causing the life of any person to be placed in jeopardy,

shall be fined under this title, imprisoned for not more than 30 years, or both;

''(3) in the case of a violation involving 10 or more persons, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(4) in the case of a violation involving the bribery or corruption of a United States or foreign government official, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(5) in the case of a violation involving robbery or extortion (as such terms are defined in paragraph (1) or (2), respectively, of section 1951(b)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(6) in the case of a violation causing any person to be subjected to an involuntary sexual act (as defined in section 2246(2)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(7) in the case of a violation resulting in the death of any person, shall be fined under this title, imprisoned for any term of years or for life, or both;

''(8) in the case of a violation in which any alien is confined or restrained, including by the taking of clothing, goods, or personal identification documents, shall be fined under this title, imprisoned for not more than 10 years, or both; or

''(9) in the case of smuggling an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)), shall be fined under this title or imprisoned not more than 20 years.

''(e) DEFINITIONS.—In this section:

''(1) EFFORT OR SCHEME TO ASSIST OR CAUSE 3 OR MORE PERSONS.—The term 'effort or scheme to assist or cause 3 or more persons' does not require that the 3 or more persons enter, attempt to enter, prepare to enter, or travel at the same time if such acts are completed during a 1-year period.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority'—

''(A) means permission, authorization, or license that is expressly provided for under the immigration laws of the United States; and

''(B) does not include—

''(i) any authority described in subparagraph (A) that was secured by fraud or otherwise unlawfully obtained; or

''(ii) any authority that was sought, but not approved.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1597 the following:

''1598. Organized human smuggling.''.

(c) STRATEGY TO COMBAT HUMAN SMUGGLING.—

(1) HIGH TRAFFIC AREAS OF HUMAN SMUGGLING DEFINED.—In this subsection, the term ''high traffic areas of human smuggling'' means the United States ports of entry and areas between such ports that have relatively high levels of human smuggling activity, as measured by U.S. Customs and Border Protection.

(2) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall implement a strategy to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States.

(3) COMPONENTS.—The strategy referred to in paragraph (2) shall include—

(A) efforts to increase coordination between the border and maritime security components of the Department of Homeland Security;

(B) an identification of intelligence gaps impeding the ability to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States;

(C) efforts to increase information sharing with State and local governments and other Federal agencies;

(D) efforts to provide, in coordination with the Federal Law Enforcement Training Center, training for the border and maritime security components of the Department of Homeland Security to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States; and

(E) the identification of the high traffic areas of human smuggling.

(4) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report that describes the strategy to be implemented under paragraph (2), including the components listed in paragraph (3), to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Homeland Security of the House of Representatives.

(B) FORM.—The Secretary may submit the report required under subparagraph (A) in classified form if the Secretary determines that such form is appropriate.

(5) ANNUAL LIST OF HIGH TRAFFIC AREAS.—Not later than February 1st of the first year beginning after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit a list of the high traffic areas of human smuggling referred to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. LEAHY):

S. 2755. A bill to prevent deaths occurring from drug overdoses; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today, in an effort to decrease the rate of drug overdose deaths, I am pleased to be joined by Senators DURBIN, MARKEY, WHITEHOUSE, and LEAHY in introducing the Overdose Prevention Act. Representative DONNA EDWARDS has introduced a similar bill in the House.

Throughout the country, the death rate from drug overdoses has been rapidly climbing. According to the Centers for Disease Control and Prevention, CDC, drug overdose death rates have more than tripled since 1990, and more than 110 Americans died each day from drug overdoses in 2011. More than half of these deaths are attributable to opioids, like prescription pain relievers or heroin. Indeed, this tragic epidemic has hit particularly hard in my home State of Rhode Island, where already in 2014, more than 100 individuals have died from apparent and confirmed drug overdoses.

Americans aged 25 to 64 are now more likely to die as a result of a drug overdose than from injuries sustained in motor vehicle traffic crashes. While overdoses from illegal drugs persist as a major public health problem, fatal overdoses from prescribed opioid pain medications such as oxycodone account for more than 40 percent of all overdose deaths.

It is clear that we must do more to stop these often preventable deaths. Fortunately, the drug naloxone, which has no side effects and no potential for abuse, is widely recognized as an important tool to help prevent drug overdose deaths. Naloxone can rapidly reverse an overdose from heroin and opioid medications if provided in a timely manner. Overdose prevention programs, including those that utilize naloxone, have been credited with saving more than 10,000 lives since 1996, according to the CDC.

Opioid abuse and overdose is not an abstract threat found in far-off corners. It is a national public health crisis and it's taking place right here at home in our communities and our neighborhoods.

Rhode Island is taking steps to combat this scourge and is leading the way in adopting innovative solutions. Through a ''collaborative practice agreement,'' some Rhode Island pharmacies are dispensing naloxone, along with training about its proper use, to anyone who walks in and requests the treatment, no prescription necessary. In addition, the Rhode Island State Police now carry naloxone in every cruiser. However, there's more work to be done at the federal level.

The Overdose Prevention Act, which I am introducing today, would complement Rhode Island's efforts and take important steps towards addressing this issue and increasing access to naloxone in our communities. The legislation aims to establish a comprehensive national response to this epidemic that emphasizes collaboration between State and Federal officials and employs best practices from the medical community, as well as programs and treatments that have been proven effective to combat this startling national trend. This is an emergency and it requires a coordinated and comprehensive response.

Specifically, the bill would authorize the U.S. Department of Health and Human Services, HHS, to award funding through cooperative agreements to eligible entities—like public health agencies or community-based organizations with expertise in preventing overdose deaths. As a condition of participation, an entity would use the grant to purchase and distribute naloxone, and carry out overdose prevention activities, such as educating and training prescribers, pharmacists, and first responders on how to recognize the signs of an overdose, seek emergency medical help, and administer naloxone and other first aid.

As rates of overdose deaths continue to spike, public health agencies, law enforcement, and others are struggling to keep up without accurate and timely information about the epidemic. Therefore, the Overdose Prevention Act would also require HHS to take

steps to improve surveillance and research of drug overdose deaths, so that public health agencies, law enforcement, and community organizations have an accurate picture of the problem.

It would also establish a coordinated federal plan of action to address this epidemic. The Overdose Prevention Act brings together first responders, medical personnel, addiction treatment specialists, social service providers, and families to help save lives and get at the root of this problem.

I am pleased that the Overdose Prevention Act has the support of the American Association of Poison Control Centers, the Drug Policy Alliance, the Harm Reduction Coalition, and the Trust for America's Health. I look forward to working with these and other stakeholders, as well as Representative EDWARDS and the rest of our colleagues in passing this crucial legislation. Many of these overdose deaths are preventable, and it is time for Congress to act to give communities the help they need to stop this epidemic.

By Mr. BOOKER:

S. 2761. A bill to amend title 23, United States Code, to permit the consolidation of metropolitan planning organizations, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOKER. Mr. President, I rise to talk about our Nation's infrastructure and how Congress needs a long-term transportation bill that empowers local and regional planning authorities.

Infrastructure drives our economy. New Jersey alone has more than 38,000 miles of public roads, and nearly 1,000 miles of rail freight lines, connecting every corner of my State to consumers and networks throughout the region.

This means jobs. It means quality of life. It means investment in our communities and moving us forward.

Currently, just 8 percent of our Federal highway dollars are controlled by regional and local interests.

In order to increase the role of local communities in our transportation policy decisions, I introduced today The Local Empowerment Act, which would reward high-performing Metropolitan Planning Organizations, MPO's, with additional, directly-allocated funds.

MPO's that coordinate well with other MPOs in the region, consider performance goals as part of their planning, have equitable approaches to decision making, and demonstrate high technical capacity would be rewarded with additional resources to support their local priorities.

Consider the fact that ¾ of GDP is generated from within metro areas, 65 percent of the population resides in metro areas, and 95 percent of all public transportation passenger miles traveled take place in metro areas.

As the mayor of Newark, NJ, I learned through first-hand experience how important it is that the federal government partner with local communities to make substantial, long-term investments in our transportation infrastructure.

Federal transportation policy must provide local and regional stakeholders with resources and decision-making power, and take into account how local communities are being impacted by congestion, air pollution and our broader investment decisions.

At all levels of government, there is a dire need for additional, creative policy options that will rind more projects, create more jobs, and rehabilitate and rebuild our crumbling infrastructure.

I would like to highlight the leadership of Anthony Foxx, Secretary of Transportation, for proposing a program along the lines of this legislation.

Secretary Foxx, like me a former mayor, understands how important it is that Federal programs empower local entities and I urge my colleagues to join in supporting this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 531—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF LOUIS ZAMPERINI AND EXPRESSING CONDOLENCES ON HIS PASSING

Mrs. FEINSTEIN (for herself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 531

Whereas Louis Silvie ''Lou'' Zamperini was born on January 26, 1917, to Anthony and Louise Zamperini, in Olean, New York;

Whereas Louis Zamperini represented the United States in the 1936 Olympics in Berlin as a distance runner;

Whereas Louis Zamperini graduated from the University of Southern California in 1940 and enlisted in the United State Army Air Corps in 1941, earning the rank of lieutenant;

Whereas in May 1943, Louis Zamperini's B-24 bomber malfunctioned and crashed during a search-and-rescue mission over the Pacific Ocean, leaving him and 2 other individuals stranded;

Whereas Louis Zamperini survived for 47 days adrift in a life raft with Second Lieutenant Russell Phillips before being captured by Japanese forces and placed in a prisoner of war camp;

Whereas for more than 2 years, during his imprisonment, Louis Zamperini endured brutal treatment and forced labor with courage and resilience;

Whereas upon the conclusion of World War II, Louis Zamperini was released from the prisoner of war camp in September 1945;

Whereas Louis Zamperini was promoted to captain and awarded multiple distinguishing military honors, including the Purple Heart, the Distinguished Flying Cross, and the Prisoner of War Medal;

Whereas Louis Zamperini was given the honor of carrying the Olympic flame in 1984, 1996, and 1998;

Whereas in the years after World War II, Louis Zamperini traveled as an inspirational public speaker, using his experiences to inspire a message of forgiveness;

Whereas the airport in Torrance, California was named ''Zamperini Field'' in honor of Louis Zamperini; and

Whereas Louis Zamperini leaves a legacy as a national hero and an inspiration to future generations: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of Louis Zamperini;

(2) extends heartfelt sympathies and condolences to the family of Louis Zamperini; and

(3) requests the President to identify an appropriate and lasting program of the United States Government to honor the legacy of Louis Zamperini.

SENATE RESOLUTION 532—DESIGNATING THE WEEK BEGINNING SEPTEMBER 7, 2014, AS ''NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK''

Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. GRASSLEY, Mr. KING, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MARKEY, Mr. MURPHY, Mr. PORTMAN, Mr. ROCKEFELLER, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 532

Whereas direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as ''direct support professionals'') are the primary providers of publicly-funded long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals must build a close, respectful, and trusted relationship with individuals with disabilities;

Whereas direct support professionals assist individuals with disabilities with intimate personal care assistance on a daily basis;

Whereas direct support professionals provide a broad range of individualized support, including—

(1) preparation of meals;

(2) helping with medications;

(3) assisting with bathing and dressing;

(4) assisting individuals with physical disabilities with access to their environment;

(5) providing transportation to school, work, religious, and recreational activities; and

(6) helping with general aspects of daily living, such as financial matters, medical appointments, and personal interests;

Whereas direct support professionals provide essential support to help keep individuals with disabilities connected to family, friends, and community;

Whereas direct support professionals support individuals with disabilities in making choices that lead to meaningful, productive lives;

Whereas direct support professionals are the key to helping individuals with disabilities to live successfully in the community, and to avoid more costly institutional care;

Whereas the participation of direct support professionals in medical care planning is critical to the successful transition from medical events to post-acute care and long-term support and services;

Whereas the majority of direct support professionals are the primary financial providers for their families and often work multiple jobs to make ends meet;

Whereas direct support professionals are a critical element in supporting individuals who are receiving health care services for severe chronic health conditions and individuals with with functional limitations;

Whereas while direct support professionals work and pay taxes, many direct support

professionals earn poverty-level wages and are therefore eligible for the same Federal and State public assistance programs on which individuals with disabilities served by direct support professionals must also depend;

Whereas Federal and State policies assert the right of certain individuals with a disability to live in a residential setting in the community, or an institutional setting of their choice, and the Supreme Court of the United States, in Olmstead v. L.C., 527 U.S. 581 (1999), confirmed that right for certain individuals;

Whereas, as of 2014, the majority of direct support professionals are employed in home and community-based settings and this majority is projected to increase over the next decade;

Whereas there is a documented and increasing critical shortage of direct support professionals throughout the United States; and

Whereas many direct support professionals are forced to leave their jobs due to inadequate wages and benefits and limited opportunities for advancement, creating demonstrated high turnover and vacancy rates, which adversely affect the quality of support and the safety and health of individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 7, 2014, as ''National Direct Support Professionals Recognition Week'';

(2) recognizes the dedication of direct support professionals and the vital role direct support professionals have in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) identifies direct support professionals as integral to long-term support and services for individuals with disabilities; and

(5) finds that the successful implementation of the public policies affecting individuals with disabilities in the United States depends on the dedication of direct support professionals.

SENATE RESOLUTION 533—DESIGNATING SEPTEMBER 2014 AS ''NATIONAL SPINAL CORD INJURY AWARENESS MONTH''

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 533

Whereas over 1,275,000 individuals in the United States are estimated to live with a spinal cord injury and cost society billions of dollars in health care and lost wages;

Whereas 100,000 of the individuals in the United States with a spinal cord injury are estimated to be veterans who suffered the spinal cord injury while serving as members of the Armed Forces;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 minutes a person becomes paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors to improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2014 as ''National Spinal Cord Injury Awareness Month'';

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, more effective therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to people living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of people living with paralysis and their families.

SENATE RESOLUTION 534—DESIGNATING SEPTEMBER 6, 2014, AS ''EVERETT MCKINLEY DIRKSEN AND MARIGOLD DAY''

Mr. KIRK (for himself and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 534

Whereas the great Senator Everett McKinley Dirksen of Pekin, Illinois, has passed from the halls of the United States Capitol;

Whereas the current Senators wish to honor Senator Dirksen;

Whereas, upon the passing of Senator Dirksen, his contemporaries and peers stated that—

(1) Senator Dirksen—

(A) provided sage advice and counsel and wholehearted wisdom;

(B) provided support that made the civil rights legislation of the 1960s a fact rather than a dream during that decade; and

(C) was known as an American who cultivated a high sense of honor; and

(2) when Senator Dirksen spoke, the country listened, and his eloquence was a source of national strength;

Whereas, as the obituary for Senator Dirksen in the New York Times noted, Senator Dirksen ''was ever constant to the marigold, which he sought to make the national flower and which he grew profusely in his garden'';

Whereas, as Senator Dirksen said on the Senate floor on April 17, 1967, the marigold ''is a native of North America and can in truth and in fact be called an American flower'';

Whereas, as Senator Dirksen said in that speech, the marigold ''is national in character, for it grows and thrives in every one of the fifty states of this nation'';

Whereas, as Senator Dirksen said in that speech, the marigold's ''robustness reflects the hardihood and character of the generations who pioneered and built this land into a great nation'';

Whereas, beginning in 1973, Pekin has held the Pekin Marigold Festival each year to honor Pekin's favorite son, Senator Everett McKinley Dirksen; and

Whereas the 40th Pekin Marigold Festival will be held during the first week of September 2014, which includes Saturday, September 6: Now, therefore, be it

Resolved, That the Senate designates September 6, 2014, as ''Everett McKinley Dirksen and Marigold Day''.

SENATE RESOLUTION 535—TO AUTHORIZE THE PRINTING OF A REVISED EDITION OF THE SENATE RULES AND MANUAL

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 535

Resolved, That—

(1) the Committee on Rules and Administration shall prepare a revised edition of the Senate Rules and Manual for the use of the 113th Congress;

(2) the manual shall be printed as a Senate document; and

(3) in addition to the usual number of copies, 1,500 copies of the manual shall be bound, of which—

(A) 500 paperbound copies shall be for the use of the Senate; and

(B) 1,000 copies shall be bound (550 paperbound; 250 nontabbed black skiver; 200 tabbed black skiver) and delivered as may be directed by the Committee on Rules and Administration.

SENATE CONCURRENT RESOLUTION 42—RECOGNIZING CAREGIVING AS A PROFESSION AND THE EXTRAORDINARY CONTRIBUTIONS OF PAID AND FAMILY CAREGIVERS

Mr. JOHANNS (for himself and Ms. AYOTTE) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 42

Whereas 10,000 individuals in the United States turn 65 years old each day;

Whereas it is estimated that 40,000,000 individuals in the United States, 13 percent of the population of the United States, are 65 years of age or older;

Whereas in 2056, for the first time, the population of individuals in the United States who are age 65 or older is projected to outnumber the population of individuals in the United States who are under age 18;

Whereas by 2060, the population of individuals in the United States who are age 65 or older is projected to increase from 1 out of 7 individuals to 1 out of 5 individuals;

Whereas the population of individuals in the United States who are age 85 or older is projected to increase from 5,900,000 to 18,200,000 by 2060;

Whereas the population of individuals in the Unites States who are age 85 or older is projected to comprise 4.3 percent of the total population of the United States by 2060;

Whereas more than 5,000,000 individuals in the United States have Alzheimer's disease;

Whereas by 2050, as many as 16,000,000 individuals in the United States are projected to have Alzheimer's disease;

Whereas it is estimated that 60 percent to 70 percent of individuals in the United States who have Alzheimer's disease or dementia live at home, and such individuals may need assistance in their homes with activities of daily living;

Whereas 1 out of 5 of individuals in the United States who are older than 65 years of age need assistance from a caregiver to complete activities of daily living;

Whereas in order to address the surging population of seniors who have significant needs for in-home care, the field of senior caregiving must continue to grow;

Whereas it is estimated that there are 65,700,000 adults in the United States who provide care to an individual who is ill, disabled, or aged;

Whereas it is estimated that there are 1,800,000 paid caregivers in the United States;

Whereas both unpaid family caregivers and paid caregivers work together to serve the daily living needs of seniors who live in their own homes;

Whereas employment of caregivers is projected to grow 49 percent from 2012 to 2022, much faster than the projected average growth of all occupations; and

Whereas as a senior is able to assume responsibility for more of his or her own care, the burden on public payment systems in the Federal government and State governments decreases: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the valuable contributions of caregivers;

(2) supports paid caregivers, the private home care industry, and the efforts of family caregivers in the United States by encouraging individuals to provide care to family, friends, and neighbors;

(3) encourages accessible and affordable self-directed care for seniors;

(4) should review Federal programs that address the needs of seniors and the family caregivers of seniors; and

(5) encourages the Secretary of Health and Human Services to continue efforts to educate the people of the United States on the impact of aging and the importance of knowing the options available to seniors when seniors need care to meet their personal needs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3723. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3724. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3725. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3726. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3727. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3728. Ms. COLLINS (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3729. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3730. Mr. BOOZMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3731. Mrs. BOXER (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3732. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 1233, to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes; which was ordered to lie on the table.

SA 3733. Ms. COLLINS (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3734. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3735. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3736. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3737. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3738. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3739. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3740. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3741. Mr. KIRK (for himself, Mr. MANCHIN, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3742. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3743. Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3744. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3745. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3746. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3747. Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. FLAKE, Mr. COATS, Mr. ISAKSON, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3748. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3749. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3750. Mr. REID proposed an amendment to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

SA 3751. Mr. REID proposed an amendment to amendment SA 3750 proposed by Mr. REID to the bill S. 2648, supra.

SA 3752. Mr. REID proposed an amendment to the bill S. 2648, supra.

SA 3753. Mr. REID proposed an amendment to amendment SA 3752 proposed by Mr. REID to the bill S. 2648, supra.

SA 3754. Mr. REID proposed an amendment to amendment SA 3753 proposed by Mr. REID to the amendment SA 3752 proposed by Mr. REID to the bill S. 2648, supra.

SA 3755. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3756. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3757. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3758. Mr. NELSON (for himself, Mrs. SHAHEEN, Mrs. HAGAN, Mr. HEINRICH, Mr. REED, Mr. KING, and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3759. Mr. THUNE (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 2648, supra; which was ordered to lie on the table.

SA 3760. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3761. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3762. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3763. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3764. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3765. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3766. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3767. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3768. Mr. CARPER (for himself, Mr. HARKIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3769. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3770. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3771. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3772. Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3773. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3774. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3775. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 3776. Mr. TESTER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3777. Mrs. GILLIBRAND (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3778. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3779. Mr. PRYOR (for Mr. MURPHY) proposed an amendment to the resolution S. Res. 520, condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

TEXT OF AMENDMENTS

SA 3723. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) It is the policy of the United States that unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) should be—

(1) treated humanely; and

(2) expeditiously repatriated to their country of origin.

(b) No funds appropriated under this Act or any other Act may be used to transport, or facilitate the transport of, any unaccompanied alien child into a State unless, at least 30 days before such use, the following preconditions are met:

(1) The Secretary of Health and Human Services, in consultation with the Governor of the affected State, has certified, to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the appropriate congressional committees of jurisdiction, that the unaccompanied alien children will not have a burdensome economic impact or negative public health impact on the State or affected localities.

(2) The Secretary of Health and Human Services and the Secretary of Homeland Security have jointly certified to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the appropriate congressional committees of jurisdiction that the transportation of unaccompanied alien children will not delay their immediate repatriation.

(c) The certification under section (b)(1) shall include—

(1) the number of unaccompanied alien children involved;

(2) the proposed localities and facilities involved; and

(3) the approximate length of stay within the State.

SA 3724. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Before placing an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) with an individual, the Secretary of Health and Human Services shall provide the Secretary of Homeland Security with the following information regarding the individual with whom the child will be placed:

(1) The name of the individual.

(2) The social security number of the individual.

(3) The date of birth of the individual.

(4) The location of the individual's residence in which the child will be placed.

(5) The immigration status of the individual, if known.

(6) Contact information for the individual.

(b) If a child who was apprehended on or after June 15, 2012, and before the date of the enactment of this Act, was placed by the Secretary of Health and Human Services with an individual, the Secretary shall provide the information listed in subsection (a) to the Secretary of Homeland Security not later than 90 days after the date of the enactment of this Act.

(c) Not later than 30 days after receiving the information listed in subsection (a), the Secretary of Homeland Security shall—

(1) investigate the immigration status of any individual with whom a child is placed whose immigration status is unknown; and

(2) share the results of such investigation with the Secretary of Health and Human Services.

SA 3725. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than 24 hours before the Secretary of Homeland Security or the Secretary of Health and Human Services places unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) in a facility, or with a sponsor, in a State, the Secretary who has custody of such child shall notify—

(1) the Governor of each State in which the children are placed of the number of such children who are being placed in such State, broken down by age and placement county; and

(2) the chief law enforcement officer of each county in which the children are placed of the number of such children who are being placed in such county, broken down by age.

(b) If an unaccompanied alien child fails to appear at an immigration proceeding that he or she was legally required to attend, the Secretary of Homeland Security shall notify the Governor of the State and the chief law enforcement officer of the county in which such child was temporarily placed of such failure to appear.

SA 3726. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end of chapter 5 of title I, insert the following:

SEC. ____. Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (6) through (8), respectively; and

(2) by striking paragraph (2) and inserting the following:

''(2) for each of fiscal years 2012 through 2014, $1,000,000,000;

''(3) for fiscal year 2016, $800,000,000;

''(4) for fiscal year 2017, $1,000,000,000;''.

SA 3727. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for

the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 20, between lines 10 and 11, insert the following:

(c) LIMITATION ON ACQUISITION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, except as provided in paragraph (2), beginning on the date of enactment of this Act and during each of the subsequent 10 full fiscal years, none of the funds made available to the Secretary under any law may be used—

(A) to survey land for future acquisition as Federal land; or

(B) to enter into discussions with non-Federal landowners to identify land for acquisition as Federal land.

(2) EXCEPTION.—Paragraph (1) does not apply to the use of funds—

(A) to complete land transactions underway on the date of enactment of this Act;

(B) to exchange Federal land for non-Federal land; or

(C) to accept donations of non-Federal land as Federal land.

(3) OFFSETTING USE OF FUNDS.—Funds that would otherwise have been used for purchase of non-Federal land by the Forest Service shall be used to carry out the amendments made by subsections (a) and (b).

SA 3728. Ms. COLLINS (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, the following:

SEC. 557. PRIVILEGE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN USERS AND PERSONNEL OF THE DEPARTMENT OF DEFENSE SAFE HELPLINE AND USERS AND PERSONNEL OF THE DEPARTMENT OF DEFENSE SAFE HELPROOM.

Not later than one year after the date of the enactment of this Act, the Military Rules of Evidence shall be modified to establish a privilege against the disclosure of communications between users and personnel of the Department of Defense Safe Helpline, and between users and personnel of the Department of Defense Safe HelpRoom.

SA 3729. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. _____. PROCEDURES FOR PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.

(a) PROCEDURES REQUIRED.—The Secretary of Defense shall develop procedures to share the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces with State veterans agencies in electronic data format as a means of facilitating the transition of members of the Armed Forces from military service to civilian life.

(b) COVERED INFORMATION.—The information described in this subsection with respect to a member is as follows:

(1) Military service and separation data.

(2) A personal email address.

(3) A personal telephone number.

(4) A mailing address.

(c) CONSENT.—The procedures required by subsection (a) shall include a requirement for consent of a member before sharing information about the member.

(d) USE OF INFORMATION.—The Secretary shall ensure that the information shared with State veterans agencies in accordance with the procedures required by subsection (a) is only shared by such agencies with county government veterans service offices for such purposes as the Secretary shall specify for the administration and delivery of benefits.

(e) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the progress of the Secretary on sharing information with State veterans agencies as described in subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the procedures developed under subsection (a).

(B) A description of the activities carried out by the Secretary in accordance with such procedures.

(C) Such recommendations as the Secretary may have for legislative or administrative action to improve the sharing of information as described in subsection (a).

SA 3730. Mr. BOOZMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.

(a) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term ''Association'' means the National Desert Storm Memorial Association, a corporation that is—

(A) organized under the laws of the State of Arkansas; and

(B)(i) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

(ii) exempt from taxation under 501(a) of that Code.

(2) MEMORIAL.—The term ''memorial'' means the National Desert Storm and Desert Shield Memorial authorized to be established under subsection (b).

(b) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Association may establish the National Desert Storm and Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield.

(c) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the memorial under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(d) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the memorial under this section.

(2) RESPONSIBILITY OF ASSOCIATION.—The Association shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(e) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SA 3731. Mrs. BOXER (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 557. REQUIREMENTS RELATING TO SEXUAL ASSAULT FORENSIC EXAMINERS FOR THE ARMED FORCES.

(a) PERSONNEL ELIGIBLE FOR ASSIGNMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the individuals who may be assigned to duty as a sexual assault forensic examiner (SAFE) for the Armed Forces shall be members of the Armed Forces and civilian personnel of the Department of Defense or Department of Homeland Security who are as follows:

(A) Physicians.

(B) Nurse practitioners.

(C) Nurse midwives.

(D) Physician assistants.

(E) Registered nurses.

(2) INDEPENDENT DUTY CORPSMEN.—An independent duty corpsman or equivalent may be assigned to duty as a sexual assault forensic examiner for the Armed Forces if the assignment of an individual specified in paragraph (1) is impracticable.

(b) AVAILABILITY OF EXAMINERS.—

(1) IN GENERAL.—The Secretary concerned shall ensure the availability of an adequate number of sexual assault forensic examiners for the Armed Forces through the following:

(A) Assignment of at least one sexual assault forensic examiner at each military medical treatment facility under the jurisdiction of such Secretary, whether in the United States or overseas.

(B) If assignment as described in subparagraph (A) is infeasible or impracticable, entry into agreements with facilities, whether Governmental or otherwise, with appropriate resources for the provision of sexual assault forensic examinations, for the provision of sexual assault forensic examinations for the Armed Forces.

(2) NAVAL VESSELS.—The Secretary concerned shall ensure the availability of an adequate number of sexual assault forensic

examiners for naval vessels through the assignment of at least one sexual assault forensic examiner for each naval vessel.

(c) TRAINING AND CERTIFICATION.—

(1) IN GENERAL.—The Secretary concerned shall establish and maintain, and update when appropriate, a training and certification program for sexual assault forensic examiners under the jurisdiction of such Secretary. The training and certification programs shall apply uniformly to all sexual assault forensic examiners under the jurisdiction of the Secretaries.

(2) ELEMENTS.—Each training and certification program under this subsection shall include the following:

(A) Training in sexual assault forensic examinations by qualified personnel who possess—

(i) a Sexual Assault Nurse Examiner—adolescent/adult (SANE–A) certification or equivalent certification; or

(ii) training and clinical or forensic experience in sexual assault forensic examinations similar to that required for a certification described in clause (i).

(B) A minimum of 40 hours of coursework for participants in sexual assault forensic examinations of adults and adolescents.

(C) Ongoing examinations and evaluations on sexual assault forensic examinations.

(D) Clinical mentoring.

(E) Continuing education.

(3) NATURE OF TRAINING.—The training provided under each training and certification program under this subsection shall incorporate and reflect current best practices and standards on sexual assault forensic examinations.

(4) APPLICABILITY OF TRAINING REQUIREMENTS.—An individual may not be assigned to duty as a sexual assault forensic examiner for the Armed Forces after the date that is one year after the date of the enactment of this Act unless the individual has completed all training required under the training and certification program under this subsection at the time of assignment.

(5) SENSE OF CONGRESS ON CERTIFICATION.—It is the sense of Congress that each participant who successfully completes all training required under the certification and training program under this subsection should obtain a Sexual Assault Nurse Examiner—adolescent/adult certification or equivalent certification by not later than five years after completion of such training.

(6) EXAMINERS UNDER AGREEMENTS.—Any individual providing sexual assault forensic examinations for the Armed Forces under an agreement under subsection (b)(1)(B) shall possess training and experience equivalent to the training and experience required under the training and certification program under this subsection.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' means—

(1) the Secretary of Defense with respect to matters concerning the Department of Defense; and

(2) the Secretary of Homeland Security with respect to matters concerning the Coast Guard when it is not operating as a service in the Navy.

(e) REPEAL OF SUPERSEDED REQUIREMENTS.—Section 1725 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 971) is amended by striking subsection (b) (10 U.S.C. 1561 note).

SA 3732. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 1233, to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, after the matter following line 7, add the following:

SEC. 11. ENHANCEMENT OF THE NATIONAL DECLASSIFICATION CENTER.

(a) IN GENERAL.—The President shall take appropriate actions to enhance the authority and capacity of the National Declassification Center under Executive Order No. 13526, or any successor Executive order, in order to facilitate, enhance, and advance a government-wide strategy for the declassification of information.

(b) REQUIRED ACTIONS.—The actions taken under subsection (a) shall include the following:

(1) A requirement that Federal agencies complete the review of Presidential and Federal records proposed for declassification, in accordance with priorities established by the National Declassification Center, within one year of the start of the declassification process, except that agencies may complete such review within two years of the start of the declassification process upon the written approval of the Director of the National Declassification Center.

(2) A requirement that Federal agencies with authority to classify information share their declassification guidance with other such Federal agencies and with the National Declassification Center.

SEC. 12. PUBLIC CONSULTATION WITH ADVISORY PANEL TO THE NATIONAL DECLASSIFICATION CENTER.

(a) IN GENERAL.—The Director of the National Declassification Center shall provide for consultation between the advisory panel to the National Declassification Center and the public.

(b) FREQUENCY.—Consultations under subsection (a) shall occur not less frequently than the frequency of the regular meetings of the advisory panel to the National Declassification Center and, to the extent practicable, shall occur concurrently with the meetings of the advisory panel.

SEC. 13. EXTENSION OF PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (50 U.S.C. 3161 note) is amended by striking ''2014'' and inserting ''2018''.

SEC. 14. PRESERVATION AND ACCESS TO HISTORICALLY VALUABLE RECORDS.

Federal agencies shall take appropriate actions to identify and designate historically valuable records as soon as possible after their creation in order to ensure the preservation and future accessibility of such documents and records.

SA 3733. Ms. COLLINS (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 725. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES, THEIR DEPENDENTS, AND VETERANS.

Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, prescribe regulations that allow for prescription drug take-back under which members of the Armed Forces and their dependents may deliver controlled substances to military medical treatment facilities, and veterans may deliver controlled substances to Department of Veterans Affairs medical facilities, in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)). The delivery of such substances shall be subject to such requirements as the Attorney General, after consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall specify in the regulations.

SA 3734. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to place an unaccompanied alien child pursuant to section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) in any setting other than a secure facility.

SA 3735. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking ''under this section to a taxpayer'' and all that follows and inserting ''under this section to any taxpayer unless—

''(1) such taxpayer includes the taxpayer's valid identification number (as defined in section 6428(h)(2)) on the return of tax for the taxable year, and

''(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3736. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—EXPEDITED PROCESSING OF UNACCOMPANIED ALIEN CHILDREN

SEC. __01. EQUAL TREATMENT OF UNACCOMPANIED ALIEN CHILDREN.

Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the paragraph heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN'';

(ii) in subparagraph (A), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''may'' and inserting ''shall''; and

(II) in clause (ii), by inserting ''not later than 72 hours after the child is screened under paragraph (4) by placing the child on the next available flight to such country, subject to determinations of cost, feasibility and any repatriation agreements with such country'' before the period at the end; and

(iv) in subparagraph (C), by striking ''countries contiguous to the United States'' and inserting ''countries from which large numbers of unaccompanied alien children are unlawfully entering the United States'';

(B) in paragraph (4)—

(i) by striking ''Within 48 hours of'' and inserting the following:

''(A) IN GENERAL.—Not later than 48 hours after''; and

(ii) by striking ''Nothing in this paragraph'' and inserting the following:

''(B) GANG AFFILIATION.—If an immigration officer determines that an unaccompanied alien child is, or has been, affiliated with a criminal street gang (as defined in section 521(a) of title 18, United States Code), the child shall be treated in accordance with paragraph (2)(B).

''(C) SAVINGS PROVISION.—Nothing in this paragraph''; and

(C) in paragraph (5)(D), by striking ''from a contiguous country subject to exceptions under subsection (a)(2)'' and inserting ''described in paragraph (2)(A)''; and

(2) in subsection (c)—

(A) by striking paragraphs (2) through (4);

(B) by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

''(2) MANDATORY DETENTION FOR UNACCOMPANIED ALIEN CHILDREN.—An unaccompanied alien child who is apprehended by U.S. Border Patrol or U.S. Immigration and Customs Enforcement shall be detained and remain in the custody of the Department of Homeland Security until the child—

''(A) voluntarily departs from the United States in accordance with section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c);

''(B) is expeditiously removed from the United States in accordance with—

''(i) an order of removal issued in accordance with section 235(b)(1) of such Act (8 U.S.C. 1225(b)(1)); or

''(ii) a final order of removal issued at the conclusion of special removal proceedings conducted pursuant to section 240 of such Act (8 U.S.C. 1229a); or

''(C) is legally admitted into the United States as—

''(i) a refugee under section 207 of such Act (8 U.S.C. 1157); or

''(ii) an asylee under section 208 of such Act (8 U.S. C. 1158).''.

SEC. __02. EXPEDITED DUE PROCESS AND SCREENING OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Chapter 4 of the Immigration and Nationality Act is amended by inserting after section 235A the following:

''SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

''(a) DEFINED TERM.—In this section, the term 'asylum officer' means an immigration officer who—

''(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208, and

''(2) is supervised by an officer who—

''(A) meets the condition described in paragraph (1); and

''(B) has had substantial experience adjudicating asylum applications.

''(b) PROCEEDING.—

''(1) IN GENERAL.—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)), an immigration judge shall conduct a proceeding to inspect, screen, and determine the status of an unaccompanied alien child who is an applicant for admission to the United States.

''(2) BIOMETRIC DATA COLLECTION.—The inspection and screening required under paragraph (1) shall include the collection of biometric data from each unaccompanied alien child, including photographs and fingerprints.

''(3) TIME LIMIT.—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

''(c) CONDUCT OF PROCEEDING.—

''(1) AUTHORITY OF IMMIGRATION JUDGE.—The immigration judge conducting a proceeding under this section—

''(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the alien and any witnesses;

''(B) may issue subpoenas for the attendance of witnesses and presentation of evidence; and

''(C) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge's proper exercise of authority under this Act.

''(2) FORM OF PROCEEDING.—A proceeding under this section may take place—

''(A) in person;

''(B) at a location agreed to by the parties, in the absence of the alien;

''(C) through video conference; or

''(D) through telephone conference.

''(3) PRESENCE OF ALIEN.—If it is impracticable by reason of an alien's mental incompetency for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

''(4) RIGHTS OF THE ALIEN.—In a proceeding under this section—

''(A) the alien shall be given the privilege of being represented, at no expense to the Government, by counsel of the alien's choosing who is authorized to practice in such proceedings;

''(B) the alien shall be given a reasonable opportunity—

''(i) to examine the evidence against the alien;

''(ii) to present evidence on the alien's own behalf; and

''(iii) to cross-examine witnesses presented by the Government;

''(C) the rights set forth in subparagraph (B) shall not entitle the alien—

''(i) to examine such national security information as the Government may proffer in opposition to the alien's admission to the United States; or

''(ii) to an application by the alien for discretionary relief under this Act; and

''(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

''(5) WITHDRAWAL OF APPLICATION FOR ADMISSION.—In the discretion of the Attorney General, an alien applying for admission to the United States may, and at any time, be permitted to withdraw such application and immediately be returned to the alien's country of nationality or country of last habitual residence.

''(d) DECISION AND BURDEN OF PROOF.—

''(1) DECISION.—

''(A) IN GENERAL.—At the conclusion of a proceeding under this section, the immigration judge shall determine whether an unaccompanied alien child is likely to be—

''(i) admissible to the United States; or

''(ii) eligible for any form of relief from removal under this Act.

''(B) EVIDENCE.—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

''(2) BURDEN OF PROOF.—

''(A) IN GENERAL.—In a proceeding under this section, an alien who is an applicant for admission has the burden of establishing, by a preponderance of the evidence, that the alien—

''(i) is likely to be entitled to be lawfully admitted to the United States or eligible for any form of relief from removal under this Act; or

''(ii) is lawfully present in the United States pursuant to a prior admission.

''(B) ACCESS TO DOCUMENTS.—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

''(i) the alien's visa or other entry document, if any; and

''(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien's admission or presence in the United States.

''(e) ORDERS.—

''(1) PLACEMENT IN FURTHER PROCEEDINGS.—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the judge shall order the alien to be placed in further proceedings in accordance with section 240.

''(2) ORDERS OF REMOVAL.—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

''(A) an intention to apply for asylum under section 208; or

''(B) a substantiated fear of persecution.

''(3) CLAIMS FOR ASYLUM.—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a substantiated fear of persecution, the officer shall order the alien referred for an interview by an asylum officer under subsection (f).

''(f) ASYLUM INTERVIEWS.—

''(1) DEFINED TERM.—In this subsection, the term 'substantiated fear of persecution' means, after taking into account the credibility of the statements made by the alien in support of the alien's claim and such other facts as are known to the officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208.

''(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct interviews of aliens referred under subsection (e)(3).

''(3) REFERRAL OF CERTAIN ALIENS.—If the officer determines at the time of the interview that an alien has a substantiated fear of persecution, the alien shall be held in the custody of the Secretary for Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

''(4) REMOVAL WITHOUT FURTHER REVIEW IF NO SUBSTANTIATED FEAR OF PERSECUTION.—

''(A) IN GENERAL.—Subject to subparagraph (C), if the asylum officer determines that an

alien does not have a substantiated fear of persecution, the officer shall order the alien removed from the United States without further hearing or review.

''(B) RECORD OF DETERMINATION.—The officer shall prepare a written record of a determination under subparagraph (A), which shall include—

''(i) a summary of the material facts as stated by the applicant;

''(ii) such additional facts (if any) relied upon by the officer;

''(iii) the officer's analysis of why, in light of such facts, the alien has not established a substantiated fear of persecution; and

''(iv) a copy of the officer's interview notes.

''(C) REVIEW OF DETERMINATION.—

''(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien's request, of a determination under subparagraph (A) that the alien does not have a substantiated fear of persecution.

''(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

''(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

''(II) shall be conducted—

''(aa) as expeditiously as possible;

''(bb) within the 24-hour period beginning at the time the asylum officer makes a determination under subparagraph (A), to the maximum extent practicable; and

''(cc) in no case later than 7 days after such determination.

''(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph shall be held in the custody of the Department of Homeland Security—

''(i) pending a final determination of substantiated fear of persecution; and

''(ii) after a determination that the alien does not have such a fear, until the alien is removed.

''(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

''(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penal ties for falsely making such claim under such conditions to have been—

''(A) lawfully admitted for permanent residence;

''(B) admitted as a refugee under section 207; or

''(C) granted asylum under section 208.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 235A the following:

''Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.''.

SEC. __03. ASYLUM SEEKERS.

(a) REFUGEE DEFINED.—Section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)) is amended—

(1) in subparagraph (A), by striking ''because of persecution or a well-founded fear of persecution on account of'' and inserting ''the alien's life or freedom would be threatened in that country because of the alien's''; and

(2) in subparagraph (B), by striking ''who is persecuted or who has a well-founded fear of persecution on account of'' and inserting ''the person's life or freedom is threatened if the person remains in that country because of the person's''.

(b) MANDATORY DETENTION.—Section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended by adding at the end the following:

''(8) DETENTION.—The Secretary of Homeland Security shall detain any alien seeking asylum under this section until the alien—

''(A) is removed from the United States in accordance with—

''(i) an order of removal issued in accordance with section 235(b)(1); or

''(ii) a final order of removal issued at the conclusion of special removal proceedings conducted pursuant to section 240; or

''(B) granted asylum under subsection (b).''.

SEC. __04. EXTENSION OF BAR TO REENTRY.

Section 212(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)) is amended—

(1) in subparagraph (A)(i) by striking ''5 years'' and inserting ''10 years''; and

(2) in subparagraph (B)(i)(I), by striking ''3 years'' and inserting ''10 years''.

SEC. __05. REPORTING REQUIREMENT.

The Secretary of Homeland Security shall submit an annual report to Congress that identifies, for the previous 12-month period—

(1) the number of aliens unlawfully present in the United States who were apprehended by, or placed in the physical custody of, U.S. Border Patrol or U.S. Immigration and Customs Enforcement;

(2) the number of aliens described in paragraph (1) who were deported from the United States pursuant to a final order of removal;

(3) the number of aliens described in paragraph (1) who departed from the United States without an order of removal (voluntary departures); and

(4) the number of aliens who were granted refugee status or asylum.

SA 3737. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, between lines 15 and 16, insert the following:

TITLE VI—VERIFICATION OF STATUS FOR REMITTANCE TRANSFERS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Remittance Status Verification Act of 2014''.

SEC. 602. STATUS VERIFICATION FOR REMITTANCE TRANSFERS.

Section 919 of the Electronic Fund Transfer Act (relating to remittance transfers) (12 U.S.C. 1692o–1) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) STATUS VERIFICATION OF SENDER.—

''(1) REQUEST FOR PROOF OF STATUS.—

''(A) IN GENERAL.—Each remittance transfer provider shall request from each sender of a remittance transfer, the recipient of which is located in any country other than the United States, proof of the status of that sender under the immigration laws, prior to the initiation of the remittance transfer.

''(B) ACCEPTABLE DOCUMENTATION.—Acceptable documentation of the status of the sender under this paragraph—

''(i) shall be, in any State that requires proof of legal residence—

''(I) a State-issued driver's license or Federal passport; or

''(II) the same documentation as required—

''(aa) by the State for proof of identity for the issuance of a driver's license;

''(bb) by the Department of State for a citizen to obtain a Federal passport; or

''(cc) for a citizen of a foreign country to enter the United States and obtain the relevant and necessary visa issued by the Department of State for any foreign citizen who—

''(AA) is a nonimmigrant; or

''(BB) has entered the United States temporarily for business (visa category B-1), tourism, pleasure, or visiting (visa category B-2), or a combination of both purposes (B-1/B-2);

''(ii) shall be, in any State that does not require proof of legal residence, such documentation as the Bureau shall require, by rule; and

''(iii) does not include any matricula consular card.

''(2) FINE FOR NONCOMPLIANCE.—Each remittance transfer provider shall impose on any sender who is unable to provide the proof of status requested under paragraph (1) at the time of transfer, a fine equal to 7 percent of the United States dollar amount to be transferred (excluding any fees or other charges imposed by the remittance transfer provider).

''(3) SUBMISSION OF FINES TO BUREAU.—All fines imposed and collected by a remittance transfer provider under paragraph (2) shall be submitted to the Bureau, in such form and in such manner as the Bureau shall establish, by rule.

''(4) ADMINISTRATIVE AND ENFORCEMENT COSTS.—The Bureau shall use fines submitted under paragraph (3) to pay the administrative and enforcement costs to the Bureau in carrying out this subsection.

''(5) USE OF FINES FOR BORDER PROTECTION.—Amounts from the collection of fines under this subsection that remain available after the payment of expenses described in paragraph (4), shall be transferred by the Bureau to the Treasury, to be used to pay expenses relating to United States Customs and Border Protection for border security fencing, infrastructure, and technology.

''(6) DEFINITION RELATING TO IMMIGRATION STATUS.—In this subsection, the term 'immigration laws' has the same meaning as in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).''.

SEC. 603. STUDY AND REPORT REGARDING REMITTANCE TRANSFER PROCESSING FINES AND IDENTIFICATION PROGRAM.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to determine the effects of the enactment of section 919(g) of the Electronic Fund Transfer Act, as amended by this Act.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the results of the study conducted under paragraph (1) that includes—

(1) an analysis of the costs and benefits of complying with section 919(g) of the Electronic Fund Transfer Act, as amended by this Act; and

(2) recommendations about whether the fines imposed under that section 919(g) should be extended or increased.

SA 3738. Mr. PAUL submitted an amendment intended to be proposed by

him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, after line 22, add the following:

CHAPTER 6—BORDER SECURITY ENHANCEMENTS

SEC. 1601. MEASURES USED TO EVALUATE BORDER SECURITY.

(a) BORDER SECURITY REVIEW.—

(1) IN GENERAL.—The Secretary shall conduct an annual comprehensive review of the following:

(A) The security conditions in each of the following 9 Border Patrol sectors along the Southwest border:

(i) The Rio Grande Valley Sector.

(ii) The Laredo Sector.

(iii) The Del Rio Sector.

(iv) The Big Bend Sector.

(v) The El Paso Sector.

(vi) The Tucson Sector.

(vii) The Yuma Sector.

(viii) The El Centro Sector.

(ix) The San Diego Sector.

(B) Update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006 (Public Law 109–367), with the goal of completing the fence not later than 5 years after the date of the enactment of this Act.

(C) Progress towards the completion of an effective exit and entry program at all points of entry that tracks visa holders.

(D) Progress towards the goal of a 95 percent apprehension or turn back rate.

(E) A 100 percent incarceration until trial rate for newly captured illegal entrants and overstays.

(F) Progress towards the goal ending of illegal immigration, as measured by census data and the Department.

(2) REPORT.—Not later than July 1, 2015, and annually thereafter, the Secretary shall submit a report to Congress containing specific results of the review conducted under paragraph (1).

(3) RULE OF CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in paragraph (1) may be construed as prohibiting the Secretary from proposing—

(i) alterations to boundaries of the Border Patrol sectors; or

(ii) a different number of sectors to be operated on the Southern border.

(B) REPORTING.—The Secretary may not make any alteration to the Border Patrol sectors in operation or the boundaries of such sectors as of the date of the enactment of this Act unless the Secretary submits, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a written notification and description of the proposed change not later than 120 days before any such change would take effect.

(b) UNQUALIFIED OPINION.—

(1) IN GENERAL.—The Secretary shall submit a report to Congress that contains—

(A) an unqualified opinion of whether each of the sectors referred to in subsection (a)(1)(A) has achieved ''total operational control'' of the border within its jurisdiction; and

(B) the following criteria and goals of the Department:

(i) Transparent data relating to the success of border security and immigration enforcement policies.

(ii) Improved accountability to the people of the United States.

(iii) 100 percent surveillance capability on the border not later than 2 years after the date of the enactment of this Act.

(iv) An apprehension or turn back rate of more than 95 percent not later than 5 years after the date of the enactment of this Act.

(v) Increasing annual targets for apprehensions, which shall be adapted to the unique conditions of each Border Patrol sector.

(vi) Uniformity in data collection and analysis for each Border Patrol sector.

(vii) An update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006.

(2) TOTAL OPERATIONAL CONTROL DEFINED.—In this chapter, the term ''total operational control'', with respect to a border sector, occurs if—

(A) the fence construction requirements required under this chapter have been completed;

(B) the infrastructure enhancements required under this chapter have been completed and deployed;

(C) there has been verifiable increases in personnel dedicated to patrols, inspections, and interdiction;

(D) U.S. Customs and Border Protection has achieved 100 percent surveillance capacity throughout the entire sector;

(E) U.S. Customs and Border Protection has achieved an apprehension rate of at least 95 percent for all attempted unauthorized crossings;

(F) uniform data collection standards have been adopted across all sectors; and

(G) U.S. Customs and Border Protection is tracking the exits of 100 percent of the visitors to the United States visitors through land points of entry.

(3) METRICS DESCRIBED.—The Secretary shall use specific metrics to assess the progress toward, and maintenance of, total operational control of the border in each Border Patrol sector, including—

(A) with respect to resources and infrastructure—

(i) a description of the infrastructure and resources deployed on the Southwest border, including physical barriers and fencing, surveillance cameras, motion and other ground sensors, aerial platforms, and unmanned aerial vehicles;

(ii) an assessment of the Border Patrol's ability to perform uninterrupted surveillance on the entirety of the border within each sector;

(iii) an assessment of whether the Department of Homeland Security has attained a 100 percent surveillance capability for each sector; and

(iv) a specific analysis detailing the miles of fence built, including double-layered fencing, pursuant to the Secure Fence Act of 2006 (Public Law 109–367), as amended by this chapter.

(B) with respect to illegal entries between ports—

(i) the number of attempted illegal entries, categorized by—

(I) number of apprehensions;

(II) people turned back to country of origin (turn-backs); and

(III) individuals who have escaped (got aways);

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempted to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the number of successful illegal entries, based on reliable supporting evidence;

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted crossings;

(II) successful evasions of law enforcement;

(III) the value of smuggled contraband;

(IV) successful discoveries and arrests; and

(V) arrest rate trends related to violent criminals crossing the border;

(vi) physical evidence of crossings not otherwise tied to a pursuit, including fence-cuttings; and

(vii) transparent data that reports if the numbers include actual physical capture or turn-backs witnessed by border control and a segregation of data that includes evidence of individuals going back, including but not limited to footprints, food and torn clothing;

(C) with respect to illegal entries at ports—

(i) the number of attempted illegal entries, categorized by the number of apprehensions, turn-backs, and got aways;

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempt to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the number of successful illegal entries, based on reliable supporting evidence; and

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted entries;

(II) successful discovery methods;

(III) the use of falsified official travel documents;

(IV) evolving evasion tactics; and

(V) arrest rate trends related to persons apprehended attempting to smuggle prohibited items;

(D) with respect to repeat offenders, data and analysis of recidivism trends, including the prevalence of multiple arrests and repeated attempts to enter illegally;

(E) with respect to smuggling—

(i) updated information on U.S. Customs and Border Protection's Consequence Delivery System;

(ii) progress made in creating uniformity in the punishment of unlawful border crossers relative to their crimes for the purposes of deterring smuggling;

(iii) the percentage of unlawful immigrants and smugglers who are subject to a uniform punishment; and

(iv) data breaking down the treatment of, and consequences for, repeat offenders to determine the extent to which the Consequence Delivery System serves as an effective deterrent;

(F) with respect to visa overstays, data for each year, categorized by the type of visa issued to the alien;

(G) with respect to the unlawful presence of aliens—

(i) the total number of individuals present in the United States, which will be correlated in future years with normalization participants;

(ii) net migration into the United States, including legal and illegal immigrants;

(iii) deportation data, categorized by country and the nature of apprehension;

(iv) individuals who have obtained or who seek legal status; and

(v) individuals without legal status who have died while in the United States;

(H) the number of Department agents deployed to the border each year, categorized by staffing assignment and security function;

(I) progress made on the implementation of a full exit tracking capabilities for land, sea, and air points of entry;

(J) progress towards the goal of 100 percent incarceration until trial rate for newly captured illegal entrants and overstays; and

(K) progress towards the goal ending of illegal immigration, as measured by data collected by the United States Census Bureau and the Department.

SEC. 1602. REPORTS ON BORDER SECURITY.

(a) DEPARTMENT OF HOMELAND SECURITY REPORT.—

(1) IN GENERAL.—Not later than October 1, 2014, and annually thereafter for 5 years, the Secretary shall submit a report to Congress that contains a comprehensive review of the security conditions in each of the Border Patrol sectors along the Southwest border.

(2) PUBLIC HEARINGS FOR REPORT.—Congress shall hold public hearings with the Secretary and other individuals responsible for preparing the report submitted under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials. Congress shall allow differing views on the conclusions of the report to be expressed by outside groups and interested parties for purposes of analyzing data through a transparent and deliberative committee process.

(b) INSPECTOR GENERAL'S REPORT.—

(1) IN GENERAL.—Not later than 30 days after the issuance of each report under subsection (a), the Inspector General of the Department shall submit a report to Congress that provides an independent analysis of the report submitted under subsection (a)(1) to analyze—

(A) the accuracy of the report; and

(B) the validity of the data used by the Department to issue the report.

(2) PARTICIPATION.—The Inspector General should participate in any hearings relating to the assessment of the border security report of the Department.

(c) GOVERNORS REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Governor of each of the States along the Southern border may submit an independent report to Congress that provides the perspective of the Governor and other officials of such State tasked to law enforcement on the security conditions along that State's border with Mexico.

(2) PUBLIC HEARINGS FOR STATE REPORTS.—Congress shall hold public hearings with the Governor and other officials from each State that submits a report under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials.

(d) PUBLIC DISCLOSURE OF REPORTS.—Upon the receipt of a report submitted under this section, the Senate and the House of Representatives shall—

(1) provide copies of the report to the Chair and ranking member of each standing committee with jurisdiction under the rules of such House, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate; and

(2) make the report available to the public.

SEC. 1603. REQUIREMENT FOR PHYSICAL BORDER FENCE CONSTRUCTION.

(a) CONSTRUCTION OF BORDER FENCING.—Using funds made available to the Secretary under this Act, and except as provided under subsection (d), the Secretary shall construct not fewer than 140 miles of double-layer fencing on the Southern border during each 1-year period beginning on the date of the enactment of this Act.

(b) CERTIFICATION.—Except as provided in subsection (d), not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a written certification that construction of not fewer than 140 miles of double-layer fencing has been completed in the preceding year to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Homeland Security of the House of Representatives.

(c) DETERMINATION OF MILES OF FENCING CONSTRUCTED.—

(1) INCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may apply, toward the requirement under subsection (a), the number of miles of—

(A) new double-layer fencing that have been completed; and

(B) a second fencing layer that has been added to an existing, single-layered fence.

(2) EXCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may not apply, toward the requirement in subsection (a)—

(A) vehicle barriers;

(B) ground sensors;

(C) motion detectors;

(D) radar-based surveillance;

(E) thermal imaging;

(F) aerial surveillance platforms;

(G) observation towers;

(H) motorized or nonmotorized ground patrols;

(I) existing single-layer fencing; or

(J) new construction of single-layer fencing.

(d) SUNSET.—The Secretary shall no longer be required to comply with the requirements under subsection (a) and (b) on the earliest of—

(1) the date on which the Secretary submits the 5th affirmative certification pursuant to subsection (b); or

(2) the date on which the Secretary certifies the completion of not fewer than 700 miles of double-layer fencing on the Southern border.

(e) CONFORMING AMENDMENT.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by striking subparagraph (D).

SEC. 1604. ONE HUNDRED PERCENT EXIT TRACKING FOR ALL UNITED STATES VISITORS.

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the United States will continue its progress toward full biometric entry-exit capture capability at land, air, and sea points of entry.

(2) No capability exits to fully track whether non-United States persons in the United States on a temporary basis have exited the country consistent with the terms of their visa, whether by land, sea, or air.

(3) No program exists along the Southwest border to track land exits from the United States into Mexico.

(4) Without the ability to capture the full cycle of a visitor's trip to and from the United States, it is possible for persons to remain in the United States unlawfully for years without detection by U.S. Immigration and Customs Enforcement.

(5) Because there is no exit tracking capability, there is insufficient data for an official assessment of the number of persons who have overstayed a visa and that remain in the United States. Studies have estimated that as many as 40 percent of all persons in the United States without lawful immigration status entered the country legally and did not return to their country of origin or follow the terms of their entry.

(6) Despite a legal mandate to track visitor exits, more than a decade without any significant capability to do so has—

(A) degraded the Federal Government's ability to enforce immigration laws;

(B) placed a greater strain on law enforcement resources; and

(C) undermined the legal immigration process in the United States.

(b) REQUIREMENT FOR OUTBOUND TRAVEL DOCUMENT CAPTURE AT LAND POINTS OF ENTRY.—

(1) OUTBOUND TRAVEL DOCUMENT CAPTURE AT FOOT CROSSINGS.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system for all outbound lanes at each land point of entry along the Southern border that is only accessible to individuals on foot or by nonmotorized means.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(2) OUTBOUND TRAVEL DOCUMENT CAPTURE AT ALL OTHER LAND POINTS OF ENTRY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system at all outbound lanes not subject to paragraph (1) at each land point of entry along the Southern border.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(3) INFORMATION REQUIRED FOR COLLECTION.—While collecting information under paragraphs (1) and (2), the Secretary shall collect identity-theft resistant departure information from the machine-readable visas, passports, and other travel and entry documents.

(4) RECORDING OF EXITS AND CORRELATION TO ENTRY DATA.—The Secretary shall integrate the records collected under paragraphs (1) and (2) into any database necessary to correlate an alien's entry and exit data.

(5) PROCESSING OF RECORDS.—Before the departure of outbound aliens at each point of entry, the Secretary shall provide for cross-reference capability between databases designated by the Secretary under paragraph (4) to determine and record whether an outbound alien has been in the United States without lawful immigration status.

(6) RECORDS INCLUSION REQUIREMENTS.—The Secretary shall maintain readily accessible entry-exit data records for immigration and other law enforcement and improve immigration control and enforcement by including information necessary to determine whether an outbound alien without lawful presence in the United States entered the country through—

(A) unauthorized entry between points of entry;

(B) visa or other temporary authorized status;

(C) fraudulent travel documents;

(D) misrepresentation of identity; or

(E) any other method of entry.

(7) PROHIBITION ON COLLECTING EXIT RECORDS FOR UNITED STATES CITIZENS.—

(A) PROHIBITION.—While documenting the departure of outbound individuals at each point of entry along the Southern border, the Secretary may not—

(i) process travel documents of United States citizens;

(ii) log, store, or transfer exit data for United States citizens;

(iii) create, maintain, operate, access, or support any database containing information collected through outbound processing at a point of entry under paragraph (1) or (2) that contains records identifiable to an individual United States citizen.

(B) EXCEPTION.—The prohibition set forth in subparagraph (A) does not apply to the records of an individual if an officer processing travel documentation in the outbound lanes at a point of entry along the Southern border—

(i) has a strong suspicion that the individual has engaged in criminal or other prohibited activities; or

(ii) needs to verify an individual's identity because the individual is attempting to exit the United States without approved travel documentation.

(C) VERIFICATION OF TRAVEL DOCUMENTS.—Subject to the prohibition set forth in subparagraph (A), the Secretary may provide for the confirmation of a United States citizen's approved travel documentation validity in the outbound lanes at a point of entry along the Southern border.

(c) INFRASTRUCTURE IMPROVEMENTS AT LAND POINTS OF ENTRY.—

(1) FACILITATION OF LAND EXIT TRACKING.—The Secretary may improve the infrastructure at, or adjacent to, land points of entry, as necessary, to implement the requirements under paragraphs (1) and (2) of subsection (b), by—

(A) expanding or reconfiguring outbound road or bridge lanes within a point of entry;

(B) improving or reconfiguring public roads or other transportation infrastructure leading into, or adjacent to, the outbound lanes at a point of entry if—

(i) there has been a demonstrated negative impact on transportation in the area adjacent to a point of entry as a result of projects carried out under this section; or

(ii) the Secretary, in consultation with State, local, or tribal officials responsible for transportation adjacent to a point of entry, has submitted a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that projects proposed under this section will have a significant negative impact on transportation adjacent to a point of entry without such transportation infrastructure improvements; and

(iii) the total of funds obligated in any year to meet the requirements of subsection (b)(1)(B) shall not exceed 25 percent of the total funds obligated to meet the requirements under paragraphs (1) and (2) of subsection (b) in the same year;

(C) where possible, construction of, expansion of, or improvement of access to secondary inspection areas;

(D) physical structures to accommodate inspections and processing travel documents described in subsection (b)(3) for outbound aliens, including booths or kiosks at exit lanes;

(E) transfer, installation, use, and maintenance of computers, software or other network infrastructure to facilitate capture and processing of travel documents described in subsection (b)(3) for all outbound aliens; and

(F) performance of outbound inspections outside of secondary inspection areas at a point of entry to detect suspicious activity or contraband.

(2) REPORT ON INFRASTRUCTURE REQUIREMENTS TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a report that assesses the infrastructure needs for each point of entry along the Southern border to fulfill the requirements under subsection (b), including—

(A) a description of anticipated infrastructure needs within each point of entry;

(B) a description of anticipated infrastructure needs adjacent to each point of entry;

(C) an assessment of the availability of secondary inspection areas at each point of entry;

(D) an assessment of space available at or adjacent to a point of entry to perform processing of outbound aliens; and

(E) an assessment of the infrastructure demands relative to the volume of outbound crossings for each point of entry.

(d) PROCEDURES FOR EXIT PROCESSING AND INSPECTION.—

(1) INDIVIDUALS SUBJECT TO OUTBOUND SECONDARY INSPECTION.—Officers performing outbound inspection or processing travel documents may send an outbound individual to a secondary inspection area for further inspection and processing if the individual is—

(A) determined or suspected to have been in the United States without lawful status during processing under subsection (b) or at another point during the exit process;

(B) found to be subject to an outstanding arrest warrant;

(C) suspected of engaging in prohibited activities at the point of entry;

(D) traveling without approved travel documentation; or

(E) subject to any random outbound inspection procedures, as determined by the Secretary.

(2) LIMITATIONS ON OUTBOUND SECONDARY INSPECTIONS.—The Secretary may not designate an outbound United States citizen for secondary inspection or collect biometric information from a United States citizen under outbound inspection procedures unless criminal or other prohibited activity has been detected or is strongly suspected.

(3) OUTBOUND PROCESSING OF PERSONS IN THE UNITED STATES WITHOUT LAWFUL PRESENCE.—

(A) PROCESS FOR RECORDING UNLAWFUL PRESENCE.—If the Secretary determines, at a point of entry along the Southern border, that an outbound alien has been in the United States without lawful presence, the Secretary shall—

(i) collect and record biometric data from the individual;

(ii) combine data related to the individual's unlawful presence with any other information related to the individual in the interoperable database, in accordance with paragraphs (4) and (5) of subsection (b); and

(iii) except as provided in clause (ii), permit the individual to exit the United States.

(B) EXCEPTION.—An individual shall not be permitted to leave the United States if, during outbound inspection, the Secretary detects previous unresolved criminal activity by the individual.

SEC. 1605. RULE OF CONSTRUCTION.

Nothing in this chapter, or in the amendments made by this chapter, may be construed as replacing or repealing the requirements for biometric entry-exit capture required under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

SA 3739. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, after line 22, add the following:

SEC. 1503. ENSURING THAT REFUGEES, ASYLEES, AND OTHER ALIENS ARE NOT DEPENDENT ON WELFARE.

(a) INELIGIBLE PERSON DEFINED.—In this section, the term ''ineligible person'' means a noncitizen who—

(1) is in the custody of the Federal Government on the basis of a violation of immigration law;

(2) is subject to a removal order; or

(3) is not otherwise eligible for permanent residency in the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) NO ACCESS TO WELFARE.—Notwithstanding any other provision of law, an ineligible person is not eligible for any of the following:

(1) Any assistance or benefits provided under a State program funded under the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(2) Any medical assistance provided under a State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or under a waiver of such plan, other than emergency medical assistance provided under paragraphs (2) and (3) of section 1903(v), and any child health assistance provided under a State child health plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) or under a waiver of such plan.

(3) Any benefits or assistance provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(4) Supplemental security income benefits provided under title XVI of the Social Security Act (42 U.S.C. 1381).

(5) Federal Pell Grants under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a).

(6) Housing vouchers under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(7) Federal old-age, survivors, and disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.).

(8) Health insurance benefits for the aged and disabled under the medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(9) Assistance or benefits provided under the program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(c) NO WELFARE FOR REFUGEES OR ASYLEES AFTER 1 YEAR OF DATE OF ADMISSION.—Notwithstanding any other provision of law, an alien admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) shall not be eligible for any assistance or benefits described in paragraphs (1) through (8) of subsection (b), and shall not be allowed the earned income tax credit under section 32 of the Internal Revenue Code of 1986, after the date that is 1 year after the date on which the alien is so admitted or granted asylum.

(d) NO CITIZENSHIP FOR ALIENS WHO APPLY FOR AND RECEIVE WELFARE.—Any alien, refugee, asylee, nonimmigrant admitted to the United States under a permanent or temporary visa, or ineligible person who is prohibited under this section or any other provision of law from applying for, or receiving, assistance or benefits described in subsection (b) or from claiming the earned income tax

credit allowed under section 32 of the Internal Revenue Code of 1986, or any other credit allowed under subpart C of part IV of subchapter A of chapter 1 of such Code, and who applies for and receives any such assistance or benefits, or who claims and is allowed any such credit, shall be permanently prohibited from becoming naturalized as a citizen of the United States.

(e) ENFORCEMENT.—

(1) STATE DEFINED.—In this subsection, the term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(2) REQUIREMENT.—Each State shall implement the verification procedures listed in paragraph (5) to prevent noncitizens from receiving the assistance or benefits described in subsection (b) and from being allowed the earned income tax credit under section 32 of the Internal Revenue Code of 1986. To the extent that the State is not responsible for the administration of such assistance, benefits, or tax credit, the procedures implemented by the State shall be designed to assist the head of the Federal agency responsible for administering such assistance, benefits, or tax credit in ensuring that noncitizens do not receive the assistance, benefits, or tax credit.

(3) PENALTY.—

(A) IN GENERAL.—Notwithstanding any other provision of law, with respect to a State, each head of the Federal agency responsible for administering a Federal means-tested benefit program listed in paragraph (4) shall reduce the annual amount of federal financial payments that would otherwise be made to the State under the program by 10 percent, beginning with the payments for fiscal year 2015.

(B) The reduction under subparagraph (A) shall not apply with respect to any fiscal year that begins after the date on which the State certifies to the Secretary of the Homeland Security that the State has complied with paragraph (2).

(4) FEDERAL MEANS-TESTED BENEFIT PROGRAMS.—The Federal means-tested benefit programs listed in this paragraph are the following:

(A) The temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(B) The Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(C) The State children's health insurance program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

(D) The supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(E) The program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(5) VERIFICATION PROCEDURES.—The verification procedures listed in this paragraph are the following:

(A) Requiring proof of citizenship as a condition for receipt of assistance or benefits under the Federal means-tested benefit programs listed in paragraph (4).

(B) Verifying the proof of citizenship provided as a condition for receipt of assistance or benefits under the Federal means-tested benefit programs listed in paragraph (4), including by using the Systematic Alien Verification for Entitlements Program of U.S. Citizenship and Immigration Services to confirm that an individual who has presented proof of citizenship as a condition for receipt of assistance or benefits under a Federal means-tested benefit program listed in paragraph (4) is not an alien.

(C) Requiring officers and employees of State agencies that administer a Federal means-tested benefit program listed in paragraph (4) to report to the Secretary of Homeland Security any suspicious or fraudulent identity information provided by an individual applying for assistance or benefits.

(6) MISCELLANEOUS PROVISIONS.—

(A) NONAPPLICABILITY OF THE PRIVACY ACT.—Notwithstanding any other provision of law, section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act'') may not be construed as prohibiting an officer or employee of a State from verifying a claim of citizenship for purposes of eligibility for assistance or benefits under a Federal means-tested benefit program listed in paragraph (4).

(B) INCLUSION OF CERTAIN PERSONS IN SAVE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall certify that the Systematic Alien Verification for Entitlements Program of U.S. Citizenship and Immigration Services has the ability to establish verifiable ineligibility for any Federal means-tested benefit program listed in paragraph (4) for any ineligible person.

SA 3740. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1247. EXTENSION OF ANNUAL REPORTS ON THE MILITARY POWER OF IRAN.

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

SA 3741. Mr. KIRK (for himself, Mr. MANCHIN, Mr. DURBIN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. OBSERVANCE OF VETERANS DAY.

(a) TWO MINUTES OF SILENCE.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 145. Veterans Day

''The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—

''(1) 3:11 p.m. Atlantic standard time;

''(2) 2:11 p.m. eastern standard time;

''(3) 1:11 p.m. central standard time;

''(4) 12:11 p.m. mountain standard time;

''(5) 11:11 a.m. Pacific standard time;

''(6) 10:11 a.m. Alaska standard time; and

''(7) 9:11 a.m. Hawaii-Aleutian standard time.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

''145. Veterans Day.''.

SA 3742. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, after line 22, add the following:

CHAPTER 6—PREVENTION OF ORGANIZED SMUGGLING

SEC. 1601. SHORT TITLE.

This chapter may be cited as the ''Children Returning on an Expedited and Safe Timeline Act'' or the ''CREST Act''.

SEC. 1602. DEFINED TERM.

For purposes of this chapter, the term ''unaccompanied alien child'' means an alien who—

(1) has no lawful immigration status in the United States;

(2) has not attained 18 years of age; and

(3) attempts to enter or has entered the United States unaccompanied by a parent or legal guardian.

SEC. 1603. REDUCING THE NUMBER OF UNACCOMPANIED ALIEN CHILDREN FROM EL SALVADOR, GUATEMALA, AND HONDURAS.

(a) RESTRICTIONS ON FOREIGN AID TO CERTAIN COUNTRIES.—

(1) INITIAL CERTIFICATION.—Beginning on the date that is 6 months after the date of the enactment of this Act, the Federal Government shall not provide any non-security assistance to El Salvador, Guatemala, or Honduras until the President certifies that the government of El Salvador, of Guatemala, or of Honduras, respectively is—

(A) actively working to reduce the number of unaccompanied alien children from such country who are attempting to migrate northward in order to illegally enter the United States; and

(B) cooperating with the Government of the United States to facilitate the repatriation of unaccompanied alien children who are removed from the United States and returned to their country of origin.

(2) SUBSEQUENT CERTIFICATIONS.—The restriction under paragraph (1) shall take effect beginning on the date that is 1 year after the President issued the latest certification in accordance with paragraph (1) unless the President recertifies that the governments referred to in paragraph (1) are meeting the requirements set forth in subparagraphs (A) and (B) of such paragraph.

(b) IN-COUNTRY REFUGEE PROCESSING.—

(1) IN GENERAL.—Notwithstanding section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)), the Secretary of State, in consultation with the Secretary of Homeland Security and the Director of the Office of Refugee Resettlement of the Department of Health and Human Services, shall carry out in-country processing of refugee applications in El Salvador, Guatemala, and Honduras.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out paragraph (1).

SEC. 1604. INCREASING THE NUMBER OF REFUGEE ADMISSIONS FROM CERTAIN COUNTRIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President, in determining the number of refugees who may

be admitted under section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a)) for fiscal years 2014 and 2015, shall authorize the admission, in each such fiscal year, of—

(1) up to 5,000 refugees from El Salvador;

(2) up to 5,000 refugees from Guatemala; and

(3) up to 5,000 refugees from Honduras.

SEC. 1605. PREVENTING ORGANIZED SMUGGLING.

(a) UNLAWFULLY HINDERING IMMIGRATION, BORDER, OR CUSTOMS CONTROLS.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—

(A) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"§ 556. Unlawfully hindering immigration, border, or customs controls

''(a) ILLICIT SPOTTING.—Any person who knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, controlled substances, agriculture, monetary instruments, or other border controls shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Any person who knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry, or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry—

''(1) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both; and

''(2) if, at the time of the offense, the person uses or carries a firearm or, in furtherance of any such crime, possesses a firearm, shall be fined under title 18, United States Code, imprisoned not more than 20 years, or both.

''(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) shall be punished in the same manner as a person who completes a violation of such subsection.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by inserting after the item relating to section 555 the following:

''556. Unlawfully hindering immigration, border, or customs controls.''.

(2) PENALTY FOR CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting '', alien smuggling crime,'' after ''crime of violence'' each place such term appears; and

(ii) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(B) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

(3) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by striking ''or under'' and inserting '', under section 2 or subsection (a), (b), or (c) of section 556, or under''.

(b) ORGANIZED HUMAN SMUGGLING.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

"§ 1598. Organized human smuggling

''(a) PROHIBITED ACTIVITIES.—It shall be unlawful for any person, while acting for profit or other financial gain, to knowingly direct or participate in an effort or scheme to assist or cause 5 or more persons—

''(1) to enter, attempt to enter, or prepare to enter the United States—

''(A) by fraud, falsehood, or other corrupt means;

''(B) at any place other than a port or place of entry designated by the Secretary of Homeland Security; or

''(C) in a manner not prescribed by the immigration laws and regulations of the United States;

''(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

''(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

''(B) with the intent to aid or further such entry or attempted entry; or

''(3) to be transported or moved outside of the United States—

''(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

''(B) under circumstances in which the persons are seeking to enter the United States without official permission or legal authority.

''(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) shall be punished in the same manner as a person who completes a violation of such subsection.

''(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under this title, imprisoned for not more than 20 years, or both.

''(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b)—

''(1) in the case of a violation during and in relation to which a serious bodily injury (as defined in section 1365) occurs to any person, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(2) in the case of a violation during and in relation to which the life of any person is placed in jeopardy, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(3) in the case of a violation involving 10 or more persons, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(4) in the case of a violation involving the bribery or corruption of a United States or foreign government official, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(5) in the case of a violation involving robbery or extortion (as such terms are defined in paragraph (1) or (2), respectively, of section 1951(b)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(6) in the case of a violation during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2)), shall be fined under this title, imprisoned for not fewer than 5 years and not more than 30 years, or both;

''(7) in the case of a violation resulting in the death of any person, shall be fined under this title, imprisoned for not fewer than 5 years and up to life, or both;

''(8) in the case of a violation in which any alien is confined or restrained, including by the taking of clothing, goods, or personal identification documents, shall be fined under this title, imprisoned not fewer than 5 years and not more than 10 years, or both; and

''(9) in the case of smuggling an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))), shall be fined under this title or imprisoned not more than 20 years.

''(e) DEFINITIONS.—In this section:

''(1) EFFORT OR SCHEME.—The term 'effort or scheme to assist or cause 5 or more persons' does not require that the 5 or more persons enter, attempt to enter, prepare to enter, or travel at the same time if such acts are completed during a 1-year period.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority'—

''(A) means permission, authorization, or license that is expressly provided for under the immigration laws of the United States; and

''(B) does not include—

''(i) any authority described in subparagraph (A) that was secured by fraud or otherwise unlawfully obtained; or

''(ii) any authority that was sought, but not approved.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1597 the following:

''1598. Organized human smuggling.''.

(c) STRATEGY TO COMBAT HUMAN SMUGGLING.—

(1) DEFINED TERM.—In this subsection, the term ''high traffic areas of human smuggling'' means the United States ports of entry and areas between such ports that have the most human smuggling activity, as measured by U.S. Customs and Border Protection.

(2) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall implement a strategy to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States.

(3) COMPONENTS.—The strategy referred to in paragraph (2) shall include—

(A) efforts to increase coordination between the border and maritime security components of the Department of Homeland Security;

(B) an identification of intelligence gaps impeding the ability to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States;

(C) efforts to increase information sharing with State and local governments and other Federal agencies;

(D) efforts to provide, in coordination with the Federal Law Enforcement Training Center, training for the border and maritime security components of the Department of Homeland Security to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States; and

(E) the identification of the high traffic areas of human smuggling along the international land and maritime borders of the United States.

(4) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report that describes the strategy to be implemented under paragraph (2), including the components listed in paragraph (3), to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Homeland Security of the House of Representatives.

(B) FORM.—The Secretary may submit the report required under subparagraph (A) in classified form if the Secretary determines that such form is appropriate.

(5) ANNUAL LIST OF HIGH TRAFFIC AREAS.—Not later than February 1st of the first year beginning after the date of the enactment of this Act and annually thereafter, the Secretary of Homeland Security shall submit a list of the high traffic areas of human smuggling referred to in paragraph (3)(A) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

SEC. 1606. EQUITABLE TREATMENT OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) by striking the paragraph heading and inserting ''RULES FOR UNACCOMPANIED ALIEN CHILDREN'';

(2) in subparagraph (A), by striking ''who is a national or habitual resident of a country that is contiguous with the United States''; and

(3) in subparagraph (C)—

(A) by striking the subparagraph heading and inserting ''AGREEMENTS WITH FOREIGN COUNTRIES''; and

(B) by striking ''countries contiguous to the United States'' and inserting ''Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any unaccompanied alien child who was apprehended on or after October 1, 2013.

SEC. 1607. EXPEDITED REMOVAL AUTHORITY FOR UNACCOMPANIED ALIEN CHILDREN.

Section 235(a)(5)(D) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(5)(D)) is amended—

(1) by striking the subparagraph heading and inserting ''EXPEDITED REMOVAL FOR UNACCOMPANIED ALIEN CHILDREN'';

(2) in the matter preceding clause (i)—

(A) by inserting ''described in paragraph (2)(A) who is'' after ''Any unaccompanied alien child''; and

(B) by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),''; and

(3) by striking clause (i) and inserting the following:

''(i) placed in a proceeding in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225).''.

SEC. 1608. MANDATORY SAFE FEDERAL CUSTODY.

Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''shall be promptly placed in the least restrictive setting that is in the best interest of the child. In making such placements, the Secretary may consider danger to self, danger to the community, and risk of flight. Placement of child trafficking victims may include placement in an Unaccompanied Refugee Minor program pursuant to section 412(d) of the Immigration and Nationality Act (8 U.S.C. 1522(d)), if a suitable family member is not available to provide care.'' and inserting ''may not be placed in the custody of a nongovernmental sponsor or otherwise released from the custody of the United States Government until the child is repatriated or has been adjudicated to be admissible or subject to an exception to removal.'';

(B) by redesignating subparagraph (B) as subparagraph (D); and

(C) by inserting after subparagraph (A) the following:

''(B) EXCEPTIONS.—

''(i) IN GENERAL.—If the Secretary of Health and Human Services determines that an unaccompanied alien child is a victim of a severe form of trafficking in persons, a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened, or a child with mental health needs that require ongoing assistance from a social welfare agency, the child may be placed with a biological parent if—

''(I) the parent can prove that he or she is lawfully residing in the United States;

''(II) the parent has submitted to a mandatory biometric criminal history check; and

''(III) the Secretary completes a safety and suitability study of the parent's household.

''(ii) MONITORING.—If an unaccompanied alien child described in clause (i) is between 15 and 18 years of age and the Secretary of Health and Human Services determines that such child is not a danger to self, a danger to the community, or a risk of flight, the child shall—

''(I) enroll in the alternative to detention program of U.S. Immigration and Customs Enforcement; and

''(II) continuously wear an electronic ankle monitor while his or her immigration case is pending.

''(iii) EFFECT OF VIOLATION OF CONDITIONS.—The Secretary of Health and Human Services shall remove an unaccompanied alien minor from a parent who has violated the terms of the agreement specifying the conditions under which the unaccompanied alien child was placed in his or her custody.

''(iv) FAILURE TO APPEAR.—

''(I) CIVIL PENALTY.—If an unaccompanied alien child is placed with a parent and fails to appear in a mandatory court appearance, the parent shall be subject to a civil penalty of $250 per day, up to a maximum of $5,000.

''(II) BURDEN OF PROOF.—The parent is not subject to the penalty imposed under subclause (I) if the parent—

''(aa) proves to the immigration court that the failure to appear by the unaccompanied alien child was not the fault of the parent; and

''(bb) supplies the immigration court with documentary evidence that supports such assertion.

''(v) UNACCOMPANIED REFUGEE MINORS PROGRAM.—An unaccompanied alien child described in clause (i) who is a victim of a severe form of trafficking in persons may be placed in the Unaccompanied Refugee Minors Program authorized under section 412(d) of the Immigration and Nationality Act (8 U.S.C. 1522(d)) if a parent is not available to provide care for the child in accordance with this subparagraph.

''(C) INFORMATION SHARING.—In verifying the legal presence of parents under subparagraph (B)(i)(I), the Secretary of Health and Human Services shall provide information on those determined to be unlawfully present in the United States to the Secretary of Homeland Security.''; and

(2) in paragraph (3)(B), by striking ''individual'' and inserting ''parent''.

SEC. 1609. TRAINING.

The Secretary of Homeland Security shall ensure that U.S. Border Patrol agents receive appropriate training in immigration laws relating to screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture.

SEC. 1610. EMERGENCY IMMIGRATION PERSONNEL; NATIONAL JUVENILE DOCKET.

(a) GOAL.—It shall be the goal of the Attorney General, the Secretary of Homeland Security, and the Director of the Executive Office for Immigration Review to use the amounts appropriated pursuant to subsection (f) to bring a resolution to immigration cases, from the issuance of a notice to appear through the exhaustion of appeals, within 30 days.

(b) EMERGENCY IMMIGRATION JUDGES.—

(1) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 100 temporary immigration judges, with renewable 6-month terms, including through the hiring of retired immigration judges, magistrate judges, administrative law judges, or other qualified attorneys using the same criteria as applied to the hiring of permanent immigration judges.

(2) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in paragraph (1).

(c) IMMIGRATION LITIGATION ATTORNEYS.—The Secretary of Homeland Security shall hire 150 new immigration litigation attorneys in the Field Legal Operations of U.S. Immigration and Customs Enforcement with particular focus on the Office of Chief Counsel attorneys in the areas of need.

(d) ASYLUM OFFICERS.—The Secretary of Homeland Security shall hire 100 new asylum officers to be placed in the Refugee, Asylum, and International Operations Directorate of the U.S. Citizenship and Immigration Services.

(e) JUVENILE DOCKET.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Director of the Executive Office for Immigration Review shall establish a separate juvenile docket in every immigration court in the United States to facilitate the processing of immigration cases involving unaccompanied alien children.

(2) EXEMPTION.—The Director may exempt an immigration court from the requirement under paragraph (1) upon its application for exemption based on its juvenile caseload. The Director shall make a determination under this paragraph after reviewing the court's latest 2 quarters of juvenile cases. An exemption may be awarded if the Director determines that a juvenile docket is not warranted.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $100,000,000 to carry out this section.

SEC. 1611. REPORTING AND MONITORING REQUIREMENTS.

(a) REPORTS.—

(1) INITIAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to each State in which unaccompanied children were discharged to parents or placed in a facility while remaining in the legal custody of the Secretary of Health and Human Services that provides the number of children placed in the State since Oct. 1, 2013, broken down by location and age.

(2) MONTHLY DISCHARGE REPORTS.—The Secretary of Health and Human Services shall submit a monthly report to each State in which unaccompanied alien children, during the reporting period—

(A) were discharged to their parents; or

(B) were placed in a facility while remaining in the legal custody of the Department of Health and Human Services.

(3) CONTENTS.—The reports required under paragraph (2) shall identify the number of children placed in the State during the reporting period, broken down by—

(A) location; and

(B) age.

(b) MONITORING REQUIREMENT.—The Secretary of Health and Human Services shall—

(1) require all parents to agree—

(A) to notify and receive approval from the Department of Health and Human Services prior to an unaccompanied alien child placed in their custody changing addresses from that in which he or she was originally placed; and

(B) to provide a current address for the child and the reason for the change of address;

(2) provide regular and frequent monitoring of the physical and emotional well-being of unaccompanied alien children who have been discharged to a parent or remain in the legal custody of the Secretary of Health and Human Services until their respective immigration cases are resolved; and

(3) not later than 60 days after the date of the enactment of this Act, provide to Congress a plan for implementing the requirement set forth in paragraph (2).

(c) NOTIFICATION TO STATES.—The Secretary of Health and Human Services shall notify each State in which potential facilities are being reviewed to house unaccompanied alien children who will remain in the custody of the Secretary of Health and Human Services.

(d) FAILURE TO APPEAR.—The Director of the Executive Office for Immigration Review shall—

(1) track the number of unaccompanied alien children who fail to appear at a removal hearing that they were required to attend; and

(2) make the information described in paragraph (1) available to the public on a quarterly basis.

SA 3743. Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle E—Never Contract With the Enemy

SEC. 1271. SHORT TITLE.

This Act may be cited as the ''Never Contract With the Enemy Act''.

SEC. 1272. PROHIBITION ON PROVIDING FUNDS TO THE ENEMY.

(a) IDENTIFICATION OF PERSONS AND ENTITIES.—The Secretary of Defense shall, in conjunction with the Director of National Intelligence and in consultation with the Secretary of State, establish in each covered combatant command a program to identify persons and entities within the area of responsibility of such command that—

(1) provide funds, including goods and services, received under a contract, grant, or cooperative agreement of an executive agency directly or indirectly to a covered person or entity; or

(2) fail to exercise due diligence to ensure that none of the funds, including goods and services, received under a contract, grant, or cooperative agreement of an executive agency are provided directly or indirectly to a covered person or entity.

(b) NOTICE OF IDENTIFIED PERSONS AND ENTITIES.—

(1) NOTICE.—Upon the identification of a person or entity as being described by subsection (a), the head of an executive agency (or the designee of such head) or the commander of a covered combatant command (or the specified deputies of the commander) shall be notified, in writing, of such identification of the person or entity.

(2) RESPONSIVE ACTIONS.—Upon receipt of a notice under paragraph (1), the head of an executive agency (or the designee of such head) or the commander of a covered combatant command (or the specified deputies of the commander) may notify the heads of contracting activities, or other appropriate officials of the agency or command, in writing of such identification.

(3) MAKING OF NOTIFICATIONS.—Any written notification pursuant to this subsection shall be made in accordance with procedures established to implement the revisions of regulations required by this section.

(c) AUTHORITY TO TERMINATE OR VOID CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS AND TO RESTRICT FUTURE AWARD.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Account Requirements for Federal Awards shall be revised to provide that, upon notice from the head of an executive agency (or the designee of such head) or the commander of a covered combatant command (or the specified deputies of the commander) pursuant to subsection (b), the head of contracting activity of an executive agency, or other appropriate official, may do the following:

(1) Restrict the award of contracts, grants, or cooperative agreements of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contract, grant, or cooperative agreement would provide funds received under such contract, grant, or cooperative agreement directly or indirectly to a covered person or entity.

(2) Terminate for default any contract, grant, or cooperative agreement of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contractor, or the recipient of the grant or cooperative agreement, has failed to exercise due diligence to ensure that none of the funds received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity.

(3) Void in whole or in part any contract, grant, or cooperative agreement of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contract, grant, or cooperative agreement provides funds directly or indirectly to a covered person or entity.

(d) CLAUSE.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Account Requirements for Federal Awards shall be revised to require that—

(A) the clause described in paragraph (2) shall be included in each covered contract, grant, and cooperative agreement of an executive agency that is awarded on or after the date that is 270 days after the date of the enactment of this Act; and

(B) to the maximum extent practicable, each covered contract, grant, and cooperative agreement of an executive agency that is awarded before the date of the enactment of this Act shall be modified to include the clause described in paragraph (2).

(2) CLAUSE DESCRIBED.—The clause described in this paragraph is a clause that—

(A) requires the contractor, or the recipient of the grant or cooperative agreement, to exercise due diligence to ensure that none of the funds, including goods and services, received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity; and

(B) notifies the contractor, or the recipient of the grant or cooperative agreement, of the authority of the head of the contracting activity, or other appropriate official, to terminate or void the contract, grant, or cooperative agreement, in whole or in part, as provided in subsection (c).

(3) TREATMENT AS VOID.—For purposes of this section:

(A) A contract, grant, or cooperative agreement that is void is unenforceable as contrary to public policy.

(B) A contract, grant, or cooperative agreement that is void in part is unenforceable as contrary to public policy with regard to a segregable task or effort under the contract, grant, or cooperative agreement.

(4) PUBLIC COMMENT.—The President shall ensure that the process for amending regulations required by paragraph (1) shall include an opportunity for public comment, including an opportunity for comment on standards of due diligence required by this Act.

(e) REQUIREMENTS FOLLOWING CONTRACT ACTIONS.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Account Requirements for Federal Awards shall be revised as follows:

(1) To require that any head of contracting activity, or other appropriate official, taking an action under subsection (c) to terminate, void, or restrict a contract, grant, or cooperative agreement notify in writing the contractor or recipient of the grant or cooperative agreement, as applicable, of the action.

(2) To permit the contractor or recipient of a grant or cooperative agreement subject to an action taken under subsection (c) to terminate or void the contract, grant, or cooperative agreement, as the case may be, an opportunity to challenge the action by requesting an administrative review of the action under the procedures of the executive agency concerned not later than 30 days after receipt of notice of the action.

(f) ANNUAL REVIEW; PROTECTION OF CLASSIFIED INFORMATION.—

(1) ANNUAL REVIEW.—The Secretary of Defense, in conjunction with the Director of National Intelligence and in consultation with the Secretary of State shall, on an annual basis, review the lists of persons and entities previously covered by a notice under subsection (b) as having been identified as described by subsection (a) in order to determine whether or not such persons and entities continue to warrant identification as described by subsection (a). If a determination is made pursuant to such a review that a person or entity no longer warrants identification as described by subsection (a), the Secretary of Defense shall notify the head of an executive agency (or designee) or commander (or deputy), as the case may be, in writing of such determination.

(2) PROTECTION OF CLASSIFIED INFORMATION.—Classified information relied upon to make an identification in accordance with

subsection (a) may not be disclosed to a contractor or a recipient of a grant or cooperative agreement with respect to which an action is taken pursuant to the authority provided in subsection (c), or to their representatives, in the absence of a protective order issued by a court of competent jurisdiction established under Article I or Article III of the Constitution of the United States that specifically addresses the conditions upon which such classified information may be so disclosed.

(g) DELEGATION OF CERTAIN RESPONSIBILITIES.—

(1) COMBATANT COMMAND RESPONSIBILITIES.—The commander of a covered combatant command may delegate the responsibilities in this section to any deputies of the commander specified by the commander for purposes of this section. Any delegation of responsibilities under this paragraph shall be made in writing.

(2) NONDELEGATION OF RESPONSIBILITY FOR CERTAIN ACTIONS.—The authority provided by subsection (c) to terminate, void, or restrict contracts, grants, and cooperative agreements, in whole or in part, may not be delegated below the level of head of contracting activity, or equivalent official for purposes of grants or cooperative agreements.

(h) ADDITIONAL RESPONSIBILITIES OF EXECUTIVE AGENCIES.—

(1) SHARING OF INFORMATION ON SUPPORTERS OF THE ENEMY.—The Secretary of Defense shall, in consultation with the Director of the Office of Management and Budget, carry out a program through which agency components may provide information to heads of executive agencies (or the designees of such heads) and the commanders of the covered combatant commands (or the specified deputies of the commanders) relating to persons or entities who may be providing funds, including goods and services, received under contracts, grants, or cooperative agreements of the executive agencies directly or indirectly to a covered person or entity. The program shall be designed to facilitate and encourage the sharing of risk and threat information between executive agencies and the covered combatant commands.

(2) INCLUSION OF INFORMATION ON CONTRACT ACTIONS IN FAPIIS AND OTHER SYSTEMS.—Upon the termination, voiding, or restriction of a contract, grant, or cooperative agreement of an executive agency under subsection (c), the head of contracting activity of the executive agency shall provide for the inclusion in the Federal Awardee Performance and Integrity Information System (FAPIIS), or other formal system of records on contractors or entities, of appropriate information on the termination, voiding, or restriction, as the case may be, of the contract, grant, or cooperative agreement.

(3) REPORTS.—The head of contracting activity that receives a notice pursuant to subsection (b) shall submit to the head of the executive agency (or designee) concerned or the appropriate covered combatant command, as the case may be, a report on the action, if any, taken by the head of contracting activity pursuant to subsection (c), including a determination not to terminate, void, or restrict the contract, grant, or cooperative agreement as otherwise authorized by subsection (c).

(i) REPORTS.—

(1) IN GENERAL.—Not later than March 1 of 2016, 2017, and 2018, the Director of the Office of Management and Budget shall submit to the appropriate committees of Congress a report on the use of the authorities in this section in the preceding calendar year, including the following:

(A) For each instance in which an executive agency exercised the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b), the following:

(i) The executive agency taking such action.

(ii) An explanation of the basis for the action taken.

(iii) The value of the contract, grant, or cooperative agreement voided or terminated.

(iv) The value of all contracts, grants, or cooperative agreements of the executive agency in force with the person or entity concerned at the time the contract, grant, or cooperative agreement was terminated or voided.

(B) For each instance in which an executive agency did not exercise the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b), the following:

(i) The executive agency concerned.

(ii) An explanation why the action was not taken.

(2) FORM.—Any report under this subsection may, at the election of the Director—

(A) be submitted in unclassified form, but with a classified annex; or

(B) be submitted in classified form.

(j) NATIONAL SECURITY EXCEPTION.—Nothing in this section shall apply to the authorized intelligence or law enforcement activities of the United States Government.

(k) CONSTRUCTION WITH OTHER AUTHORITIES.—Except as provided in subsection (l), the authorities in this section shall be in addition to, and not to the exclusion of, any other authorities available to executive agencies to implement policies and purposes similar to those set forth in this section.

(l) COORDINATION WITH CURRENT AUTHORITIES.—

(1) REPEAL OF SUPERSEDED AUTHORITY RELATED TO CENTCOM.—Effective 270 days after the date of the enactment of this Act, section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1513; 10 U.S.C. 2313 note) is repealed.

(2) REPEAL OF SUPERSEDED AUTHORITY RELATED TO DEPARTMENT OF DEFENSE.—Effective 270 days after the date of the enactment of this Act, section 831 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 810; 10 U.S.C. 2302 note) is repealed.

(3) USE OF SUPERSEDED AUTHORITIES IN DISCHARGE OF REQUIREMENTS.—In providing for the discharge of the requirements of this section by the Department of Defense, the Secretary of Defense may use and modify for that purpose the regulations and procedures established for purposes of the discharge of the requirements of section 841 of the National Defense Authorization Act for Fiscal Year 2012 and section 831 of the National Defense Authorization Act for Fiscal Year 2014.

(m) SUNSET.—The provisions of this section shall cease to be effective on December 31, 2019.

SEC. 1273. ADDITIONAL ACCESS TO RECORDS.

(a) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, applicable regulations shall be revised to provide that, except as provided under subsection (c)(1), the clause described in paragraph (2) may, as appropriate, be included in each covered contract, grant, and cooperative agreement of an executive agency that is awarded on or after the date of the enactment of this Act.

(2) CLAUSE.—The clause described in this paragraph is a clause authorizing the head of the executive agency concerned, upon a written determination pursuant to paragraph (3), to examine any records of the contractor, the recipient of a grant or cooperative agreement, or any subcontractor or subgrantee under such contract, grant, or cooperative agreement to the extent necessary to ensure that funds, including goods and services, available under the contract, grant, or cooperative agreement are not provided directly or indirectly to a covered person or entity.

(3) WRITTEN DETERMINATION.—The authority to examine records pursuant to the contract clause described in paragraph (2) may be exercised only upon a written determination by the contracting officer or comparable official responsible for a grant or cooperative agreement, upon a finding by the commander of a covered combatant command (or the specified deputies of the commander) or the head of an executive agency (or the designee of such head) that there is reason to believe that funds, including goods and services, available under the contract, grant, or cooperative agreement concerned may have been provided directly or indirectly to a covered person or entity.

(4) FLOWDOWN.—A clause described in paragraph (2) may also be included in any subcontract or subgrant under a covered contract, grant, or cooperative agreement if the subcontract or subgrant has an estimated value in excess of $50,000.

(b) REPORTS.—

(1) IN GENERAL.—Not later than March 1 of 2016, 2017, and 2018, the Director of the Office of Management and Budget shall submit to the appropriate committees of Congress a report on the use of the authority provided by this section in the preceding calendar year.

(2) ELEMENTS.—Each report under this subsection shall identify, for the calendar year covered by such report, each instance in which an executive agency exercised the authority provided under this section to examine records, explain the basis for the action taken, and summarize the results of any examination of records so undertaken.

(3) FORM.—Any report under this subsection may be submitted in classified form.

(c) RELATIONSHIP TO EXISTING AUTHORITIES APPLICABLE TO CENTCOM.—

(1) APPLICABILITY.—This section shall not apply to contracts, grants, or cooperative agreements covered under section 842 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1510; 10 U.S.C. 2302 note).

(2) EXTENSION OF CURRENT AUTHORITIES APPLICABLE TO CENTCOM.—Section 842 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1510; 10 U.S.C. 2302 note) is amended by striking ''date of the enactment of this Act'' and inserting ''date of the enactment of the Carl Levin National Defense Authorization Act for Fiscal Year 2015''.

SEC. 1274. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) CONTINGENCY OPERATION.—The term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(3) CONTRACT.—The term ''contract'' includes a contract for commercial items but

is not limited to a contract for commercial items.

(4) COVERED COMBATANT COMMAND.—The term ''covered combatant command'' means the following:

(A) The United States Africa Command.

(B) The United States Central Command.

(C) The United States European Command.

(D) The United States Pacific Command.

(E) The United States Southern Command.

(5) COVERED CONTRACT, GRANT, OR COOPERATIVE AGREEMENT DEFINED.—The term ''covered contract, grant, or cooperative agreement'' means a contract, grant, or cooperative agreement with an estimated value in excess of $50,000 that is performed outside the United States, including its possessions and territories, in support of a contingency operation.

(6) COVERED PERSON OR ENTITY.—The term ''covered person or entity'' means a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the Armed Forces are actively engaged in hostilities.

(7) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(8) HEAD OF CONTRACTING ACTIVITY.—The term ''head of contracting activity'' has the meaning given that term in subpart 601 of part 1 of the Federal Acquisition Regulation.

SA 3744. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 544 and insert the following:

SEC. 544. ACCESS TO SPECIAL VICTIMS' COUNSEL.

(a) IN GENERAL.—Subsection (a) of section 1044e of title 10, United States Code, is amended to read as follows:

''(a) DESIGNATION; PURPOSES.—(1) The Secretary concerned shall designate legal counsel (to be known as 'Special Victims' Counsel') for the purpose of providing legal assistance to an individual described in paragraph (2) who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

''(2) An individual described in this paragraph is any of the following:

''(A) An individual eligible for military legal assistance under section 1044 of this title.

''(B) An individual who is—

''(i) not covered under subparagraph (A);

''(ii) a member of a reserve component of the armed forces; and

''(iii) a victim of an alleged sex-related offense as described in paragraph (1)—

''(I) during a period in which the individual served on active duty, full-time National Guard duty, or inactive-duty training; or

''(II) during any period, regardless of the duty status of the individual, if the circumstances of the alleged sex-related offense have a nexus to the military service of the victim, as determined under regulations prescribed by the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—Subsection (f) of such section is amended by striking ''eligible for military legal assistance under section 1044 of this title'' each place it appears and inserting ''described in subsection (a)(2)''.

SA 3745. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2813. INDEMNIFICATION OF TRANSFEREES OF PROPERTY AT MILITARY INSTALLATIONS CLOSED SINCE OCTOBER 24, 1988, THAT REMAIN UNDER THE JURISDICTION OF THE DEPARTMENT OF DEFENSE.

Section 330(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) is amended—

(1) in paragraph (1)—

(A) by striking ''paragraph (3)'' and inserting ''paragraph (4)''; and

(B) by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) in paragraph (4), as redesignated, by striking ''paragraph (2) contributed to any such release or threatened release, paragraph (1)'' and inserting ''paragraph (3) contributed to any such release or threatened release, paragraph (1) or (2)''; and

(4) by inserting after paragraph (1) the following new paragraph (2):

''(2) The responsibility of the Secretary of Defense to hold harmless, defend, and indemnify in full certain persons and entities described in paragraph (3) also applies with respect to any military installation (or portion thereof) that—

''(A) was closed during the period beginning on October 24, 1988, and ending on the date of the enactment of this paragraph, other than pursuant to a base closure law; and

''(B) remains under the jurisdiction of the Department of Defense as of the date of the enactment of this paragraph.''.

SA 3746. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1069. REPORT ON GENDER INTEGRATION IN THE PLANNING AND EXECUTION OF MILITARY OPERATIONS OF THE ARMED FORCES ABROAD.

(a) STUDY ON GENDER INTEGRATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall conduct a study on the integration of gender considerations into the planning and execution at all levels of military operations of the Armed Forces abroad.

(2) ELEMENTS.—In conducting the study under this subsection, the Chairman of the Joint Chiefs of Staff shall—

(A) determine whether existing Department of Defense campaign, security cooperation, and contingency plans for operations abroad adequately address security and operational challenges related to gender;

(B) identify means of improving the integration of gender considerations into future Department of Defense planning for campaign, security cooperation, and contingencies for operations abroad;

(C) identify the elements of defense doctrine, if any, that should be revised to reflect lessons learned regarding women and gender as a result of experiences engaging with female populations in Iraq, Afghanistan, and other operations abroad;

(D) evaluate the need for a gender advisor training program for the Armed Forces, including the length of training, proposed curriculum, and location of training for such a program;

(E) determine the extent to which personnel qualified to advise on women and gender are available within the Department of Defense, and assess the development of a billet description for gender advisors;

(F) determine how to best educate military command leadership on the integration of attention to women and gender in military operations across all lines of effort; and

(G) evaluate where to assign gender advisors in strategic, operational, and tactical commands, including, in particular in assignment to field operations and the planning staffs of the combatant commands.

(b) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees a report setting forth the results of the study conducted under subsection (a).

(2) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

SA 3747. Mr. CORNYN (for himself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. FLAKE, Mr. COATS, Mr. ISAKSON, Mr. ALEXANDER, Mr. CHAMBLISS, Mr. BARRASSO, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2014, and for other purposes, namely:

DIVISION A—SUPPLEMENTAL APPROPRIATIONS

TITLE I

DEPARTMENTS OF COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

For an additional amount for ''Administrative Review and Appeals'', $63,200,000, to remain available until September 30, 2015, as follows:

(1) $54,000,000 for the Executive Office for Immigration Review to hire 54 Immigration Judge Teams, which shall be trained and assigned to adjudicate juvenile cases.

(2) $6,700,000 for the Executive Office for Immigration Review for the purchase of video teleconferencing equipment, digital audio recording devices, and other technology that will enable expanded immigration courtroom capacity and capability.

(3) $2,500,000 for the Executive Office for Immigration Review's Legal Orientation Program, of which not less than $1,000,000

shall be for the Legal Orientation Program for Custodians:

Provided, That not later than 15 days after the date of enactment of this Act, the Executive Office for Immigration Review shall submit a reorganization plan to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that includes detailed plans for prioritizing the adjudication of non-detained, unaccompanied alien children and specific plans to reassign Immigration Judge Teams to expedite the adjudication of juveniles on the non-detained docket:

Provided further, That the submitted plan shall ensure that juveniles will appear before an immigration judge for an initial hearing not later than 10 days after the juvenile is apprehended.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $1,100,000, for necessary expenses to respond to the significant rise in unaccompanied children and adults with children at the southwest border and related activities, to remain available until September 30, 2014.

TITLE II

DEPARTMENT OF HOMELAND SECURITY

U. S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, including the acquisition, construction, improvement, repair, and management of facilities, and for necessary expenses related to border security, $71,000,000, to remain available until September 30, 2015.

U. S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' to cover necessary expenses to respond to the significant rise in unaccompanied alien children and adults with children at the Southwest border and related activities, and for the necessary expenses for enforcement of immigration and customs law, detention and removals of adults with children crossing the border unlawfully, and investigations, $398,000,000, to remain available until September 30, 2015, of which, $50,000,000 shall be expended for 50 additional fugitive operations teams and not less than $14,000,000 shall be expended for vetted units operations in Central America and human smuggling and trafficking investigations: *Provided*, That the Secretary of Homeland Security shall support no fewer than an additional 3,000 family and 800 other beds and substantially increase the availability and utilization of detention space for adults with children.

GENERAL PROVISIONS

SEC. 201. (a) For an additional amount for meeting the data collection and reporting requirements of this Act, $5,000,000.

(b) Notwithstanding section 503 of Division F of the Consolidated Appropriations Act, 2014 (Public Law 113–76), funds made available under subsection (a) for data collection and reporting requirements may be transferred by the Secretary of Homeland Security between appropriations for the same purpose.

(c) The Secretary may not make a transfer described in subsection (b) until 15 days after notifying the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives of such transfer.

TITLE III

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Refugee and Entrant Assistance'', $150,000,000, to be merged with and available for the same period and purposes as funds appropriated in Public Law 113–76 ''for carrying out such sections 414, 501, 462, and 235'': *Provided*, That funds appropriated under this heading may also be used for other medical response expenses of the Department of Health and Human Services in assisting individuals identified under subsection (b) of such section 235: *Provided further*, That, the Secretary may, in this fiscal year and hereafter, accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or other donation for carrying out such sections: *Provided further*, That funds appropriated under this heading for medical response expenses may be transferred to and merged with the ''Public Health and Social Services Emergency Fund'': *Provided further*, That transfer authority under this heading is subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

GENERAL PROVISIONS

(RESCISSION)

SEC. 301. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act (42 U.S.C. 1397ee(a)(3)(E)), $1,700,000,000 is rescinded.

TITLE IV

GENERAL PROVISIONS—THIS TITLE

REPATRIATION AND REINTEGRATION

SEC. 401. (a) Of the funds appropriated in titles III and IV of division K of Public Law 113–76, and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, for assistance for the countries in Central America, up to $40,000,000 shall be made available for such countries for repatriation and reintegration activities: *Provided*, That funds made available pursuant to this section may be obligated notwithstanding subsections (c) and (e) of section 7045 of division K of Public Law 113–76.

(b) Prior to the initial obligation of funds made available pursuant to this section, but not later than 15 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2015, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on the obligation of funds made available pursuant to this section by country and the steps taken by the government of each country to—

(1) improve border security;

(2) enforce laws and policies to stem the flow of illegal entries into the United States;

(3) enact laws and implement new policies to stem the flow of illegal entries into the United States, including increasing penalties for human smuggling;

(4) conduct public outreach campaigns to explain the dangers of the journey to the Southwest Border of the United States and to emphasize the lack of immigration benefits available; and

(5) cooperate with United States Federal agencies to facilitate and expedite the return, repatriation, and reintegration of illegal migrants arriving at the Southwest Border of the United States.

(c) The Secretary of State shall suspend assistance provided pursuant to this section to the government of a country if such government is not making significant progress on each item described in paragraphs (1) through (5) of subsection (b): *Provided*, That assistance may only be resumed if the Secretary reports to the appropriate congressional committees that subsequent to the suspension of assistance such government is making significant progress on each of the items enumerated in such subsection.

(d) Funds made available pursuant to this section shall be subject to the regular notification procedures of the Committee on Appropriations of the Senate and the Committee on Appropriations of House of Representatives and the Senate.

TITLE V

GENERAL PROVISIONS — THIS ACT

SEC. 501. Not later than 30 days after the date of the enactment of this Act, the Attorney General, working in coordination with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals whose cases will be adjudicated by the Executive Office for Immigration Review that ensures that—

(1) the Department of Justice is capable of electronically receiving information from the Department of Homeland Security and the Department of Health and Human Services related to the apprehension, processing, detention, placement, and adjudication of such individuals, including unaccompanied alien children;

(2) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically integrated with information collected by the Department of Justice's Executive Office for Immigration Review during the adjudication process;

(3) cases are coded to reflect immigration status and appropriate categories at apprehension, such as unaccompanied alien children and family units;

(4) information pertaining to cases and dockets are collected and maintained by the Department of Justice in an electronic, searchable database that includes—

(A) the status of the individual appearing before the court upon apprehension;

(B) the docket upon which the case is placed;

(C) the individual's presence for court proceedings;

(D) the final disposition of each case;

(E) the number of days each case remained on the docket before final disposition; and

(F) any other information the Attorney General determines to be necessary and appropriate; and

(5) the final disposition of an adjudication or an order of removal is electronically submitted to—

(A) the Department of Homeland Security; and

(B) the Department of Health and Human Services, if appropriate.

SEC. 502. Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security, working in coordination with the Attorney General and the Secretary of Health and Human Services, shall institute a process for collecting, exchanging, and sharing specific data pertaining to individuals who are apprehended or encountered for immigration enforcement purposes

by the Department of Homeland Security that ensures that—

(1) case files prepared by the Department of Homeland Security after an individual has been issued a notice to appear are electronically transmitted to—

(A) the Department of Justice's Executive Office for Immigration Review for integration with case files prepared during the adjudication process; and

(B) to the Department of Health and Human Services, as appropriate, if the files relate to unaccompanied alien children;

(2) the Department of Homeland Security is capable of electronically receiving information pertaining to the disposition of an adjudication, including removal orders and the individual's failure to appear for proceedings, from the Department of Justice's Executive Office for Immigration Review; and

(3) information is collected and shared with the Department of Justice regarding the immigration status and appropriate categories of such individuals at the time of apprehension, such as—

(A) unaccompanied alien children or family units;

(B) the location of their apprehension;

(C) the number of days they remain in the custody of the Department of Homeland Security;

(D) the reason for releasing the individual from custody;

(E) the geographic location of their residence, if released from custody;

(F) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding an individual's failure to appear before the court;

(G) any action taken by the Department of Homeland Security after receiving information from the Department of Justice regarding the disposition of an adjudication; and

(H) any other information that the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 503. Not later than 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services, working in coordination with the Attorney General and the Secretary of Homeland Security, shall institute a process for collecting, exchanging, and sharing specific data pertaining to unaccompanied alien children that ensures that—

(1) the Department of Health and Human Services is capable of electronically receiving information from the Department of Homeland Security and the Department of Justice related to the apprehension, processing, placement, and adjudication of unaccompanied alien children;

(2) the Department of Health and Human Services shares information with the Department of Homeland Security regarding its capacity and capability to meet the 72-hour mandate required under section 235(b)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)(3)); and

(3) information is collected and shared with the Department of Justice and the Department of Homeland Security regarding—

(A) the number of days a child remained in the custody of the Department of Health and Human Services;

(B) whether the child was placed in a facility operated by the Department of Defense;

(C) for children placed with a sponsor—

(i) the number of children placed with the sponsor;

(ii) the relationship of the sponsor taking custody of the child;

(iii) the type of background check conducted on the potential sponsor; and

(iv) the geographic location of the sponsor; and

(D) any other information the Attorney General or the Secretary of Homeland Security determines to be necessary and appropriate.

SEC. 504. The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 505. This Act may be cited as the ''Protecting Children and America's Homeland Act of 2014''.

DIVISION B—UNACCOMPANIED ALIEN CHILDREN AND BORDER SECURITY

TITLE X—UNACCOMPANIED ALIEN CHILDREN

Subtitle A—Protection and Due Process for Unaccompanied Alien Children

SEC. 1001. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by amending the paragraph heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(B) in subparagraph (A), in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States''; and

(C) in subparagraph (C)—

(i) by amending the subparagraph heading to read as follows: ''AGREEMENTS WITH FOREIGN COUNTRIES.—''; and

(ii) in the matter preceding clause (i), by striking ''countries contiguous to the United States'' and inserting ''Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate'';

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) inserting after paragraph (2) the following:

''(3) MANDATORY EXPEDITED REMOVAL OF CRIMINALS AND GANG MEMBERS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall place an unaccompanied alien child in a proceeding in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225a) if, the Secretary determines or has reason to believe the alien—

''(A) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

''(B) has been convicted of an offense which involved—

''(i) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(iii) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(iv) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

''(v) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

''(vi) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

''(C) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

''(D) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

''(E) is or was a member of a criminal gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

''(F) provided materially false, fictitious, or fraudulent information regarding age or identity to the United States Government with the intent to wrongfully be classified as an unaccompanied alien child; or

''(G) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.''; and

(4) in subparagraph (D) of paragraph (6), as redesignated by paragraph (2)—

(A) by amending the subparagraph heading to read as follows: ''EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(B) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2), shall be—'' and inserting ''who meets the criteria listed in paragraph (2)(A)—'';

(C) by striking clause (i) and inserting the following:

''(i) shall be placed in a proceeding in accordance with section 235B of the Immigration and Nationality Act, which shall commence not later than 7 days after the screening of an unaccompanied alien child described in paragraph (4);'';

(D) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(E) by inserting after clause (i) the following:

''(ii) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government until the child is repatriated unless the child—

''(I) is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act; and

''(II) is placed or released in accordance with subsection (c)(2)(C) of this section.'';

(F) in clause (iii), as redesignated, by inserting ''is'' before ''eligible''; and

(G) in clause (iv), as redesignated, by inserting ''shall be'' before ''provided''.

SEC. 1002. EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

(a) HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) IN GENERAL.—Chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.) is amended by inserting after section 235A the following:

''SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

''(a) ASYLUM OFFICER DEFINED.—In this section, the term 'asylum officer' means an immigration officer who—

''(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208; and

''(2) is supervised by an officer who—

''(A) meets the condition described in paragraph (1); and

''(B) has had substantial experience adjudicating asylum applications.

''(b) PROCEEDING.—

''(1) IN GENERAL.—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(5) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(5)), an immigration judge shall conduct and conclude a proceeding to inspect, screen, and determine the status of the unaccompanied alien child who is an applicant for admission to the United States.

''(2) TIME LIMIT.—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

''(c) CONDUCT OF PROCEEDING.—

''(1) AUTHORITY OF IMMIGRATION JUDGE.—The immigration judge conducting a proceeding under this section—

''(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the unaccompanied alien child and any witnesses;

''(B) may issue subpoenas for the attendance of witnesses and presentation of evidence;

''(C) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge's proper exercise of authority under this Act; and

''(D) shall determine whether the unaccompanied alien child meets any of the criteria set out in subparagraphs (A) through (G) of paragraph (3) of section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)), and if so, order the alien removed under subsection (e)(2) of this section.

''(2) FORM OF PROCEEDING.—A proceeding under this section may take place—

''(A) in person;

''(B) at a location agreed to by the parties, in the absence of the unaccompanied alien child;

''(C) through video conference; or

''(D) through telephone conference.

''(3) PRESENCE OF ALIEN.—If it is impracticable by reason of the mental incompetency of the unaccompanied alien child for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

''(4) RIGHTS OF THE ALIEN.—In a proceeding under this section—

''(A) the unaccompanied alien child shall be given the privilege of being represented, at no expense to the Government, by counsel of the alien's choosing who is authorized to practice in the proceedings;

''(B) the alien shall be given a reasonable opportunity—

''(i) to examine the evidence against the alien;

''(ii) to present evidence on the alien's own behalf; and

''(iii) to cross-examine witnesses presented by the Government;

''(C) the rights set forth in subparagraph (B) shall not entitle the alien—

''(i) to examine such national security information as the Government may proffer in opposition to the alien's admission to the United States; or

''(ii) to an application by the alien for discretionary relief under this Act; and

''(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

''(5) WITHDRAWAL OF APPLICATION FOR ADMISSION.—An unaccompanied alien child applying for admission to the United States may, and at any time prior to the issuance of a final order of removal, be permitted to withdraw the application and immediately be returned to the alien's country of nationality or country of last habitual residence.

''(6) CONSEQUENCES OF FAILURE TO APPEAR.—An unaccompanied alien child who does not attend a proceeding under this section, shall be ordered removed, except under exceptional circumstances where the alien's absence is the fault of the Government, a medical emergency, or an act of nature.

''(d) DECISION AND BURDEN OF PROOF.—

''(1) DECISION.—

''(A) IN GENERAL.—At the conclusion of a proceeding under this section, the immigration judge shall determine whether an unaccompanied alien child is likely to be—

''(i) admissible to the United States; or

''(ii) eligible for any form of relief from removal under this Act.

''(B) EVIDENCE.—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

''(2) BURDEN OF PROOF.—

''(A) IN GENERAL.—In a proceeding under this section, an unaccompanied alien child who is an applicant for admission has the burden of establishing, by a preponderance of the evidence, that the alien—

''(i) is likely to be entitled to be lawfully admitted to the United States or eligible for any form of relief from removal under this Act; or

''(ii) is lawfully present in the United States pursuant to a prior admission.

''(B) ACCESS TO DOCUMENTS.—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

''(i) the alien's visa or other entry document, if any; and

''(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien's admission or presence in the United States.

''(e) ORDERS.—

''(1) PLACEMENT IN FURTHER PROCEEDINGS.—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the immigration judge shall—

''(A) order the alien to be placed in further proceedings in accordance with section 240; and

''(B) order the Secretary of Homeland Security to place the alien on the U.S. Immigration and Customs Enforcement detained docket for purposes of carrying out such proceedings.

''(2) ORDERS OF REMOVAL.—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

''(A) an intention to apply for asylum under section 208; or

''(B) a fear of persecution.

''(3) CLAIMS FOR ASYLUM.—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a fear of persecution, the immigration judge shall order the alien referred for an interview by an asylum officer under subsection (f).

''(f) ASYLUM INTERVIEWS.—

''(1) CREDIBLE FEAR OF PERSECUTION DEFINED.—In this subsection, the term 'credible fear of persecution' means, after taking into account the credibility of the statements made by an unaccompanied alien child in support of the alien's claim and such other facts as are known to the asylum officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208.

''(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct the interviews of an unaccompanied alien child referred under subsection (e)(3).

''(3) REFERRAL OF CERTAIN ALIENS.—If the asylum officer determines at the time of the interview that an unaccompanied alien child has a credible fear of persecution, the alien shall be held in the custody of the Secretary for Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

''(4) REMOVAL WITHOUT FURTHER REVIEW IF NO CREDIBLE FEAR OF PERSECUTION.—

''(A) IN GENERAL.—Subject to subparagraph (C), if the asylum officer determines that an unaccompanied alien child does not have a credible fear of persecution, the asylum officer shall order the alien removed from the United States without further hearing or review.

''(B) RECORD OF DETERMINATION.—The asylum officer shall prepare a written record of a determination under subparagraph (A), which shall include—

''(i) a summary of the material facts as stated by the alien;

''(ii) such additional facts (if any) relied upon by the asylum officer;

''(iii) the asylum officer's analysis of why, in light of such facts, the alien has not established a credible fear of persecution; and

''(iv) a copy of the asylum officer's interview notes.

''(C) REVIEW OF DETERMINATION.—

''(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien's request, of a determination under subparagraph (A) that the alien does not have a credible fear of persecution.

''(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

''(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

''(II) shall be concluded as expeditiously as possible, to the maximum extent practicable within 24 hours, but in no case later than 7 days after the date of the determination under subparagraph (A).

''(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b))—

''(i) pending a final determination of an application for asylum under this subsection; and

''(ii) after a determination under this subsection that the alien does not have a credible fear of persecution, until the alien is removed.

''(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

''(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penal ties for falsely making such claim under such conditions to have been—

''(A) lawfully admitted for permanent residence;

''(B) admitted as a refugee under section 207; or

''(C) granted asylum under section 208.

''(h) LAST IN, FIRST OUT.—In any proceedings, determinations, or removals under this section, priority shall be accorded to the alien who has most recently arrived in the United States.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 235A the following:

''Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.''.

(b) JUDICIAL REVIEW OF ORDERS OF REMOVAL.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''section 235(b)(1))'' and inserting ''section 235(b)(1) or an order of removal issued to an unaccompanied alien child after proceedings under section 235B''; and

(B) in paragraph (2)—

(i) by inserting ''or section 235B'' after ''section 235(b)(1)'' each place it appears; and

(ii) in subparagraph (A)—

(I) in the subparagraph heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)''; and

(II) in clause (iii), by striking ''section 235(b)(1)(B),'' and inserting ''section 235(b)(1)(B) or 235B(f);''; and

(2) in subsection (e)—

(A) in the subsection heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)'';

(B) by inserting ''or section 235B'' after ''section 235(b)(1)'' each place it appears;

(C) in subparagraph (2)(C), by inserting ''or section 235B(g)'' after ''section 235(b)(1)(C)''; and

(D) in subparagraph (3)(A), by inserting ''or section 235B'' after ''section 235(b)''.

SEC. 1003. EXPEDITED DUE PROCESS FOR UNACCOMPANIED ALIEN CHILDREN PRESENT IN THE UNITED STATES.

(a) SPECIAL MOTIONS FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) FILING AUTHORIZED.—During the 60-day period beginning on the date of the enactment of this Act, the Secretary of Homeland Security shall, notwithstanding any other provision of law, permit an unaccompanied alien child who was issued a notice to appear under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act—

(A) to appear, in-person, before an immigration judge who has been authorized by the Attorney General to conduct proceedings under section 235B of the Immigration and Nationality Act, as added by section 1002;

(B) to attest that the unaccompanied alien child desires to apply for admission to the United States; and

(C) to file a motion—

(i) to replace any notice to appear issued between January 1, 2013, and the date of the enactment of this Act under such section 239 that has not resulted in a final order of removal; and

(ii) to apply for admission to the United States by being placed in proceedings under such section 235B.

(2) ADJUDICATION OF MOTION.—An immigration judge may, at the sole and unreviewable discretion of the judge, grant a motion filed under paragraph (1)(C) upon a finding that—

(A) the petitioner was an unaccompanied alien child (as defined in section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232)) on the date on which a notice to appear was issued to the alien under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229);

(B) the notice to appear was issued during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act;

(C) the unaccompanied alien child is applying for admission to the United States; and

(D) the granting of such motion would not be manifestly unjust.

(3) EFFECT OF MOTION.—Notwithstanding any other provision of law, upon the granting of a motion to replace a notice to appear under paragraph (2), the immigration judge who granted such motion shall—

(A) while the petitioner remains in-person, immediately inspect and screen the petitioner for admission to the United States by conducting a proceeding under section 235B of the Immigration and Nationality Act, as added by section 1002;

(B) immediately notify the petitioner of the petitioner's ability, under section 235B(c)(5) of the Immigration and Nationality Act to withdraw the petitioner's application for admission to the United States and immediately be returned to the petitioner's country of nationality or country of last habitual residence; and

(C) replace the petitioner's notice to appear with an order under section 235B(e) of the Immigration and Nationality Act.

(4) PROTECTIVE CUSTODY.—An unaccompanied alien child who has been granted a motion under paragraph (2) shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232).

SEC. 1004. CHILD WELFARE AND LAW ENFORCEMENT INFORMATION SHARING.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended by adding at the end the following:

''(5) INFORMATION SHARING.—

''(A) IMMIGRATION STATUS.—If the Secretary of Health and Human Services considers placement of an unaccompanied alien child with a potential sponsor, the Secretary of Homeland Security shall provide to the Secretary of Health and Human Services the immigration status of such potential sponsor prior to the placement of the unaccompanied alien child.

''(B) OTHER INFORMATION.—The Secretary of Health and Human Services shall provide to the Secretary of Homeland Security and the Attorney General any relevant information related to an unaccompanied alien child who is or has been in the custody of the Secretary of Health and Human Services, including the location of the child and any person to whom custody of the child has been transferred, for any legitimate law enforcement objective, including enforcement of the immigration laws.''.

SEC. 1005. ACCOUNTABILITY FOR CHILDREN AND TAXPAYERS.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)), as amended by section 1004, is further amended by inserting at the end the following:

''(6) INSPECTION OF FACILITIES.—The Inspector General of the Department of Health and Human Services shall conduct regular inspections of facilities utilized by the Secretary of Health and Human Services to provide care and custody of an unaccompanied alien children who are in the immediate custody of the Secretary to ensure that such facilities are operated in the most efficient manner practicable.

''(7) FACILITY OPERATIONS COSTS.—The Secretary of Health and Human Services shall ensure that facilities utilized to provide care and custody of unaccompanied alien children are operated efficiently and at a rate of cost that is not greater than $500 per day for each child housed or detained at such facility, unless the Secretary certifies that compliance with this requirement is temporarily impossible due to emergency circumstances.''.

SEC. 1006. CUSTODY OF UNACCOMPANIED ALIEN CHILDREN IN FORMAL REMOVAL PROCEEDING.

Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (2) by inserting at the end the following:

''(C) CHILDREN IN FORMAL REMOVAL PROCEEDINGS.—

''(i) LIMITATION ON PLACEMENT.—An unaccompanied alien child who has been placed in a proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the immediate custody of the United States Government unless—

''(I) the nongovernmental sponsor is a biological or adoptive parent of the unaccompanied alien child;

''(II) the parent is legally present in the United States at the time of the placement;

''(III) the parent has undergone a mandatory biometric criminal history check; and

''(IV) the Secretary of Health and Human Services has determined that the unaccompanied alien child is not a danger to self, danger to the community, or risk of flight.

''(ii) EXCEPTIONS.—If the Secretary of Health and Human Services determines that an unaccompanied alien child is a victim of severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), a special needs child with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), a child who has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened, or a child with mental health needs that require ongoing assistance from a social welfare agency, the unaccompanied alien child may be placed with a grandparent or adult sibling if the grandparent or adult sibling meets the requirements set out in subclauses (II), (III), and (IV) of clause (i).

''(iii) MONITORING.—

''(I) IN GENERAL.—An unaccompanied alien child who is 15, 16, or 17 years of age placed with a nongovernmental sponsor or, in the case of an unaccompanied alien child younger than 15 years of age placed with a nongovernmental sponsor, such nongovernmental sponsor shall—

''(aa) enroll in the alternative to detention program of U.S. Immigration and Customs Enforcement; and

''(bb) continuously wear an electronic ankle monitor while the unaccompanied alien child is in removal proceedings.

''(II) PENALTY FOR MONITOR TAMPERING.—If an electronic ankle monitor required by subclause (I) is tampered with, the sponsor of the unaccompanied alien child shall be subject to a civil penalty of $150 for each day the monitor is not functioning due to the tampering, up to a maximum of $3,000.

''(iv) EFFECT OF VIOLATION OF CONDITIONS.—The Secretary of Health and Human Services shall remove an unaccompanied alien child from a sponsor if the sponsor violates the terms of the agreement specifying the conditions under which the alien was placed with the sponsor.

''(v) FAILURE TO APPEAR.—

''(I) CIVIL PENALTY.—If an unaccompanied alien child is placed with a sponsor and fails to appear in a mandatory court appearance,

the sponsor shall be subject to a civil penalty of $250 for each day until the alien appears in court, up to a maximum of $5,000.

''(II) BURDEN OF PROOF.—The sponsor is not subject to the penalty imposed under subclause (I) if the sponsor—

''(aa) appears in person and proves to the immigration court that the failure to appear by the unaccompanied alien child was not the fault of the sponsor; and

''(bb) supplies the immigration court with documentary evidence that supports the assertion described in item (aa).

''(vi) PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.—The Secretary of Health and Human Services may not place an unaccompanied alien child under this subparagraph in the custody of an individual who has been convicted of, or the Secretary has reason to believe was otherwise involved in the commission of—

''(I) a sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S. 16911)); or

''(II) a crime involving severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

''(vii) REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.—A biometric criminal history check required by clause (i)(IV) shall be conducted using a set of fingerprints or other biometric identifier through—

''(I) the Federal Bureau of Investigation;

''(II) criminal history repositories of all States that the individual lists as current or former residences; and

''(III) any other State or Federal database or repository that the Secretary of Health and Human Services determines is appropriate.''.

SEC. 1007. FRAUD IN CONNECTION WITH THE TRANSFER OF CUSTODY OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. Fraud in connection with the transfer of custody of unaccompanied alien children

''(a) IN GENERAL.—It shall be unlawful for a person to obtain custody of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)) by—

''(1) making any materially false, fictitious, or fraudulent statement or representation; or

''(2) making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

''(b) PENALTIES.—

''(1) IN GENERAL.—Any person who violates, or attempts or conspires to violate, this section shall be fined under this title and imprisoned for not less than 1 year.

''(2) ENHANCED PENALTY FOR TRAFFICKING.—If the primary purpose of the violation, attempted violation, or conspiracy to violate this section was to subject the child to sexually explicit activity or any other form of exploitation, the offender shall be fined under this title and imprisoned for not less than 15 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

''1041. Fraud in connection with the transfer of custody of unaccompanied alien children.''.

SEC. 1008. NOTIFICATION OF STATES, REPORTING, AND MONITORING.

(a) NOTIFICATION.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) NOTIFICATION TO STATES.—

''(1) PRIOR TO PLACEMENT.—The Secretary of Homeland Security or the Secretary of Health and Human Services shall notify the Governor of a State not later than 48 hours prior to the placement of an unaccompanied alien child from in custody of such Secretary in the care of a facility or sponsor in such State.

''(2) INITIAL REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Governor of each State in which an unaccompanied alien child was discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary during the period beginning October 1, 2013 and ending on the date of the enactment of the Protecting Children and America's Homeland Act of 2014.

''(3) MONTHLY REPORTS.—The Secretary of Health and Human Services shall submit a monthly report to the Governor of each State in which, during the reporting period, unaccompanied alien children were discharged to a sponsor or placed in a facility while remaining in the legal custody of the Secretary of Health and Human Services.

''(4) CONTENTS.—Each report required to be submitted to the Governor of a State by paragraph (2) or (3) shall identify the number of unaccompanied alien children placed in the State during the reporting period, disaggregated by—

''(A) the locality in which the aliens were placed; and

''(B) the age of the aliens.''.

(b) MONITORING REQUIREMENT.—The Secretary of Health and Human Services shall—

(1) require all sponsors to agree—

(A) to receive approval from the Secretary of Health and Human Services prior to changing the location in which the sponsor is housing an unaccompanied alien child placed in the sponsor's custody; and

(B) to provide a current address for the child and the reason for the change of address;

(2) provide regular and frequent monitoring of the physical and emotional well-being of each unaccompanied alien child who has been discharged to a sponsor or remained in the legal custody of the Secretary until the child's immigration case is resolved; and

(3) not later than 60 days after the date of the enactment of this Act, provide to Congress a plan for implementing the requirement of paragraph (2).

SEC. 1009. EMERGENCY IMMIGRATION JUDGE RESOURCES.

(a) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 100 immigration judges, including through the temporary or permanent hiring of retired immigration judges, magistrate judges, or administrative law judges, or the reassignment of current immigration judges, that are dedicated to—

(1) conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 1002; or

(2) reducing existing backlogs in immigration court proceedings initiated under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229).

(b) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a)(1) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act, as added by section 1002.

SEC. 1010. REPORTS TO CONGRESS.

(a) REPORTS ON CARE OF UNACCOMPANIED ALIEN CHILD.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Health and Human Services shall submit to Congress and make publically available a report that includes—

(1) a detailed summary of the contracts in effect to care for and house unaccompanied alien children, including the names and locations of contractors and the facilities being used;

(2) the cost per day to care for and house an unaccompanied alien child, including an explanation of such cost;

(3) the number of unaccompanied alien children who have been released to a sponsor, if any;

(4) a list of the States to which unaccompanied alien children have been released from the custody of the Secretary of Health and Human Services to the care of a sponsor or placement in a facility;

(5) the number of unaccompanied alien children who have been released to a sponsor who is not lawfully present in the United States, including the country of nationality or last habitual residence and age of such children;

(6) a determination of whether more than 1 unaccompanied alien child has been released to the same sponsor, including the number of children who were released to such sponsor;

(7) an assessment of the extent to which the Secretary of Health and Human Services is monitoring the release of unaccompanied alien children, including home studies done and ankle bracelets or other devices used;

(8) an assessment of the extent to which the Secretary of Health and Human Services is making efforts—

(A) to educate unaccompanied alien children about their legal rights; and

(B) to provide unaccompanied alien children with access to pro bono counsel; and

(9) the extent of the public health issues of unaccompanied alien children, including contagious diseases, the benefits or medical services provided, and the outreach to States and localities about public health issues, that could affect the public.

(b) REPORTS ON REPATRIATION AGREEMENTS.—Not later than February 31, 2015 and August 31, 2015, the Secretary of State shall submit to Congress and make publically available a report that—

(1) describes—

(A) any repatriation agreement for unaccompanied alien children in effect and a copy of such agreement; and

(B) any such repatriation agreement that is being considered or negotiated; and

(2) describes the funding provided to the 20 countries that have the highest number of nationals entering the United States as unaccompanied alien children, including amounts provided—

(A) to deter the nationals of each country from illegally entering the United States; and

(B) to care for or reintegrate repatriated unaccompanied alien children in the country of nationality or last habitual residence.

(c) REPORTS ON RETURNS TO COUNTRY OF NATIONALITY.—Not later than December 31, 2014 and September 30, 2015, the Secretary of Homeland Security shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who have voluntarily returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or habitual residence; and

(B) age of the unaccompanied alien children;

(2) the number of unaccompanied alien children who have been returned to their country of nationality or habitual residence, including assessment of the length of time such children were present in the United States;

(3) the number of unaccompanied alien children who have not been returned to their country of nationality or habitual residence pending travel documents or other requirements from such country, including how long they have been waiting to return; and

(4) the number of unaccompanied alien children who were granted relief in the United States, whether through asylum or any other immigration benefit.

(d) REPORTS ON IMMIGRATION PROCEEDINGS.—Not later than September 30, 2015, and once every 3 months thereafter, the Director of the Executive Office for Immigration Review shall submit to Congress and make publically available a report that describes—

(1) the number of unaccompanied alien children who, after proceedings under section 235B of the Immigration and Nationality Act, as added by section 1002, were returned to their country of nationality or habitual residence, disaggregated by—

(A) country of nationality or residence; and

(B) age and gender of such aliens;

(2) the number of unaccompanied alien children who, after proceedings under such section 235B, prove a claim of admissibility and are place in proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a);

(3) the number of unaccompanied alien children who fail to appear at a removal hearing that such alien was required to attend;

(4) the number of sponsors who were levied a penalty, including the amount and whether the penalty was collected, for the failure of an unaccompanied alien child to appear at a removal hearing; and

(5) the number of aliens that are classified as unaccompanied alien children, the ages and countries of nationality of such children, and the orders issued by the immigration judge at the conclusion of proceedings under such section 235B for such children.

Subtitle B—Cooperation With Countries of Nationality of Unaccompanied Alien Children

SEC. 1021. IN-COUNTRY REFUGEE PROCESSING.

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)) and section 207(e) of such Act (8 U.S.C. 1157(e)), special circumstances currently exist due to grave humanitarian concerns throughout the travel, and attempts to travel, to the United States by unaccompanied children sufficient to justify and require, for fiscal years 2014 and 2015, the allowance of processing of in-country refugee applications in El Salvador, Guatemala, and Honduras in order to prevent such children from undertaking the long and dangerous journey across Central America and Mexico.

(2) Grave humanitarian concerns exist due to—

(A) at least 60,000 unaccompanied children having undertaken the long and dangerous journey to the United States from Central America in fiscal year 2014 alone;

(B) substantial reports of unaccompanied children becoming, during the course of their journey intended for the United States, victims of—

(i) significant injury, including loss of limbs;

(ii) severe forms of violence;

(iii) death due to accident and intentional killing;

(iv) severe forms of human trafficking;

(v) kidnap for ransom; and

(vi) sexual assault and rape; and

(C) the likelihood that the vast majority of the unaccompanied children seeking admission or immigration relief, including through application as a refugee or claims of asylum, do not qualify for such admission or relief, and therefore will be repatriated.

(3) While special circumstances currently exist to justify in-country refugee application processing for El Salvador, Guatemala, and Honduras, it is appropriate to determine the admissibility of individuals applying for refugee status from those countries according to current law and granting administrative relief in instances in which refugee or asylum applications are denied, or are expected to be denied, would exacerbate the grave humanitarian concerns described in paragraph (2) by further encouraging attempts at migration.

(b) AUTHORITY FOR IN-COUNTRY REFUGEE PROCESSING.—Notwithstanding section 101(a)(42)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)(B)), for fiscal years 2014 and 2015, the Secretary of State, in consultation with the Secretary of Homeland Security and the Director of the Office of Refugee Resettlement of the Department of Health and Human Services, shall process an application for refugee status—

(1) for an alien who is a national of El Salvador, Guatemala, or Honduras and is located in such country; or

(2) in the case of an alien having no nationality, for an alien who is habitually residing in such country and is located in such country.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as a grant of immigration benefit or relief, nor as a change to existing law regarding the eligibility for any individual for such benefit or relief, other than to the extent refugee applications shall be permitted in-country in accordance with this section.

SEC. 1022. REFUGEE ADMISSIONS FROM CERTAIN COUNTRIES.

Notwithstanding any other provision of law, the President, in determining the number of refugees who may be admitted under section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a))—

(1) for fiscal year 2014, may —

(A) allocate the unallocated reserve refugee number set out in the Presidential Memorandum on Refugee Admissions for Fiscal Year 2014 issued on October 2, 2013 to admit refugees from Central America; and

(B) allocate any unused admissions allocated to a particular region for Central American refugee admissions; and

(2) for fiscal year 2015, shall include Central America among the regional allocations included in the Presidential determination for refugee admissions that fiscal year.

SEC. 1023. FOREIGN GOVERNMENT COOPERATION IN REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) CERTIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), on the date that is 60 days after the date of the enactment of this Act, and annually thereafter, the President shall make a certification of whether the Government of El Salvador, Guatemala, or Honduras—

(A) is actively working to reduce the number of unaccompanied alien children from that country who are attempting to migrate northward in order to illegally enter the United States;

(B) is cooperating with the Government of the United States to facilitate the repatriation of unaccompanied alien children who are removed from the United States and returned to their country of nationality or habitual residence; and

(C) has negotiated or is actively negotiating an agreement under section 235(a)(2)(C) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(2)(C)), as amended by section 1001.

(2) INTERIM CERTIFICATION.—If prior to the date an annual certification is required by paragraph (1) the President determines the most recent such certification for the Government of El Salvador, Guatemala, or Honduras is no longer accurate, the President may make an accurate certification for that country prior to such date.

(b) LIMITATION ON ASSISTANCE.—The Federal Government may not provide any assistance (other than security assistance) to El Salvador, Guatemala, or Honduras unless in the most recent certification for that country under subsection (a) is that the Government of El Salvador, Guatemala, or Honduras, respectively, meets the requirements of subparagraphs (A), (B), and (C) of subsection (a)(1).

TITLE XI—CRIMINAL ALIENS

SEC. 1101. ALIEN GANG MEMBERS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i)(I) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(II) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B); or

''(ii) that has been designated as a criminal gang under section 220 by the Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State.

''(B) The offenses described in this subparagraph, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of the Protecting Children and America's Homeland Act of 2014, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(C) Notwithstanding any other provision of law (including any effective date), the term 'criminal gang' applies regardless of

whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by inserting after section 219 the following:

''SEC. 220. DESIGNATION OF CRIMINAL GANGS.

''(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, or the Secretary of State may designate a group or association as a criminal gang if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of nationals of the United States or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—A designation made under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by inserting after the item relating to section 219 the following:

''220. Designation of criminal gangs.''.

(e) MANDATORY DETENTION OF CRIMINAL GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by striking ''section 212(a)(3)(B)'' and inserting ''paragraph (2)(J) or (3)(B) of section 212(a)''; and

(B) by striking ''237(a)(4)(B),'' and inserting ''paragraph (2)(G) or (4)(B) of section 237(a),''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) (relating to participation in criminal gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place that term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B)—

(A) in clause (i), by striking ''States, or'' and inserting ''States;'';

(B) in clause (ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang.''; and

(3) in subsection (d)—

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) SPECIAL IMMIGRANT JUVENILE VISAS.—Section 101(a)(27)(J)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(iii)) is amended—

(1) in subclause (I), by striking ''and'';

(2) in subclause (II), by inserting ''and'' at the end; and

(3) by adding at the end the following:

''(III) no alien who is, or was at any time after admission has been, a member of a criminal gang shall be eligible for any immigration benefit under this subparagraph;''.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 1102. MANDATORY EXPEDITED REMOVAL OF DANGEROUS CRIMINALS, TERRORISTS, AND GANG MEMBERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, an immigration officer who finds an alien described in subsection (b) at a land border or port of entry of the United States and determines that such alien is inadmissible under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall treat such alien in accordance with section 235 of the Immigration and Nationality Act (8 U.S.C. 1225).

(b) THREATS TO PUBLIC SAFETY.—An alien described in this subsection is an alien who the Secretary of Homeland Security determines, or has reason to believe—

(1) has been convicted of any offense carrying a maximum term of imprisonment of more than 180 days;

(2) has been convicted of an offense which involved—

(A) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(B) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

(C) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

(D) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

(E) driving while intoxicated (as defined in section 164 of title 23, United States Code); or

(F) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(3) has been convicted of more than 1 criminal offense (other than minor traffic offenses);

(4) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

(5) is or was a member of a criminal street gang (as defined in paragraph (53) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as added by section 1101(a)); or

(6) has entered the United States more than 1 time in violation of section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), knowing that the entry was unlawful.

SEC. 1103. FUGITIVE OPERATIONS.

The Secretary of Homeland Security is authorized to hire 350 U.S. Immigration and Customs Enforcement detention officers that comprise 50 Fugitive Operations Teams responsible for identifying, locating, and arresting fugitive aliens.

SEC. 1104. ADDITIONAL DETENTION CAPACITY FOR FAMILY UNITS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall increase the number of detention beds available for aliens placed in removal proceedings under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) by not less than 5,000, including such detention beds available for family units.

TITLE XII—BORDER SECURITY

SEC. 1201. REDUCING INCENTIVES FOR ILLEGAL IMMIGRATION.

No Federal funds or resources may be used to issue a new directive, memorandum, or Executive Order that provides for relief from removal or work authorization to a class of individuals who are not otherwise eligible for such relief under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or such work authorization, including expanding deferred action for childhood arrivals.

SEC. 1202. BORDER SECURITY ON CERTAIN FEDERAL LANDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the international border between the United States and Mexico.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall

authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in paragraph (1).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary of Homeland Security on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary of Homeland Security to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1203. STATE AND LOCAL ASSISTANCE TO ALLEVIATE HUMANITARIAN CRISIS.

(a) STATE AND LOCAL ASSISTANCE.—The Administrator of the Federal Emergency Management Agency shall enhance law enforcement preparedness, humanitarian responses, and operational readiness along the international border between the United States and Mexico through Operation Stonegarden.

(b) GRANTS AND REIMBURSEMENTS.—

(1) IN GENERAL.—Amounts made available to carry out this section shall be allocated for grants and reimbursements to State and local governments in Border Patrol Sectors on the along the international border between the United States and Mexico for—

(A) costs personnel, overtime, and travel;

(B) costs related to combating illegal immigration and drug smuggling; and

(C) costs related to providing humanitarian relief to unaccompanied alien children and family units who have entered the United States.

(2) FUNDING FOR STATE AND LOCAL GOVERNMENTS.—Allocations for grants and reimbursements to State and local governments under this paragraph shall be made by the Administrator of the Federal Emergency Management Agency through a competitive process.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2014 and 2015 such sums as may be necessary to carry out this section.

SEC. 1204. PREVENTING ORGANIZED SMUGGLING.

(a) UNLAWFULLY HINDERING IMMIGRATION, BORDER, OR CUSTOMS CONTROLS.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—

(A) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"§ 556. Unlawfully hindering immigration, border, or customs controls

''(a) ILLICIT SPOTTING.—Any person who knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, importation of controlled substances, agriculture products, or monetary instruments, or other border controls shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Any person who knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry, or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control the international border of the United States or a port of entry—

''(1) shall be fined under this title, imprisoned not more than 10 years, or both; and

''(2) if, at the time of the offense, the person uses or carries a firearm or, in furtherance of any such crime, possesses a firearm, shall be fined under this title, imprisoned not more than 20 years, or both.

''(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) shall be punished in the same manner as a person who completes a violation of such subsection.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by inserting after the item relating to section 555 the following:

''556. Unlawfully hindering immigration, border, or customs controls.''.

(2) PROHIBITING CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting '', alien smuggling crime,'' after ''crime of violence'' each place such term appears; and

(ii) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(B) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

(3) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting ''556 (hindering immigration, border, or customs controls), 1598 (organized human smuggling),'' before ''1581''.

(b) ORGANIZED HUMAN SMUGGLING.—

(1) AMENDMENT TO TITLE 18, UNITED STATES CODE.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

"§ 1598. Organized human smuggling

''(a) PROHIBITED ACTIVITIES.—It shall be unlawful for any person, while acting for profit or other financial gain, to knowingly direct or participate in an effort or scheme to assist or cause 3 or more persons—

''(1) to enter, attempt to enter, or prepare to enter the United States—

''(A) by fraud, falsehood, or other corrupt means;

''(B) at any place other than a port or place of entry designated by the Secretary of Homeland Security; or

''(C) in a manner not prescribed by the immigration laws and regulations of the United States;

''(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

''(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

''(B) with the intent to aid or further such entry or attempted entry; or

''(3) to be transported or moved outside of the United States—

''(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

''(B) under circumstances in which the persons are seeking to enter the United States without official permission or legal authority.

''(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) shall be punished in the same manner as a person who completes a violation of such subsection.

''(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under this title, imprisoned for not more than 20 years, or both.

''(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b)—

''(1) in the case of a violation causing a serious bodily injury (as defined in section 1365) to any person, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(2) in the case of a violation causing the life of any person to be placed in jeopardy, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(3) in the case of a violation involving 10 or more persons, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(4) in the case of a violation involving the bribery or corruption of a United States or foreign government official, shall be fined under this title, imprisoned for not more than 30 years, or both;

''(5) in the case of a violation involving robbery or extortion (as such terms are defined in paragraph (1) or (2), respectively, of section 1951(b)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(6) in the case of a violation causing any person to be subjected to an involuntary sexual act (as defined in section 2246(2)), shall be fined under this title, imprisoned for not more than 30 years, or both;

''(7) in the case of a violation resulting in the death of any person, shall be fined under this title, imprisoned for any term of years or for life, or both;

''(8) in the case of a violation in which any alien is confined or restrained, including by the taking of clothing, goods, or personal identification documents, shall be fined under this title, imprisoned for not more than 10 years, or both; or

''(9) in the case of smuggling an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of

2002 (6 U.S.C. 279(g)(2)), shall be fined under this title or imprisoned not more than 20 years.

''(e) DEFINITIONS.—In this section:

''(1) EFFORT OR SCHEME TO ASSIST OR CAUSE 3 OR MORE PERSONS.—The term 'effort or scheme to assist or cause 3 or more persons' does not require that the 3 or more persons enter, attempt to enter, prepare to enter, or travel at the same time if such acts are completed during a 1-year period.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority'—

''(A) means permission, authorization, or license that is expressly provided for under the immigration laws of the United States; and

''(B) does not include—

''(i) any authority described in subparagraph (A) that was secured by fraud or otherwise unlawfully obtained; or

''(ii) any authority that was sought, but not approved.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1597 the following:

''1598. Organized human smuggling.''.

(c) STRATEGY TO COMBAT HUMAN SMUGGLING.—

(1) HIGH TRAFFIC AREAS OF HUMAN SMUGGLING DEFINED.—In this subsection, the term ''high traffic areas of human smuggling'' means the United States ports of entry and areas between such ports that have relatively high levels of human smuggling activity, as measured by U.S. Customs and Border Protection.

(2) IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall implement a strategy to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States.

(3) COMPONENTS.—The strategy referred to in paragraph (2) shall include—

(A) efforts to increase coordination between the border and maritime security components of the Department of Homeland Security;

(B) an identification of intelligence gaps impeding the ability to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States;

(C) efforts to increase information sharing with State and local governments and other Federal agencies;

(D) efforts to provide, in coordination with the Federal Law Enforcement Training Center, training for the border and maritime security components of the Department of Homeland Security to deter, detect, and interdict human smuggling across the international land and maritime borders of the United States; and

(E) the identification of the high traffic areas of human smuggling.

(4) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report that describes the strategy to be implemented under paragraph (2), including the components listed in paragraph (3), to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Homeland Security of the House of Representatives.

(B) FORM.—The Secretary may submit the report required under subparagraph (A) in classified form if the Secretary determines that such form is appropriate.

(5) ANNUAL LIST OF HIGH TRAFFIC AREAS.—Not later than February 1st of the first year beginning after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit a list of the high traffic areas of human smuggling referred to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

SA 3748. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 141. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR TRANSFER OF KC–10 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended during such fiscal year to divest or transfer, or prepare to divest or transfer, KC–10 aircraft.

SA 3749. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1105. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT JOINT BASES.

(a) DEFINITIONS.—For purposes of this section—

(1) the term ''joint military installation'' means 2 or more military installations reorganized or otherwise associated and operated as a single military installation;

(2) the term ''locality'' or ''pay locality'' has the meaning given that term by section 5302(5) of title 5, United States Code; and

(3) the term ''locality pay'' refers to any amount payable under section 5304 or 5304a of title 5, United States Code.

(b) PAY PARITY AT JOINT BASES.—Whenever 2 or more military installations are reorganized or otherwise associated as a single joint military installation, but the constituent installations are not all located within the same pay locality, all Department of Defense employees of the respective installations constituting the joint installation (who are otherwise entitled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage which is payable with respect to the locality which includes the constituent installation then receiving the highest locality pay (expressed as a percentage).

(c) REGULATIONS.—The Office of Personnel Management shall prescribe regulations to carry out this section.

(d) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall be effective with respect to pay periods beginning on or after such date (not later than 1 year after the date of enactment of this section) as the Secretary of Defense shall determine in consultation with the Office of Personnel Management.

(2) APPLICABILITY.—This section shall apply to any joint military installation created as a result of the recommendations of the Defense Base Closure and Realignment Commission in the 2005 base closure round.

SA 3750. Mr. REID proposed an amendment to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3751. Mr. REID proposed an amendment to amendment SA 3750 proposed by Mr. REID to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; as follows:

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

SA 3752. Mr. REID proposed an amendment to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3753. Mr. REID proposed an amendment to amendment SA 3752 proposed by Mr. REID to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; as follows:

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

SA 3754. Mr. REID proposed an amendment to amendment SA 3753 proposed by Mr. REID to the amendment SA 3752 proposed by Mr. REID to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; as follows:

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

SA 3755. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. ROLE OF THE CHIEF OF THE NATIONAL GUARD BUREAU IN ASSIGNMENT OF DIRECTORS AND DEPUTY DIRECTORS OF THE ARMY NATIONAL GUARD AND AIR NATIONAL GUARD.

(a) IN GENERAL.—Section 10506(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''selected by the Secretary of the Army'' and inserting ''recommended by the Chief of the

National Guard Bureau, from not less than three candidates identified by the Secretary of the Army,''; and

(B) in subparagraph (B), by striking ''selected by the Secretary of the Air Force'' and inserting ''recommended by the Chief of the National Guard Bureau, from not less than three candidates identified by the Secretary of the Air Force,''; and

(2) in paragraph (2), by striking ''The officers so selected'' and inserting ''The Director and Deputy Director, Army National Guard, and the Director and Deputy Director, Air National Guard,''.

(b) CONFORMING AMENDMENTS REGARDING APPOINTMENT.—Paragraph (3) of such section is amended—

(1) in subparagraph (A), by striking ''The President'' and inserting ''Consistent with paragraph (1), the President'';

(2) by striking subparagraphs (B) and (D); and

(3) by redesignating subparagraphs (C) and (E) as subparagraphs (B) and (C), respectively.

SA 3756. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 912. ASSIGNMENT OF CERTAIN NEW REQUIREMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.

(a) AMENDMENT.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2463 the following new section:

''§ 2463a. Assignment of certain new requirements based on determinations of cost-efficiency

''(a) ASSIGNMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.—(1) Except as provided in paragraph (2) and subject to subsection (b), the assignment of performance of a new requirement by the Department of Defense to military personnel, civilian personnel, or contractor personnel shall be based on a determination of which sector of the Department's workforce can perform the services in the most cost-efficient manner, based on an analysis of the costs to the Federal Government in accordance with Department of Defense Instruction 7041.04 (''Estimating and Comparing the Full Costs of Civilian and Active Duty Military Manpower and Contract Support'') or successor guidance.

''(2) Paragraph (1) shall not apply in the case of a new requirement that is inherently governmental, closely associated with inherently governmental functions, critical, or required by law to be performed by military personnel or civilian personnel.

''(3) Nothing in this section may be construed as affecting the requirements of the Department of Defense under policies and procedures established by the Secretary of Defense under section 129a of this title for determining the most appropriate and cost-efficient mix of military, civilian, and contractor personnel to perform the mission of the Department of Defense.

''(b) WAIVER AUTHORITY.—(1) Notwithstanding subsection (a), the Secretary of a military department, the commander of a combatant command, or the head of a Defense Agency or activity may waive such subsection and assign performance of a new requirement without a determination of cost-efficiency as required by such subsection if—

''(A) the Secretary, commander, or head certifies in writing to the congressional defense committees that the time required to conduct the determination of cost-efficiency would result in a gap in service that would significantly undermine performance of the mission of the Department of Defense or pose an unacceptable risk; and

''(B) a period of 30 days has expired after such certification is so submitted to the committees.

''(2) A waiver of subsection (a) may be in effect for a period of not greater than 180 days.

''(3) The waiver authority under this subsection may not be exercised after September 30, 2015.

''(c) PROVISIONS RELATING TO ASSIGNMENT OF CIVILIAN PERSONNEL.—If a new requirement is assigned to civilian personnel consistent with the requirements of this section—

''(1) the Secretary of Defense may not—

''(A) impose any constraint or limitation on the size of the civilian workforce in terms of man years, end strength, full-time equivalent positions, or maximum number of employees; or

''(B) require offsetting funding for civilian pay or benefits or require a reduction in civilian full-time equivalents or civilian end-strengths; and

''(2) the Secretary may assign performance of such requirement without regard to whether the employee is a temporary, term, or permanent employee.

''(d) NEW REQUIREMENT DESCRIBED.—For purposes of this section, a new requirement is an activity or function that is not being performed, as of the date of consideration for assignment of performance under this section, by military personnel, civilian personnel, or contractor personnel at a Department of Defense component, organization, installation, or other entity. For purposes of the preceding sentence, an activity or function that is performed at such an entity and that is re-engineered, reorganized, modernized, upgraded, expanded, or changed to become more efficient but is still essentially providing the same service shall not be considered a new requirement.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2463 the following new item:

''2463a. Assignment of certain new requirements based on determinations of cost-efficiency.''.

SA 3757. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1015. NATIONAL GUARD DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) Since 1989, the National Guard has worked with law enforcement agencies and community-based organizations through the National Guard Counterdrug Program to address the gap between Department of Defense and State and local institutions to perform interdiction and anti-drug activities that contribute to the defense of the United States against narco-trafficking and transnational organized crime threats.

(2) The link between drug trafficking organizations and criminal networks is well documented, as drug traffickers have diversified their activities to include trafficking in weapons, humans, cash, and counterfeit goods. These criminal networks have grown in size and influence posing a significant threat to national security.

(3) According to the National Guard Association of the United States, the five National Guard Counterdrug Training Centers located throughout the United States have provided essential training to over 680,000 law enforcement officials, military personnel, and coalition forces since their inception.

(4) The Department of Defense has continually reduced the funding for the National Guard Counterdrug Program since its fiscal year 2013 request and has eliminated funding for the National Guard Counterdrug Training Centers in the fiscal year 2015 request.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the National Guard Counterdrug Training Centers' mission of providing combatant commands, law enforcement agencies, community-based organizations, and military personnel with training and support to enhance their capabilities to detect, interdict, disrupt, and curtail drug trafficking plays a role in United States efforts to combat narcotics trafficking and transnational organized crime;

(2) a sustainable funding solution that keeps the National Guard Counterdrug Training Centers operational and that meets the requirement for training and support for law enforcement agencies, community-based organizations, and military personnel to combat narcotics trafficking and transnational organized crime is needed;

(3) the Secretary of Defense should consult with the Chief of the National Guard Bureau, and as appropriate, with the Attorney General and the Secretary of Homeland Security, on—

(A) how best to meet the requirement for training and support for law enforcement agencies, community-based organizations, and military personnel to combat narcotics trafficking and transnational organized crime;

(B) what role the National Guard Counterdrug Training Centers should play; and

(C) whether a partnership between the Office of the Secretary of Defense, the National Guard Bureau, the Department of Justice, and the Department of Homeland Security is appropriate;

(4) efforts should be made to align National Guard Counterdrug Training Centers' activities with key United States counternarcotics policies and programs, including the Department of Defense Counternarcotics and Global Threats strategy, the President's National Drug Control Strategy, and the President's Strategy to Combat Transnational Organized Crime; and

(5) the Secretary of Defense should ensure that the existing National Guard Counterdrug Training Centers continue operations to achieve their full mission until a sustainable funding solution is developed and implemented.

(c) ACTIVITIES.—Section 112 of title 32, United States Code, is amended—

(1) in subsection (a) by adding at the end the following new paragraph:

''(4) The operation of five regionally located National Guard Counter-drug Training

Centers within the United States for the purposes of providing counter-drug related training to Federal, State, and local law enforcement personnel, as well as for foreign law enforcement personnel participating in the National Guard State Partnership Program.''; and

(2) in subsection (h)(1), by inserting ''and activities that counter threats posed by local, State, and transnational criminal organizations engaged in drug smuggling and associated illicit activities within and on their borders, as'' after ''drug demand reduction activities''.

SA 3758. Mr. NELSON (for himself, Mrs. SHAHEEN, Mrs. HAGAN, Mr. HEINRICH, Mr. REED, Mr. KING, and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 6 and 7, insert the following:

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $122,250,000, to remain available until September 30, 2015, which shall be for drug interdiction and counter-drug activities of the United States Southern Command: *Provided,* That not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the use of funds made available by this paragraph, including the amounts provided to any military or security forces of a foreign country and the use of amounts so provided by such forces: *Provided further,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3759. Mr. THUNE (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 10 and 11, insert the following:

SEC. 21___. LIMITATION ON ACQUISITION.

(a) IN GENERAL.—Notwithstanding any other provision of law, except as provided in subsection (b), beginning on the date of enactment of this Act and during each of the subsequent 10 full fiscal years, none of the funds made available to the Secretary under any law may be used—

(1) to survey land for future acquisition as Federal land; or

(2) to enter into discussions with non-Federal landowners to identify land for acquisition as Federal land.

(b) EXCEPTION.—Subsection (a) does not apply to the use of funds—

(1) to complete land transactions underway on the date of enactment of this Act;

(2) to exchange Federal land for non-Federal land; or

(3) to accept donations of non-Federal land as Federal land.

(c) OFFSETTING USE OF FUNDS.—Funds that would otherwise have been used for the purchase of non-Federal land by the Forest Service shall be used to carry out the supplemental funding for wildland fire management provided under this title.

SA 3760. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 737. ENHANCEMENT OF GLOBAL SURVEILLANCE AND RESPONSE ACTIVITIES REGARDING EMERGING INFECTIOUS DISEASES.

(a) ENHANCEMENT IN CONNECTION WITH MEDICAL TRACKING OF MEMBERS DEPLOYED OVERSEAS.—As part of the ongoing development of the medical tracking system for members of the Armed Forces deployed overseas under section 1074f of title 10, United States Code, the Secretary of Defense may extend and enhance the engagement of the geographic combatant commands and overseas laboratories of the Department of Defense with international infectious disease surveillance partners in order to provide such partners with training, laboratory equipment, and supplies used by the Department to identify and develop force health protection measures. The objective of the extension and enhancement of such engagement shall be to enhance the capacity of such partners to engage in surveillance and response activities regarding emerging infectious diseases overseas.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth a plan for the exercise of the authority in subsection (a).

SA 3761. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITIONS.—In this section—

(1) the term ''annuity'' includes a survivor annuity of a widow or widower;

(2) the term ''unfunded liability'' has the meaning given the term under section 8331 of title 5, United States Code; and

(3) the terms ''widow'' and ''widower'' have the meanings given those terms under section 8341 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including—

''(I) Air Asia Company Limited;

''(II) CAT Incorporated;

''(III) Civil Air Transport Company Limited; and

''(IV) the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or any other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) IN GENERAL.—Except as provided under subparagraph (D) or paragraph (4), any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of the annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An election to have an annuity recomputed under subparagraph (A) shall be submitted to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) PROSPECTIVE APPLICATION OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the date of the first payment under the annuity that is made after the later of—

(i) the date of the recomputation; or

(ii) the effective date of this section.

(D) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any additional amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based, for periods before the first month for which recomputation is reflected in the regular monthly annuity payments of the individual.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—Except as provided under subparagraph (B)(ii) or paragraph (4), an individual not described in paragraph (2) who becomes eligible for an annuity or for an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of

chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause (i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) COMMENCEMENT DATE; RETROACTIVITY.—

(i) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or to an increased annuity resulting from an election under subparagraph (A) shall be effective as of the date on which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(ii) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity or increased annuity is or may be based, for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(iii) RETROACTIVITY FOR PURPOSES OF ENTITLEMENT TO ANNUITY.—Any determination of the amount of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) SURVIVOR ANNUITIES FOR SURVIVING SPOUSES ONLY.—Notwithstanding section 8341 of title 5, United States Code, or any other provision of law, an individual other than a widow or a widower shall not be entitled to an annuity or increased annuity under subchapter III of chapter 83 of such title based on service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) performed by a deceased individual.

(d) FUNDING.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—The Director of the Office of Personnel Management shall promulgate regulations necessary to carry out this section, which shall include provisions under which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)) that was subject to title II of the Social Security Act.

(2) SPECIAL RULE.—For purposes of any application for any benefit which is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)), section 8345(i)(2) of such title shall be applied by deeming the reference to the date of the ''other event which gives rise to title to the benefit'' to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.

SA 3762. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITION.—In this section, the term ''unfunded liability'' has the meaning given the term under section 8331 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including—

''(I) Air Asia Company Limited;

''(II) CAT Incorporated;

''(III) Civil Air Transport Company Limited; and

''(IV) the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or any other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) IN GENERAL.—Except as provided under subparagraph (D) or paragraph (4), any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of the annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An election to have an annuity recomputed under subparagraph (A) shall be submitted to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) PROSPECTIVE APPLICATION OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the date of the first payment under the annuity that is made after the later of—

(i) the date of the recomputation; or

(ii) the effective date of this section.

(D) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any additional amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based, for periods before the first month for which recomputation is reflected in the regular monthly annuity payments of the individual.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—Except as provided under subparagraph (B)(ii) or paragraph (4), an individual not described in paragraph (2) who becomes eligible for an annuity or for an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause (i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) COMMENCEMENT DATE; RETROACTIVITY.—

(i) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or to an increased annuity resulting from an election under subparagraph (A) shall be effective as of the date on which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(ii) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity or increased annuity is or may be based, for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(iii) RETROACTIVITY FOR PURPOSES OF ENTITLEMENT TO ANNUITY.—Any determination of the amount of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) NO RIGHT TO SURVIVOR ANNUITY.—Notwithstanding section 8341 of title 5, United States Code, or any other provision of law, an individual shall not be entitled to an annuity or increased annuity under subchapter III of chapter 83 of such title based on service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) performed by a deceased individual.

(d) FUNDING.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations necessary to carry out this section, which shall include provisions under which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)) that was subject to title II of the Social Security Act.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.

SA 3763. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITIONS.—In this section—

(1) the term ''annuity'' includes a survivor annuity; and

(2) the terms ''survivor'', ''survivor annuitant'', and ''unfunded liability'' have the meanings given those terms under section 8331 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or such other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting '' ; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) ELECTION.—Any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of such annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An individual shall make an election under subparagraph (A) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) EFFECTIVE DATE OF RECOMPUTATION; RETROACTIVE PAY AS LUMP-SUM PAYMENT.—

(i) EFFECTIVE DATE.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity.

(ii) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any additional amounts becoming payable, due to a recomputation under subparagraph (A), for periods before the first month for which the recomputation is reflected in the regular monthly annuity payments of an individual shall be payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—An individual not described in paragraph (2) who becomes eligible for an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause (i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) EFFECTIVE DATE OF ENTITLEMENT; RETROACTIVITY.—

(i) EFFECTIVE DATE.—

(I) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or an increased annuity resulting from an election under subparagraph (A) shall be effective as of the commencement date of the annuity.

(II) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any amounts becoming payable for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section shall be payable to the individual in the form of a lump-sum payment.

(ii) RETROACTIVITY.—Any determination of the amount, or of the commencement date, of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) RIGHT TO FILE ON BEHALF OF A DECEDENT.—

(A) IN GENERAL.—The regulations promulgated under subsection (e)(1) shall include provisions, in accordance with the order of precedence under section 8342(c) of title 5, United States Code, under which a survivor of an individual who performed service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) shall be allowed to submit an application on behalf of and to receive any lump-sum payment that would otherwise have been payable to the decedent under paragraph (2)(C)(ii) or (3)(B)(i)(II) of this subsection.

(B) SUBMISSION OF APPLICATION.—An application under this paragraph shall not be valid unless it is filed not later than the later of—

(i) 2 years after the effective date of this section; or

(ii) 1 year after the date of the decedent's death.

(d) FUNDING.—

(1) LUMP-SUM PAYMENTS.—Any lump-sum payment under paragraph (2)(C)(ii) or (3)(B)(i)(II) of subsection (c) shall be payable out of the Civil Service Retirement and Disability Fund.

(2) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—The Director of the Office of Personnel Management shall promulgate any regulations necessary to carry out this section, which shall include provisions under which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)) that was subject to title II of the Social Security Act.

(2) SPECIAL RULE.—For purposes of any application for any benefit which is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)), section 8345(i)(2) of such title shall be applied by deeming the reference to the date of the ''other event which gives rise to title to the benefit'' to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

SA 3764. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 626. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) RESTATEMENT OF CURRENT CONCURRENT PAYMENT AUTHORITY WITH EXTENSION OF PAYMENT AUTHORITY TO RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4) and subsection (b), a member or former member of the uniformed services who is entitled for any month to retired pay and who is also entitled for that month to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is compensable under the laws administered by the Secretary of Veterans Affairs (hereinafter in this section referred to as 'qualified retiree') is entitled to be paid both for that month without regard to sections 5304 and 5305 of title 38.

''(2) ONE-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH TOTAL DISABILITIES.—During the period beginning on January 1, 2004, and ending on December 31, 2004, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is any of the following:

''(A) A qualified retiree receiving veterans' disability compensation for a disability rated as 100 percent disabling by the Secretary of Veterans Affairs.

''(B) A qualified retiree receiving veterans' disability compensation at the rate payable for a disability rated as 100 percent disabling by reason of a determination of individual unemployability.

''(3) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—During the period beginning on January 1, 2004, and ending on December 31, 2013, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated not less than 50 percent disabling by the Secretary of Veterans Affairs.

''(4) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, payment of retired pay to a qualified retiree is subject to subsection (d) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated less than 50 percent disabling by the Secretary of Veterans Affairs but is compensable under the laws administered by the Secretary of Veterans Affairs.''.

(b) PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PHASE-IN OF FULL CONCURRENT RECEIPT FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, retired pay payable to a qualified retiree that pursuant to subsection (a)(4) is subject to this subsection shall be determined as follows:

''(1) CALENDAR YEAR 2016.—For a month during 2016, the amount of retired pay payable to a qualified retiree is the amount (if any) of retired pay in excess of the current baseline offset plus the following:

''(A) For a month for which the retiree receives veterans' disability compensation for a disability rated as 40 percent disabling, $_____.

''(B) For a month for which the retiree receives veterans' disability compensation for a disability rated as 30 percent disabling, $_____.

''(C) For a month for which the retiree receives veterans' disability compensation for a disability rated as 20 percent disabling, $_____.

''(D) For a month for which the retiree receives veterans' disability compensation for a disability rated as 10 percent disabling, $_____.

''(2) CALENDAR YEAR 2017.—For a month during 2017, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount specified in paragraph (1) for that qualified retiree; and

''(B) 10 percent of the difference between (i) the current baseline offset, and (ii) the amount specified in paragraph (1) for that member's disability.

''(3) CALENDAR YEAR 2018.—For a month during 2018, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (2) for that qualified retiree; and

''(B) 20 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (2) for that qualified retiree.

''(4) CALENDARY YEAR 2018.—For a month during 2019, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (3) for that qualified retiree; and

''(B) 30 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (3) for that qualified retiree.

''(5) CALENDAR YEAR 2020.—For a month during 2020, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (4) for that qualified retiree; and

''(B) 40 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (4) for that qualified retiree.

''(6) CALENDAR YEAR 2021.—For a month during 2021, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (5) for that qualified retiree; and

''(B) 50 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (5) for that qualified retiree.

''(7) CALENDAR YEAR 2022.—For a month during 2022, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (6) for that qualified retiree; and

''(B) 60 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (6) for that qualified retiree.

''(8) CALENDAR YEAR 2023.—For a month during 2023, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (7) for that qualified retiree; and

''(B) 70 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (7) for that qualified retiree.

''(9) CALENDAR YEAR 2024.—For a month during 2024, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (8) for that qualified retiree; and

''(B) 80 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (8) for that qualified retiree.

''(10) CALENDAR YEAR 2025.—For a month during 2025, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (9) for that qualified retiree; and

''(B) 90 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (9) for that qualified retiree.

''(11) GENERAL LIMITATION.—Retired pay determined under this subsection for a qualified retiree, if greater than the amount of retired pay otherwise applicable to that qualified retiree, shall be reduced to the amount of retired pay otherwise applicable to that qualified retiree.''.

(c) CONFORMING AMENDMENTS TO PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—Subsection (c) of such section is amended—

(1) in the subsection caption, by inserting ''FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER'' after ''FULL CONCURRENT RECEIPT''; and

(2) by striking ''the second sentence of subsection (a)(1)'' and inserting ''subsection (a)(3)''.

(d) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2015, and shall apply to payments for months beginning on or after that date.

SEC. 627. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on

July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 3765. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 626. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraph (2).

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

"§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation".

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

"1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SEC. 627. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 626(a) of this Act, is further amended—

(A) by striking "a member or" and all that follows through "retiree')" and inserting "a qualified retiree"; and

(B) by adding at the end the following new paragraph:

"(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

"(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

"(B) is also entitled for that month to veterans' disability compensation.".

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

"(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

"(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

"(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 3766. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 626. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED 40 PERCENT DISABLING.

(a) IN GENERAL.—Subsection (a)(2) of section 1414 of title 10, United States Code, is amended by striking "means" and all that follows and inserting "means the following:

"(A) During the period beginning on January 1, 2004, and ending on June 30, 2015, a service-connected disability or combination of service-connected disabilities that is rated as not less than 50 percent disabling by the Secretary of Veterans Affairs.

"(B) After June 30, 2015, a service-connected disability or combination of service-connected disabilities that is rated as not less than 40 percent disabling by the Secretary of Veterans Affairs.".

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

"§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation".

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

"1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SEC. 627. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

"(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

"(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

"(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

SA 3767. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERSONNEL APPOINTMENT AUTHORITY.

(a) IN GENERAL.—Section 306 of the Homeland Security Act of 2002 (6 U.S.C. 186) is amended by adding at the end the following:

"(e) PERSONNEL APPOINTMENT AUTHORITY.—

"(1) IN GENERAL.—In appointing employees to positions in the Directorate of Science and Technology, the Secretary shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105–261) (referred to in this subsection as 'section 1101').

"(2) TERM OF APPOINTMENTS.—The term of appointments for employees under subsection (c)(1) of section 1101 may not exceed 5 years before the granting of any extension under subsection (c)(2) of that section.".

(b) CONFORMING AMENDMENTS.—Section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)) is amended by—

(1) striking paragraph (6); and

(2) redesignating paragraph (7) as paragraph (6).

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to limit the authority granted under paragraph (6) of section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)), as in effect on the day before the date of enactment of this Act.

SA 3768. Mr. CARPER (for himself, Mr. HARKIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 113, strike line 15 and all that follows through page 115, line 2, and insert the following:

(b) AVAILABILITY OF HIGHER EDUCATION COMPONENT ONLINE.—

(1) MEMBERS OF THE ARMED FORCES.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that the higher education component of the Transition Assistance Program is available to members of the Armed Forces on an Internet website of the Department of Defense so that members have an option to complete such component electronically and remotely.

(2) VETERANS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall ensure that the higher education component of

the Transition Assistance Program is available to veterans and their dependents on an Internet website of the Department of Veterans Affair so that veterans and their dependents have an option to complete such component electronically and remotely.

(c) NOTICE OF AVAILABILITY OF HIGHER EDUCATION COMPONENT UPON REQUEST FOR CERTIFICATE OF ENTITLEMENT TO CERTAIN EDUCATIONAL ASSISTANCE.—

(1) TUITION ASSISTANCE.—

(A) IN GENERAL.—Whenever a member of the Armed Forces requests a certificate from the Secretary of Defense to prove entitlement to educational assistance under section 2007 of title 10, United States Code, the Secretary shall notify the member of the availability of the higher education component of the Transition Assistance Program online pursuant to subsection (b)(1).

(B) GUIDANCE REQUIRED.—The Secretary of Defense shall carry out this paragraph with such guidance as the Secretary considers appropriate.

(2) POST-9/11 EDUCATIONAL ASSISTANCE.—

(A) IN GENERAL.—Whenever a veteran or a dependent of a veteran requests a certificate from the Secretary of Veterans Affairs to prove entitlement to educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the veteran or dependent of the availability of the higher education component of the Transition Assistance Program online pursuant to subsection (b)(2).

(B) GUIDANCE REQUIRED.—The Secretary of Veterans Affairs shall carry out this paragraph with such guidance as the Secretary considers appropriate.

(d) TRACKING COMPLETION OF HIGHER EDUCATION COMPONENT ONLINE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in collaboration with the Secretary of Defense, shall develop a mechanism to track the completion by veterans and their dependents of the higher education component of the Transition Assistance Program made available online pursuant to subsection (b)(2).

(2) NOTICE TO CONGRESS.—When the Secretary of Veterans Affairs has completed development of the mechanism required by paragraph (1), the Secretary of Veterans Affairs shall submit to Congress notice of such completion.

(e) REPORT.—Not later than 180 days after the date on which the Secretary of Veterans Affairs submits notice under subsection (d)(2), the Secretary of Veterans Affairs shall submit to Congress a report on—

(1) the number of veterans and the number of dependents to whom the Secretary of Veterans Affairs provided notice pursuant to subsection (c)(2)(A); and

(2) the number of veterans and the number of dependents who completed the higher education component of the Transition Assistance Program electronically and remotely.

(f) DEFINITIONS.—In this section:

(1) The term ''institution of higher learning'' has the meaning given such term in section 3452 of title 38, United States Code.

(2) The term ''type of institution of higher learning'' means the following types of institutions of higher learning:

(A) An educational institution described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(B) An educational institution described in subsection (b) of section 102 of such Act (20 U.S.C. 1002).

(C) An educational institution described in subsection (c) of such section.

SEC. 534. SHARING OF INFORMATION AMONG DEPARTMENT OF EDUCATION, DEPARTMENT OF VETERANS AFFAIRS, AND DEPARTMENT OF DEFENSE TO FACILITATE ASSESSMENT.

(a) SHARING OF INFORMATION TO ASSESS STUDENT LOAN DEBT.—

(1) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Education, the Secretary of Defense, and the Secretary of Veterans Affairs shall jointly develop and implement a plan to share information that will enable the Secretary of Education to distinguish members of the Armed Forces and veterans in the student loan databases of the Department of Education for the purposes of determining aggregate information on student loan debt incurred by the member and veteran populations.

(2) ELEMENTS OF INFORMATION SHARED BY SECRETARY OF VETERANS AFFAIRS.—Information to be shared by the Secretary of Veterans Affairs from databases of the Department of Veterans Affairs under paragraph (1) shall include the following:

(A) The type and extent of educational assistance provided under laws administered by the Secretary of Veterans Affairs, including chapters 30 and 33 of title 38, United States Code.

(B) The names of the educational institutions at which individuals pursue programs of education with educational assistance provided under such laws.

(C) The extent of assistance provided under the Yellow Ribbon G.I. Education Enhancement Program.

(D) The degree of exhaustion of entitlement to such assistance.

(E) To what degree an overpayment of such assistance is made.

(F) Such other information as the Secretary of Veterans Affairs and the Secretary of Education consider appropriate.

(b) ANNUAL REPORT ON STUDENT LOAN DEBT INCURRED BY VETERANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Secretary of Education, in consultation with the Secretary of Veterans Affairs, shall submit to Congress a report on debt incurred by veterans to pursue programs of education at institutions of higher learning.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The extent of debt incurred by veterans to pursue programs of education at institutions of higher learning, disaggregated by type of institution of higher learning, including the following:

(i) How the debt compares to the debt incurred by individuals who are not veterans.

(ii) The status of repayment of and default on such debt and how that compares to the repayment of and default on debt incurred by individuals who are not veterans to pursue programs of education at institutions of higher learning.

(iii) The proportion of veterans who do not incur any Federal student loan debt to pursue a program of education at an institution of higher learning.

(B) Assessment and analysis of the factors that contribute to the debt incurred by veterans in their pursuit of programs of education at institutions of higher learning, disaggregated by type of institution of higher learning, including the following:

(i) The extent of coverage of educational assistance under laws administered by the Secretary of Veterans Affairs.

(ii) The exhaustion of entitlement to educational assistance under laws administered by the Secretary of Veterans Affairs.

(iii) The availability of assistance under the Yellow Ribbon G.I. Education Enhancement Program.

(iv) Such other factors as the Secretary of Education considers appropriate.

(C) Such recommendations as the Secretary of Education may have for legislative or administrative action to address such issues as the Secretary of Education may have identified concerning debt incurred by veterans to pursue programs of education at institutions of higher learning.

(c) SHARING OF INFORMATION ON INSTITUTIONS OF HIGHER LEARNING.—Not later than one year after the date of the enactment of this Act, the Secretary of Education, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall establish an automated system to enable the Department of Education, the Department of Veterans Affairs, and the Department of Defense to more efficiently share information pertaining to the same institutions of higher learning.

(d) DEFINITIONS.—In this section:

(1) The term ''institution of higher learning'' has the meaning given such term in section 3452 of title 38, United States Code.

(2) The term ''type of institution of higher learning'' means the following types of institutions of higher learning:

(A) An educational institution described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(B) An educational institution described in subsection (b) of section 102 of such Act (20 U.S.C. 1002).

(C) An educational institution described in subsection (c) of such section.

SA 3769. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 864. EXTENSION OF AUTHORITY TO PROTEST TASK AND DELIVERY ORDERS UNDER CIVILIAN CONTRACTS.

Section 4106(f) of title 41, United States Code, is amended by striking paragraph (3).

SA 3770. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Federal Information Security

SEC. 1091. FISMA REFORM.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3551. Purposes

''The purposes of this subchapter are to—

''(1) provide a comprehensive framework for ensuring the effectiveness of information

security controls over information resources that support Federal operations and assets;

''(2) recognize the highly networked nature of the current Federal computing environment and provide effective governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities;

''(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

''(4) provide a mechanism for improved oversight of Federal agency information security programs;

''(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information infrastructures important to the national defense and economic security of the nation that are designed, built, and operated by the private sector; and

''(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

''§ 3552. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

''(1) The term 'binding operational directive' means a compulsory direction to an agency that is in accordance with policies, principles, standards, and guidelines issued by the Director.

''(2) The term 'incident' means an occurrence that—

''(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or

''(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies.

''(3) The term 'information security' means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

''(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

''(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

''(C) availability, which means ensuring timely and reliable access to and use of information.

''(4) The term 'information technology' has the meaning given that term in section 11101 of title 40.

''(5) The term 'intelligence community' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(6)(A) The term 'national security system' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

''(i) the function, operation, or use of which—

''(I) involves intelligence activities;

''(II) involves cryptologic activities related to national security;

''(III) involves command and control of military forces;

''(IV) involves equipment that is an integral part of a weapon or weapons system; or

''(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

''(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

''(B) Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

''(7) The term 'Secretary' means the Secretary of Homeland Security.

''§ 3553. Authority and functions of the Director and the Secretary

''(a) DIRECTOR.—The Director shall oversee agency information security policies, including—

''(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

''(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(A) information collected or maintained by or on behalf of an agency; or

''(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(3) ensuring that the Secretary carries out the authorities and functions under subsection (b);

''(4) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

''(5) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements;

''(6) coordinating information security policies and procedures with related information resources management policies and procedures; and

''(7) consulting with the Secretary in carrying out the authorities and functions under this subsection.

''(b) SECRETARY.—The Secretary, in consultation with the Director, shall oversee the operational aspects of agency information security policies and practices for information systems, except for national security systems and information systems described in paragraph (2) or (3) of subsection (e), including—

''(1) assisting the Director in carrying out the authorities and functions under subsection (a);

''(2) developing and overseeing the implementation of binding operational directives to agencies to implement the policies, principles, standards, and guidelines developed by the Director under subsection (a)(1) and the requirements of this subchapter, which may be repealed by the Director if the operational directives issued on behalf of the Director are not in accordance with policies, principles, standards, and guidelines developed by the Director, including—

''(A) requirements for reporting security incidents to the Federal information security incident center established under section 3556;

''(B) requirements for the contents of the annual reports required to be submitted under section 3554(c)(1);

''(C) requirements for the mitigation of exigent risks to information systems; and

''(D) other operational requirements as the Director or Secretary may determine necessary;

''(3) monitoring agency implementation of information security policies and practices;

''(4) convening meetings with senior agency officials to help ensure effective implementation of information security policies and practices;

''(5) coordinating Government-wide efforts on information security policies and practices, including consultation with the Chief Information Officers Council established under section 3603;

''(6) providing operational and technical assistance to agencies in implementing policies, principles, standards, and guidelines on information security, including implementation of standards promulgated under section 11331 of title 40, including by—

''(A) operating the Federal information security incident center established under section 3556;

''(B) upon request by an agency, deploying technology to assist the agency to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

''(C) compiling and analyzing data on agency information security; and

''(D) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems; and

''(7) other actions as the Secretary may determine necessary to carry out this subsection on behalf of the Director.

''(c) REPORT.—Not later than March 1 of each year, the Director, in consultation with the Secretary, shall submit to Congress a report on the effectiveness of information security policies and practices during the preceding year, including—

''(1) a summary of the incidents described in the annual reports required to be submitted under section 3554(c)(1), including a summary of the information required under section 3554(c)(1)(A)(iii);

''(2) a description of the threshold for reporting major information security incidents;

''(3) a summary of the results of evaluations required to be performed under section 3555;

''(4) an assessment of agency compliance with standards promulgated under section 11331 of title 40; and

''(5) an assessment of agency compliance with the policies and procedures established under section 3559(a).

''(d) NATIONAL SECURITY SYSTEMS.—Except for the authorities and functions described in subsection (a)(4) and subsection (c), the authorities and functions of the Director and the Secretary under this section shall not apply to national security systems.

''(e) DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2)

and to the Director of National Intelligence in the case of systems described in paragraph (3).

''(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

''(3) The systems described in this paragraph are systems that are operated by an element of the intelligence community, a contractor of an element of the intelligence community, or another entity on behalf of an element of the intelligence community that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of an element of the intelligence community.

''§ 3554. Federal agency responsibilities

''(a) IN GENERAL.—The head of each agency shall—

''(1) be responsible for—

''(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(i) information collected or maintained by or on behalf of the agency; and

''(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

''(i) information security standards promulgated under section 11331 of title 40;

''(ii) operational directives developed by the Secretary under section 3553(b);

''(iii) policies and procedures issued by the Director under section 3559; and

''(iv) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

''(C) ensuring that information security management processes are integrated with agency strategic and operational planning processes;

''(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

''(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information systems;

''(B) determining the levels of information security appropriate to protect such information and information systems in accordance with standards promulgated under section 11331 of title 40, for information security classifications and related requirements;

''(C) implementing policies and procedures to cost-effectively reduce risks to an acceptable level; and

''(D) periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented;

''(3) delegate to the agency Chief Information Officer established under section 3506 (or comparable official in an agency not covered by such section) the authority to ensure compliance with the requirements imposed on the agency under this subchapter, including—

''(A) designating a senior agency information security officer who shall—

''(i) carry out the Chief Information Officer's responsibilities under this section;

''(ii) possess professional qualifications, including training and experience, required to administer the functions described under this section;

''(iii) have information security duties as that official's primary duty; and

''(iv) head an office with the mission and resources to assist in ensuring agency compliance with this section;

''(B) developing and maintaining an agencywide information security program as required by subsection (b);

''(C) developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 3553 of this title and section 11331 of title 40;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

''(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines;

''(5) ensure that the agency Chief Information Officer, in coordination with other senior agency officials, reports annually to the agency head on the effectiveness of the agency information security program, including progress of remedial actions;

''(6) ensure that senior agency officials, including chief information officers of component agencies or equivalent officials, carry out responsibilities under this subchapter as directed by the official delegated authority under paragraph (3); and

''(7) ensure that all personnel are held accountable for complying with the agencywide information security program implemented under subsection (b).

''(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agency-wide information security program to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

''(1) periodic assessments of the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of information and information systems that support the operations and assets of the agency;

''(2) policies and procedures that—

''(A) are based on the risk assessments required by paragraph (1);

''(B) cost-effectively reduce information security risks to an acceptable level;

''(C) ensure that information security is addressed throughout the life cycle of each agency information system; and

''(D) ensure compliance with—

''(i) the requirements of this subchapter;

''(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated under section 11331 of title 40;

''(iii) minimally acceptable system configuration requirements, as determined by the agency; and

''(iv) any other applicable requirements, including standards and guidelines for national security systems issued in accordance with law and as directed by the President;

''(3) subordinate plans for providing adequate information security for networks, facilities, and systems or groups of information systems, as appropriate;

''(4) security awareness training to inform personnel, including contractors and other users of information systems that support the operations and assets of the agency, of—

''(A) information security risks associated with their activities; and

''(B) their responsibilities in complying with agency policies and procedures designed to reduce these risks;

''(5) periodic testing and evaluation of the effectiveness of information security policies, procedures, and practices, to be performed with a frequency depending on risk, but no less than annually, of which such testing—

''(A) shall include testing of management, operational, and technical controls of every information system identified in the inventory required under section 3505(c); and

''(B) may include testing relied on in an evaluation under section 3555;

''(6) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

''(7) procedures for detecting, reporting, and responding to security incidents, consistent with standards and guidelines described in section 3556(b), including—

''(A) mitigating risks associated with such incidents before substantial damage is done;

''(B) notifying and consulting with the Federal information security incident center established in section 3556; and

''(C) notifying and consulting with, as appropriate—

''(i) law enforcement agencies and relevant Offices of Inspector General;

''(ii) an office designated by the President for any incident involving a national security system;

''(iii) the committees of Congress described in subsection (c)(1)—

''(I) not later than 7 days after the date on which the incident is discovered; and

''(II) after the initial notification under subclause (I), within a reasonable period of time after additional information relating to the incident is discovered; and

''(iv) any other agency or office, in accordance with law or as directed by the President; and

''(8) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

''(c) AGENCY REPORTING.—

''(1) ANNUAL REPORT.—

''(A) IN GENERAL.—Each agency shall submit to the Director, the Secretary, the Committee on Government Reform, the Committee on Homeland Security, and the Committee on Science of the House of Representatives, the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, the appropriate authorization and appropriations committees of Congress, and the Comptroller General a report on the adequacy and effectiveness of information security policies, procedures, and practices, including—

''(i) a description of each major information security incident or related sets of incidents, including summaries of—

''(I) the threats and threat actors, vulnerabilities, and impacts relating to the incident;

''(II) the risk assessments conducted under section 3554(a)(2)(A) of the affected information systems before the date on which the incident occurred; and

''(III) the detection, response, and remediation actions;

''(ii) the total number of information security incidents, including a description of incidents resulting in significant compromise of information security, system impact levels, types of incident, and locations of affected systems;

''(iii) a description of each major information security incident that involved a breach of personally identifiable information, including—

''(I) the number of individuals whose information was affected by the major information security incident; and

''(II) a description of the information that was breached or exposed; and

''(iv) any other information as the Secretary may require.

''(B) UNCLASSIFIED REPORT.—

''(i) IN GENERAL.—Each report submitted under subparagraph (A) shall be in unclassified form, but may include a classified annex.

''(ii) ACCESS TO INFORMATION.—The head of an agency shall ensure that, to the greatest extent practicable, information is included in the unclassified version of the reports submitted by the agency under subparagraph (A).

''(2) OTHER PLANS AND REPORTS.—Each agency shall address the adequacy and effectiveness of information security policies, procedures, and practices in management plans and reports.

''(d) PERFORMANCE PLAN.—(1) In addition to the requirements of subsection (c), each agency, in consultation with the Director, shall include as part of the performance plan required under section 1115 of title 31 a description of—

''(A) the time periods; and

''(B) the resources, including budget, staffing, and training,

that are necessary to implement the program required under subsection (b).

''(2) The description under paragraph (1) shall be based on the risk assessments required under subsection (b)(1).

''(e) PUBLIC NOTICE AND COMMENT.—Each agency shall provide the public with timely notice and opportunities for comment on proposed information security policies and procedures to the extent that such policies and procedures affect communication with the public.

''§ 3555. Annual independent evaluation

''(a) IN GENERAL.—(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency to determine the effectiveness of such program and practices.

''(2) Each evaluation under this section shall include—

''(A) testing of the effectiveness of information security policies, procedures, and practices of a representative subset of the agency's information systems;

''(B) an assessment of the effectiveness of the information security policies, procedures, and practices of the agency; and

''(C) separate presentations, as appropriate, regarding information security relating to national security systems.

''(b) INDEPENDENT AUDITOR.—Subject to subsection (c)—

''(1) for each agency with an Inspector General appointed under the Inspector General Act of 1978, the annual evaluation required by this section shall be performed by the Inspector General or by an independent external auditor, as determined by the Inspector General of the agency; and

''(2) for each agency to which paragraph (1) does not apply, the head of the agency shall engage an independent external auditor to perform the evaluation.

''(c) NATIONAL SECURITY SYSTEMS.—For each agency operating or exercising control of a national security system, that portion of the evaluation required by this section directly relating to a national security system shall be performed—

''(1) only by an entity designated by the agency head; and

''(2) in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(d) EXISTING EVALUATIONS.—The evaluation required by this section may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the applicable agency.

''(e) AGENCY REPORTING.—(1) Each year, not later than such date established by the Director, the head of each agency shall submit to the Director the results of the evaluation required under this section.

''(2) To the extent an evaluation required under this section directly relates to a national security system, the evaluation results submitted to the Director shall contain only a summary and assessment of that portion of the evaluation directly relating to a national security system.

''(f) PROTECTION OF INFORMATION.—Agencies and evaluators shall take appropriate steps to ensure the protection of information which, if disclosed, may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws and regulations.

''(g) OMB REPORTS TO CONGRESS.—(1) The Director shall summarize the results of the evaluations conducted under this section in the report to Congress required under section 3553(c).

''(2) The Director's report to Congress under this subsection shall summarize information regarding information security relating to national security systems in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(3) Evaluations and any other descriptions of information systems under the authority and control of the Director of Central Intelligence or of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available to Congress only through the appropriate oversight committees of Congress, in accordance with applicable laws.

''(h) COMPTROLLER GENERAL.—The Comptroller General shall periodically evaluate and report to Congress on—

''(1) the adequacy and effectiveness of agency information security policies and practices; and

''(2) implementation of the requirements of this subchapter.

''(i) ASSESSMENT TECHNICAL ASSISTANCE.—The Comptroller General may provide technical assistance to an Inspector General or the head of an agency, as applicable, to assist the Inspector General or head of an agency in carrying out the duties under this section, including by testing information security controls and procedures.

''§ 3556. Federal information security incident center

''(a) IN GENERAL.—The Secretary shall ensure the operation of a central Federal information security incident center to—

''(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

''(2) compile and analyze information about incidents that threaten information security;

''(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities;

''(4) provide, as appropriate, intelligence and other information about cyber threats, vulnerabilities, and incidents to agencies to assist in risk assessments conducted under section 3554(b); and

''(5) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

''(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

''§ 3557. National security systems

''The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

''(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

''(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

''(3) complies with the requirements of this subchapter.

''§ 3558. Effect on existing law

''Nothing in this subchapter, section 11331 of title 40, or section 20 of the National Standards and Technology Act (15 U.S.C. 278g–3) may be construed as affecting the authority of the President, the Office of Management and Budget or the Director thereof, the National Institute of Standards and Technology, or the head of any agency, with respect to the authorized use or disclosure of information, including with regard to the protection of personal privacy under section 552a of title 5, the disclosure of information under section 552 of title 5, the management and disposition of records under chapters 29, 31, or 33 of title 44, the management of information resources under subchapter I of chapter 35 of this title, or the disclosure of information to the Congress or the Comptroller General of the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code is amended by striking the matter relating to subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''3551. Purposes.
''3552. Definitions.
''3553. Authority and functions of the Director and the Secretary.
''3554. Federal agency responsibilities.
''3555. Annual independent evaluation.
''3556. Federal information security incident center.
''3557. National security systems.
''3558. Effect on existing law.''.

(2) CYBERSECURITY RESEARCH AND DEVELOPMENT ACT.—Section 8(d)(1) of the Cybersecurity Research and Development Act (15

U.S.C. 7406) is amended by striking ''section 3534'' and inserting ''section 3554''.

(3) HOMELAND SECURITY ACT OF 2002.—Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511) by striking ''section 3532(3)'' and inserting ''section 3552(b)(5)''.

(4) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(A) in subsection (a)(2), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''; and

(B) in subsection (e)—

(i) in paragraph (2), by striking ''section 3532(1)'' and inserting ''section 3552(b)(2)''; and

(ii) in paragraph (5), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''.

(5) TITLE 10.—Title 10, United States Code, is amended—

(A) in section 2222(j)(5), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)'';

(B) in section 2223(c)(3), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''; and

(C) in section 2315, by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''.

(c) OTHER PROVISIONS.—

(1) CIRCULAR A-130.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall revise Office of Management and Budget Circular A–130 to eliminate inefficient or wasteful reporting.

(2) ISPAB.—Section 21(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–4(b)) is amended—

(A) in paragraph (2), by inserting '', the Secretary of Homeland Security,'' after ''the Institute''; and

(B) in paragraph (3), by inserting ''the Secretary of Homeland Security,'' after ''the Secretary of Commerce,''.

SEC. 1092. FEDERAL DATA BREACH RESPONSE GUIDELINES.

(a) IN GENERAL.—Subchapter II of chapter 35 of title 44, United States Code, as added by this subtitle, is amended by adding at the end the following:

''§ 3559. Privacy breach requirements

''(a) POLICIES AND PROCEDURES.—The Director, in consultation with the Secretary, shall establish and oversee policies and procedures for agencies to follow in the event of a breach of information security involving the disclosure of personally identifiable information, including requirements for—

''(1) timely notice to affected individuals based on a determination of the level of risk and consistent with law enforcement and national security considerations;

''(2) timely reporting to the Federal information security incident center established under section 3556 or other Federal cybersecurity center, as designated by the Director;

''(3) timely notice to committees of Congress with jurisdiction over cybersecurity; and

''(4) such additional actions as the Director may determine necessary and appropriate, including the provision of risk mitigation measures to affected individuals.

''(b) CONSIDERATIONS.—In carrying out subsection (a), the Director shall consider recommendations made by the Government Accountability Office, including recommendations in the December 2013 Government Accountability Office report entitled 'Information Security: Agency Responses to Breaches of Personally Identifiable Information Need to Be More Consistent' (GAO–14–34).

''(c) REQUIRED AGENCY ACTION.—The head of each agency shall ensure that actions taken in response to a breach of information security involving the disclosure of personally identifiable information under the authority or control of the agency comply with policies and procedures established under subsection (a).

''(d) TIMELINESS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the policies and procedures established under subsection (a) shall require that the notice to affected individuals required under subsection (a)(1) be made without unreasonable delay and with consideration of the likely risk of harm and the level of impact, but not later than 60 days after the date on which the head of an agency discovers the breach of information security involving the disclosure of personally identifiable information.

''(2) DELAY.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary may delay the notice to affected individuals under subsection (a)(1) for not more than 180 days, if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions from the breach of information security involving the disclosure of personally identifiable information.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II for chapter 35 of title 44, United States Code, as added by this Act, is amended by inserting after the item relating to section 3558 the following:

''3559. Privacy breach requirements.''.

SA 3771. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—National Cybersecurity Communications Integration Center

SEC. 1091. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''SEC. 210G. OPERATIONS CENTER.

''(a) FUNCTIONS.—There is in the Department an operations center, which may carry out the responsibilities of the Under Secretary appointed under section 103(a)(1)(H) with respect to security and resilience, including by—

''(1) serving as a Federal civilian information sharing interface for cybersecurity;

''(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government;

''(3) sharing cybersecurity threat, vulnerability, impact, and incident information and analysis by and among Federal, State, and local government entities and private sector entities;

''(4) coordinating cybersecurity information sharing throughout the Federal Government;

''(5) conducting analysis of cybersecurity risks and incidents;

''(6) upon request, providing timely technical assistance to Federal and non-Federal entities with respect to cybersecurity threats and attribution, vulnerability mitigation, and incident response and remediation; and

''(7) providing recommendations on security and resilience measures to Federal and non-Federal entities.

''(b) COMPOSITION.—The operations center shall be composed of—

''(1) personnel or other representatives of Federal agencies, including civilian and law enforcement agencies and elements of the intelligence community, as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

''(2) representatives from State and local governments and other non-Federal entities, including—

''(A) representatives from information sharing and analysis organizations; and

''(B) private sector owners and operators of critical information systems.

''(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the Carl Levin National Defense Authorization Act for Fiscal Year 2015, and every year thereafter for 3 years, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the operations center, which shall include—

''(1) an analysis of the performance of the operations center in carrying out the functions under subsection (a);

''(2) information on the composition of the center, including—

''(A) the number of representatives from non-Federal entities that are participating in the operations center, including the number of representatives from States, nonprofit organizations, and private sector entities, respectively; and

''(B) the number of requests from non-Federal entities to participate in the operations center and the response to such requests, including—

''(i) the average length of time to fulfill such identified requests by the Federal agency responsible for fulfilling such requests; and

''(ii) a description of any obstacles or challenges to fulfilling such requests; and

''(3) the policies and procedures established by the operations center to safeguard privacy and civil liberties.

''(d) GAO REPORT.—Not later than 1 year after the date of enactment of the Carl Levin National Defense Authorization Act for Fiscal Year 2015, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the effectiveness of the operations center.

''(e) NO RIGHT OR BENEFIT.—The provision of assistance or information to, and inclusion in the operations center of, governmental or private entities under this section shall be at the discretion of the Under Secretary appointed under section 103(a)(1)(H). The provision of certain assistance or information to, or inclusion in the operations center of, one governmental or private entity pursuant to this section shall not create a right or benefit, substantive or procedural, to similar assistance or information for any other governmental or private entity.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 210F the following:

''Sec. 210G. Operations center.''.

SA 3772. Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 13 and14, insert the following:

(c) ENCOURAGEMENT OF CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.—

(1) IN GENERAL.—Paragraph (2) of section 170(b) is amended by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 15 succeeding years in order of time.

''(iii) DEFINITION.—For purposes of clause (i), the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.''.

(2) CONFORMING AMENDMENT.—Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraphs (B) or (C) apply''.

(3) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to modify any existing property rights conveyed to Native Corporations (withing the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

SA 3773. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1035. SENSE OF SENATE ON THE MAY 31, 2014, TRANSFER OF FIVE DETAINEES FROM THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) FINDINGS.—The Senate makes the following findings:

(1) In enacting the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), Congress provided the executive branch with clear guidance and requirements for transferring or releasing individuals from the detention facility at United States Naval Station, Guantanamo Bay, Cuba.

(2) The National Defense Authorization Act for Fiscal Year 2014 states the Secretary of Defense may transfer an individual detained at United States Naval Station, Guantanamo Bay, Cuba, if the Secretary determines, following a review conducted in accordance with the requirements of section 1023 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 801 note) and Executive Order No. 13567, that the individual is no longer a threat to the United States, or the individual is ordered released by a United States court, or such an individual can be transferred if the Secretary determines that actions have been or are planned to be taken which will substantially mitigate the risk of the individual engaging or re-engaging in any terrorist activity or other hostile activity that threatens the United States or United States persons or interests and the transfer is in the national security interest of the United States.

(3) The National Defense Authorization Act for Fiscal Year 2014 states that the Secretary of Defense must notify the appropriate committees of Congress of such a determination not later than 30 days before the transfer or release of the individual concerned from United States Naval Station, Guantanamo Bay, Cuba.

(4) The National Defense Authorization Act for Fiscal Year 2014 states that such a notification must include a detailed statement of the basis for the transfer or release, an explanation of why the transfer or release is in the national security interests of the United States, a description of any actions taken to mitigate the risks of reengagement by the individual to be transferred or released, a copy of any Periodic Review Board findings relating to the individual, and a description of the evaluation conducted pursuant to factors that must be considered prior to such a transfer or release.

(5) The Consolidated Appropriations Act, 2014 (Public Law 113–76) states that none of the funds appropriated or otherwise made available in that Act may be used to transfer covered individuals detained at United States Naval Station Guantanamo Bay, Cuba, except in accordance with the National Defense Authorization Act for Fiscal Year 2014.

(6) On May 31, 2014, detainees Khairullah Khairkhwa, Abdul Haq Wasiq, Mohammed Fazl, Noorullah Noori, and Mohammed Nabi Omari were transferred from United States Naval Station, Guantanamo Bay, Cuba, to Qatar.

(7) The appropriate committees of Congress were not notified of the transfers as required by the National Defense Authorization Act for Fiscal Year 2014 prior to the transfers.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the transfers of detainees Khairullah Khairkhwa, Abdul Haq Wasiq, Mohammed Fazl, Noorullah Noori, and Mohammed Nabi Omari from United States Naval Station, Guantanamo Bay, Cuba, to Qatar on May 31, 2014, violated the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) and the Consolidated Appropriations Act, 2014 (Public Law 113–76); and

(2) Congress should—

(A) investigate the actions taken by President Obama and his administration that led to the unlawful transfer of such detainees, including an evaluation of other options considered to reach the desired common defense policy outcome of the President; and

(B) determine the impact of the transfer of such detainees on the common defense of the United States and measures that should be taken to mitigate any negative consequences.

SA 3774. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 737. PRELIMINARY MENTAL HEALTH ASSESSMENTS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 31 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 520d. Preliminary mental health assessments

''(a) PROVISION OF MENTAL HEALTH ASSESSMENT.—Before any individual enlists in an armed force or is commissioned as an officer in an armed force, the Secretary concerned shall provide the individual with a mental health assessment.

''(b) USE OF ASSESSMENT.—(1) The Secretary shall use the results of a mental assessment conducted under subsection (a) as a baseline for any subsequent mental health examinations of the individual, including such examinations provided under sections 1074f and 1074m of this title.

''(2) The Secretary may not consider the results of a mental health assessment conducted under subsection (a) in determining the assignment or promotion of a member of the armed forces.

''(c) APPLICATION OF PRIVACY LAWS.—With respect to applicable laws and regulations relating to the privacy of information, the Secretary shall treat a mental health assessment conducted under subsection (a) in the same manner as the medical records of a member of the armed forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 520c the following new item:

''520d. Preliminary mental health assessments.''.

(c) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the National Institute of Mental Health of the National Institutes of Health shall submit to Congress and the Secretary of Defense a report on preliminary mental health assessments of members of the Armed Forces.

(B) MATTERS INCLUDED.—The report under subparagraph (A) shall include the following:

(i) Recommendations with respect to establishing a preliminary mental health assessment of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(ii) Recommendations with respect to the composition of the mental health assessment, evidenced-based best practices, and how to track assessment changes relating to traumatic brain injuries, post-traumatic stress disorder, and other conditions.

(iii) Recommendations with respect to overcoming limitations experienced during previous efforts to conduct preliminary mental health assessments of members of the Armed Forces.

(C) COORDINATION.—The National Institute of Mental Health shall carry out subparagraph (A) in coordination with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the surgeons general of the military departments, and other relevant experts.

(2) PERIODIC REPORTS.—

(A) IN GENERAL.—Not later than two years after the date on which the Secretary of Defense begins providing preliminary mental health assessments under section 520d(a) of title 38, United States Code, as added by subsection (a), and not less frequently than once every three years thereafter, the Secretary shall submit to Congress a report on the efficacy of such preliminary mental health assessments.

(B) MATTERS INCLUDED.—Each report required by subparagraph (A) shall include the following:

(i) An evaluation of the parity between mental health screenings and physical health screenings of members of the Armed Forces.

(ii) An evaluation of the evidence-based best practices used by the Secretary in composing and conducting preliminary mental health assessments of members of the Armed Forces under such section 520d(a).

(iii) An evaluation of the evidence-based best practices used by the Secretary in tracking mental health assessment changes relating to traumatic brain injuries, posttraumatic stress disorder, and other conditions among members of the Armed Forces.

(d) IMPLEMENTATION OF PRELIMINARY MENTAL HEALTH ASSESSMENT.—The Secretary of Defense may not provide a preliminary mental health assessment under section 520d(a) of title 38, United States Code, as added by subsection (a), until the Secretary receives and evaluates the initial report required by subsection (c)(1).

SEC. 738. PHYSICAL EXAMINATIONS AND MENTAL HEALTH SCREENINGS FOR CERTAIN MEMBERS UNDERGOING SEPARATION FROM THE ARMED FORCES WHO ARE NOT OTHERWISE ELIGIBLE FOR SUCH EXAMINATIONS.

(a) IN GENERAL.—The Secretary of the military department concerned shall provide a comprehensive physical examination (including a screening for Traumatic Brain Injury) and a mental health screening to each member of the Armed Forces who, after a period of active duty of more than 180 days, is undergoing separation from the Armed Forces and is not otherwise provided such an examination or screening in connection with such separation from the Department of Defense or the Department of Veterans Affairs.

(b) NO RIGHT TO HEALTH CARE BENEFITS.—The provision of a physical examination or mental health screening to a member under subsection (a) shall not, by itself, be used to determine the eligibility of the member for any health care benefits from the Department of Defense or the Department of Veterans Affairs.

(c) FUNDING.—Funds for the provision of physical examinations and mental health screenings under this section shall be derived from funds otherwise authorized to be appropriated for the military department concerned for the provision of health care to members of the Armed Forces.

SEC. 739. REPORT ON CAPACITY OF DEPARTMENT OF DEFENSE TO PROVIDE ELECTRONIC COPY OF MEMBER SERVICE TREATMENT RECORDS TO MEMBERS SEPARATING FROM THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the capacity of the Department of Defense to provide each member of the Armed Forces who is undergoing separation from the Armed Forces an electronic copy of the member's service treatment record at the time of separation.

(b) MATTERS RELATING TO THE NATIONAL GUARD.—The assessment under subsection (a) with regards to members of the National Guard shall include an assessment of the capacity of the Department to ensure that the electronic copy of a member's service treatment record includes health records maintained by each State or territory in which the member served.

SA 3775. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2648, making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 6 and 7, insert the following:

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $122,250,000, to remain available until September 30, 2015, which shall be for drug interdiction and counter-drug activities of the United States Southern Command: *Provided*, That not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the use of funds made available by this paragraph, including the amounts provided to any military or security forces of a foreign country and the use of amounts so provided by such forces.

(RESCISSION)

SEC. 3101. Of the unobligated balance available for ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief Fund'', $122,250,000 is rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on a budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3776. Mr. TESTER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL APPOINTING AUTHORITIES FOR COMPETITIVE SERVICE.

(a) SELECTION FROM CERTIFICATES.—Section 3318 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(b) CERTIFICATE SHARING.—

''(1) IN GENERAL.—During the 240-day period beginning on the date of issuance of a certificate of eligibles under section 3317(a), an appointing authority other than the appointing authority requesting the certificate may select an individual from that certificate in accordance with paragraph (2) for an appointment to a position that is—

''(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the 'original position'); and

''(B) at a similar grade level as the original position.

''(2) REQUIREMENTS.—The selection of an individual under paragraph (1)—

''(A) shall be made in accordance with subsection (a); and

''(B) may be made without any additional posting under section 3327.

''(3) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

''(4) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.''.

(b) ALTERNATIVE RANKING AND SELECTION PROCEDURES.—Section 3319(c) of title 5, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (6);

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) An appointing official other than the appointing official described in paragraph (1) may select an individual for appointment to a position that is—

''(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the 'original position'); and

''(B) at a similar grade level as the original position.

''(3) The selection of an individual under paragraph (2)—

''(A) shall be made in accordance with this subsection; and

''(B) may be made without any additional posting under section 3327.

''(4) An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

''(5) Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.''; and

(3) in paragraph (6) (as so redesignated)—

(A) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''; and

(B) by striking ''3318(b)'' and inserting ''3318(c)''.

(c) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue regulations to carry out the amendments made by subsections (a) and (b).

(d) CONFORMING AMENDMENT.—Section 9510(b)(5) of title 5, United States Code, is amended by striking ''3318(b)'' and inserting ''3318(c)''.

SA 3777. Mrs. GILLIBRAND (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

Subtitle I—Cybersecurity Workforce

SEC. 1091. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY WORKFORCE.

(a) IN GENERAL.—At the end of subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), add the following:

"SEC. 226. CYBERSECURITY RECRUITMENT AND RETENTION.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

''(2) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5, United States Code.

''(3) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given that term in section 2103 of title 5, United States Code.

''(4) PREFERENCE ELIGIBLE.—The term 'preference eligible' has the meaning given that term in section 2108 of title 5, United States Code.

''(5) QUALIFIED POSITION.—The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the Department relating to cybersecurity.

''(6) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5, United States Code.

''(b) GENERAL AUTHORITY.—

''(1) ESTABLISH POSITIONS, APPOINT PERSONNEL, AND FIX RATES OF PAY.—

''(A) GENERAL AUTHORITY.—The Secretary may—

''(i) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the Department relating to cybersecurity, including positions formerly identified as—

''(I) senior level positions designated under section 5376 of title 5, United States Code; and

''(II) positions in the Senior Executive Service;

''(ii) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(iii) subject to the requirements of paragraphs (2) and (3), fix the compensation of an individual for service in a qualified position.

''(B) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(2) BASIC PAY.—

''(A) AUTHORITY TO FIX RATES OF BASIC PAY.—In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under paragraph (1) in relation to the rates of pay provided for employees in comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(B) PREVAILING RATE SYSTEMS.—The Secretary may, consistent with section 5341 of title 5, United States Code, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of that title.

''(3) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

''(A) ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.—The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code.

''(B) ALLOWANCES IN NONFOREIGN AREAS.—An employee in a qualified position whose rate of basic pay is fixed under paragraph (2)(A) shall be eligible for an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section 5941, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(4) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this subsection.

''(5) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in paragraph (1) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(6) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 4 years, the Secretary shall submit to the appropriate committees of Congress a detailed report that—

''(1) discusses the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position;

''(2) describes—

''(A) how the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions;

''(B) the measures that will be used to measure progress; and

''(C) any actions taken during the reporting period to fulfill such critical need;

''(3) discusses how the planning and actions taken under paragraph (2) are integrated into the strategic workforce planning of the Department;

''(4) provides metrics on actions occurring during the reporting period, including—

''(A) the number of employees in qualified positions hired by occupation and grade and level or pay band;

''(B) the placement of employees in qualified positions by directorate and office within the Department;

''(C) the total number of veterans hired;

''(D) the number of separations of employees in qualified positions by occupation and grade and level or pay band;

''(E) the number of retirements of employees in qualified positions by occupation and grade and level or pay band; and

''(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions by occupation and grade and level or pay band; and

''(5) describes the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(d) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be 3 years.

''(e) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—

''(1) IN GENERAL.—An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) SUBSEQUENT CONVERSION.—After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (ii) the following:

''(iii) any position established as a qualified position in the excepted service by the Secretary of Homeland Security under section 226 of the Homeland Security Act of 2002;''.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 225 the following:

''Sec. 226. Cybersecurity recruitment and retention.''.

SEC. 1092. HOMELAND SECURITY CYBERSECURITY WORKFORCE ASSESSMENT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on House Administration of the House of Representatives.

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms ''Cybersecurity Work Category'', ''Data Element Code'', and ''Specialty Area'' have the meanings given such terms in the Office of Personnel Management's Guide to Data Standards.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.—

(1) IN GENERAL.—The Secretary shall—

(A) identify all cybersecurity workforce positions within the Department;

(B) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and

(C) assign the corresponding Data Element Code, as set forth in the Office of Personnel Management's Guide to Data Standards which is aligned with the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report, in accordance with paragraph (2).

(2) EMPLOYMENT CODES.—

(A) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish procedures—

(i) to identify open positions that include cybersecurity functions (as defined in the OPM Guide to Data Standards); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(B) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the Secretary shall assign the appropriate employment code to—

(i) each employee within the Department who carries out cybersecurity functions; and

(ii) each open position within the Department that have been identified as having cybersecurity functions.

(3) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(c) IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.—

(1) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to subsection (b)(2)(B), and annually through 2021, the Secretary, in consultation with the Director, shall—

(A) identify Cybersecurity Work Categories and Specialty Areas of critical need in the Department's cybersecurity workforce; and

(B) submit a report to the Director that—

(i) describes the Cybersecurity Work Categories and Specialty Areas identified under subparagraph (A); and

(ii) substantiates the critical need designations.

(2) GUIDANCE.—The Director shall provide the Secretary with timely guidance for identifying Cybersecurity Work Categories and Specialty Areas of critical need, including—

(A) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(B) Cybersecurity Work Categories and Specialty Areas with emerging skill shortages.

(3) CYBERSECURITY CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Director, shall—

(A) identify Specialty Areas of critical need for cybersecurity workforce across the Department; and

(B) submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.—The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of subsections (b) and (c); and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

SEC. 1093. UNITED STATES CYBER COMMAND WORKFORCE.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1599e. Cyber operations recruitment and retention

''(a) GENERAL AUTHORITY.—(1) The Secretary of Defense may—

''(A) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the United States Cyber Command relating to cyber operations, including positions formerly identified as—

''(i) senior level positions designated under section 5376 of title 5; and

''(ii) positions in the Senior Executive Service;

''(B) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(C) subject to the requirements of subsections (b) and (c), fix the compensation of an individual for service in a qualified position.

''(2) The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(b) BASIC PAY.—(1) In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under subsection (a)—

''(A) in relation to the rates of pay provided for employees in comparable positions in the Department, in which the incumbent performs, manages, or supervises functions that execute the cyber mission of the Department; and

''(B) subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(2) The Secretary may—

''(A) consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay; and

''(B) apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of such title.

''(c) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

''(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5941 of title 5 on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(d) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this section.

''(e) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in subsection (a) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(f) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(g) ANNUAL REPORT.—(1) Not later than one year after the date of the enactment of this section and not less frequently than once each year thereafter until the date that is five years after the date of the enactment of this section, the Secretary shall submit to the appropriate committees of Congress a detailed report on the administration of this section during the most recent one-year period.

''(2) Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

''(A) A discussion of the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position.

''(B) A description of the following:

''(i) How the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions.

''(ii) The measures that will be used to measure progress.

''(iii) Any actions taken during the reporting period to fulfill such critical need.

''(C) A discussion of how the planning and actions taken under subparagraph (B) are integrated into the strategic workforce planning of the Department.

''(D) The metrics on actions occurring during the reporting period, including the following:

''(i) The number of employees in qualified positions hired, disaggregated by occupation, grade, and level or pay band.

''(ii) The placement of employees in qualified positions, disaggregated by directorate and office within the Department.

''(iii) The total number of veterans hired.

''(iv) The number of separations of employees in qualified positions, disaggregated by occupation and grade and level or pay band.

''(v) The number of retirements of employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(vi) The number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

''(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(h) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be three years.

''(i) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—(1) An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

''(j) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(2) The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5.

''(3) The term 'excepted service' has the meaning given that term in section 2103 of title 5.

''(4) The term 'preference eligible' has the meaning given that term in section 2108 of title 5.

''(5) The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

''(6) The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (ii) the following new clause:

''(iii) any position established as a qualified position in the excepted service by the Secretary of Defense under section 1599e of title 10;''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of title 10, United States Code, is amended by inserting after the item relating to section 1599d the following new item:

''Sec. 1599e. United States Cyber Command recruitment and retention.''.

SA 3778. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1268. CONGRESSIONAL OVERSIGHT OF CIVILIAN NUCLEAR COOPERATION AGREEMENTS.

(a) THIRTY-YEAR LIMIT ON NUCLEAR EXPORTS.—

(1) IN GENERAL.—Notwithstanding section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) and except as provided in paragraph (2) and subsection (b), no license to export pursuant to an agreement that has entered into force pursuant to the requirements of such section 123 may be issued after the date that is 30 years after the date of entry into force of such agreement.

(2) EXCEPTIONS.—The restriction in paragraph (1) shall not apply to—

(A) any agreement with a country that is a member country of the North Atlantic Treaty Organization, or Australia, Israel, Japan, the Republic of Korea, New Zealand, the Taipei Economic and Cultural Representative Office in the United States (TECRO), or the International Atomic Energy Agency;

(B) any agreement that had entered into force as of August 1, 2014; or

(C) any amendment to an agreement described in subparagraph (A) or (B).

(b) EXTENSION OF EXISTING AGREEMENTS.—Congress may, in the final five years of the 30-year time limit applicable to the issuance of export licenses pursuant to an agreement under subsection (a)(1), enact a joint resolution permitting the issuance of such licenses for an additional period of not more than 30 years without the President submitting a new agreement pursuant to the requirements of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

(c) APPLICABLE LAW.—Each proposed export pursuant to an agreement described under this section shall be subject to United States laws and regulations in effect at the time of each such export.

SA 3779. Mr. PRYOR (for Mr. MURPHY) proposed an amendment to the resolution S. Res. 520, condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims; as follows:

In the fourth whereas clause of the preamble, insert ''more than'' before ''10 additional aircraft''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 31, 2014, at 10 a.m. to conduct a hearing entitled ''Financial Products for Students: Issues and Challenges.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 31, 2014, at 10:30 a.m. in room SR–253 of the Russell Senate Office Building a hearing entitled ''Domestic Challenges and Global Competition in Aviation Manufacture.''

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

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 31, 2014, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 31, 2014, at 2:15 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 31, 2014, at 3 p.m.

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

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on July 31, 2014, at 2 p.m. to conduct a hearing entitled ''Examining the GAO Report on Expectations of Government Support for Bank Holding Companies.''

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

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

RAFAEL J. LOPEZ, OF MARYLAND, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE BRYAN HAYES SAMUELS, RESIGNED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

CARMEN AMALIA CORRALES, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2015, VICE MATTHEW MAXWELL TAYLOR KENNEDY, TERM EXPIRED.

DEPARTMENT OF COMMERCE

MANSON K. BROWN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE KATHRYN D. SULLIVAN, RESIGNED.

THE JUDICIARY

ALLISON DALE BURROUGHS, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS, VICE RYA W. ZOBEL, RETIRED.

AMIT PRIYAVADAN MEHTA, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE ELLEN SEGAL HUVELLE, RETIRED.

IN THE AIR FORCE

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. STEVEN L. KWAST

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. TERRENCE J. O'SHAUGHNESSY

IN THE ARMY

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. SCOTT G. PERRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOSEPH J. HECK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MARK S. INCH

IN THE NAVY

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

VICE ADM. PHILIP S. DAVIDSON

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. DIXON R. SMITH

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LISA L. ADAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RICHARD D. MINK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

PETER BRIAN ABERCROMBIE II
MATTHEW P. ACER
GREGORY M. ADAMS
JEFFREY S. ADAMS
MICHAEL J. ADAMS
SCOTT L. ADAMS
SHILETTE M. ADDISON REED
STACEY L. ADORISIO
RAJ AGRAWAL
COREY M. AKIYAMA
CARMELO ALAMO, JR.
DANZEL W. ALBERTSEN
FREDERICK V. ALDRICH
MICHAEL C. ALFARO
MATTHEW R. ALLEN
WILLIAM H. ALLEN, JR.
MAELI A. ALLISON
MATTHEW R. ALTMAN
LAWRENCE JAMES ANDERLEY
ANTHONY W. ANDERSON
CHRISTOPHER A. ANDERSON
JASON R. ANDERSON
JAY K. ANDERSON
JEFFREY P. ANDERSON
STEPHEN P. ANDERSON
MICHAEL R. ANDREWS
SOUNDER R. ANDREWS
TEODORO G. APALISOK
DARRELL M. APILADO
JERRETT A. ARCHER
DANIEL J. ARKEMA
ADONIS C. ARVANITAKIS
MARK L. ASHMAN
MATTHEW A. ASTROTH
JAMES W. ATCHLEY, JR.
JASON E. ATTAWAY
RANDALL R. AUSTILL
DANNY AVILA
ALAN B. AVRIETT, JR.
ERIK M. AXT
MANUEL J. AYALA
STEVEN J. AYRE
SARAH S. BABBITT
JASON R. BACHELOR
CRAIG S. BAILEY
GREGORY P. BAILEY
BLAINE L. BAKER
LUKE A. BAKER
SARAH NELSON BAKHTIARI
BRIAN A. BALAZS
NICHOLAS J. BALDWIN
JASON W. BALES
JOHN I. BALL
GREGORY M. BARNES
RENAE BARNES
RICHARD D. BARNHART
CRAIG R. BARRINGTON
BRENDON C. BARTHOLOMEW
CASEY J. BARTHOLOMEW
JEFF K. BARTLETT
PAUL G. BATISH
MELVIN I. BAYLON
THERESA D. BEAVER
TIMOTHY D. BECK
MARIA T. BEECHER
BERNIE E. BEIGH
JENNIFER B. BEISEL
ALPHONZO R. BELCHER
ZDRAVKO BELIC
ISAAC T. BELL
JONATHAN B. BELL
SHAUN G. BELLAMY
MATTHEW M. BELLE
BRIAN J. BENJAMIN
NELSON P. BENNETT
CARLOS E. BERDECIA
CHRISTIAN M. BERGTHOLDT
ALULA B. BERHANE
GAVIN A. BERNE
JAY A. BERTSCH
ANGEL E. BETANCOURT TOYENS
DAVID A. BETHEL
MARK C. BETTERS
THOMAS E. BIERLY
MARK C. BIGLEY
ADAM DEWAIN BINGHAM
ERIC M. BISSONETTE
ERIC R. BIXBY
ANDREW H. BLACK
JOHN D. BLACKMAN
FELICIA A. BLAIR
MICHAEL R. BLISS
ANQUENETTA BLOUNT
TIMOTHY R. BOBINSKI
SEAN BOLDT
JOEL ANDREW BOLINA
WILLIAM H. BONES
DAVID E. BONN
JOSEPH M. BONNER
SANDRA A. BONNEY
TIMOTHY E. BOOK
STEPHEN F. BOOTH
DAVID A. BOPP
DENNIS M. BORRMAN
RAFAEL A. BOSCH
GREGORY D. BOSCHERT
DEREK M. BOUGHNER
CHAD T. BOWDEN
THOMAS R. BOWMAN
CHRISTOPHER D. BOYD
MICHAEL M. BOYNTON
DAVID J. BOYTIM
DENVER M. BRAA
ANDRE R. BRADLEY
PATRICK L. BRADYLEE
WILLIAM D. BRAGG
BRADLEY L. BRANDT
COLE L. BRAY
MICHAEL P. BRAZDA
CHRISTOPHER W. BREFFITT
ADAM C. BRIGHT
JUSTIN E. BRIGHT
ROBERT J. BROOKS
TROY J. BROSKOVETZ
AHAVE E. BROWN, JR.
ANDRE L. BROWN
DAVID M. BROWN
JOEL N. BROWN
KIRK C. BROWN
MICHAEL W. BROWN
STEVEN P. BRUMMITT
ELAINE M. BRYANT
MICHAEL T. BRYANT
PARKIN C. BRYSON
AARON R. BUCK
CHRISTOPHER J. BUCKLEY
CHRISTOPHER J. BUECHLER
JAMES J. BUESSING, JR.
LAURA M. BUNYAN
ROBERT A. BURDETTE
JAMES L. BURGESS
JEREMIAH J. BURGESS
SIERRA C. BURGESS
KRISTINA C. BURNE
WILLIAM ROBERT BURNS
ANDREW L. BURROUGHS
MICHAEL S. BURTON
MATTHEW L. BUSCH
RODERIC K. BUTZ
KEVIN W. BYRD
JOSE L. CABRERA
CHRISTOPHER GARY CAIN
LUIS N. CAIRO
JOHN D. CALDWELL
MICHAEL B. CAMPBELL
ERIC W. CANNELL
JERALD M. CANNY
JOHN T. CANTY
MICHAEL A. CAPOZZI
NICOLE L. CAPOZZI
BRIAN W. CAPPS
RICHARD A. CAREY
THOMAS K. CARR
ERIC M. CARRANO
CHRISTOPHER D. CARROLL
KENDRICK L. CARROLL
CHARLES L. CARTER
JASON R. CASE
JONATHAN P. CASEY
JOSE L. CASTANEDA
JOSHUA A. CATES
HILBURN B. CAULDER
JASON P. CECCOLI
DAVID J. CHABOYA
DAVID S. CHADSEY
JASON D. CHAMBERS
BRIAN D. CHANDLER
MICHAEL D. CHARLES
RAYMOND H. CHESTER, JR.
JUSTEN D. CHILBERT
KEVIN R. CHILDS
MATTHEW S. CHISAM
RYAN PATRICK CHMIELEWSKI
BRIAN D. CHRISTENSEN
CHAD KENNETH CISEWSKI
BRANT CLARK
BRENT CLARK
MATTHEW J. CLAUSEN
ROBERT C. CLAY
RYAN D. CLEVELAND
JAMES L. CLINE
JOSHUA R. CLOSE
ROBERT N. J. CLOUSE
MAX A. COBERLY, JR.
SANDRA J. COBLE
CHRISTOPHER B. COCHRAN
ROBERT P. M. COCKE
RICO C. CODY
MITCHELL J. COK
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ALLEN M. SPECHT
HUGH P. SPONSELLER
SIDNEY S. SQUIRES
BRIAN D. SROUFE
THOMAS C. STADY
DAVID I. STAMPS
MATTHEW S. STANFORD
JOSEPH M. STANGL
FREDERICK M. STANLEY
WESLEY B. STARK
JOHN G. STAUDT III
GEOFFREY M. STEEVES
CHADWICK M. STEIPP
CHANSE D. STEPHENS
CHRISTOPHER R. STEPHENS
DARRYLE STEPHENS
JON B. STEVENS
GERALD A. STEVENSON
STERLING M. STEWART
JONATHAN U. STICKA
TODD M. STINCHFIELD
SAMUEL CLAIRE STITT
WILLIAM F. STORMS
KENNETH A. STREMMEL
MARLON J. STRICKLAND
JUSTIN L. SUTHERLAND
ROSS H. SUTHERLAND
WILLIAM K. SWAN
NICHOLAS J. SWEENEY
SCOTT R. SWEENEY
ANTHONY SYLVAIN
MEGHAN M. SZWARC
FRANK A. TARAVELLA
ERIK M. TARNANEN
REGINA J. TATE
JEFFREY L. TAYLOR
LATRESE M. TAYLOR

SCOTT M. TAYLOR
JASON M. TEAGUE
AARON H. TELTSCHIK
LAURA C. TERRY
NATHAN B. TERRY
JOHN C. THARP
RYAN L. THEISS
ERIC D. THERIAULT
LIZA MOYA THERIAULT
JAY C. THOMAS
MARK R. THOMAS
RONALD L. THOMAS
STEVEN J. THOMAS
SCOTT THOMASON
ERIC D. THOMPSON
HARLEY P. THOMPSON
JASON I. THOMPSON
JEFFREY R. THOMPSON
JACOB M. THORNBURG
THOMAS M. THORP
CRAIG A. THORSTENSON
ROBERT S. THROWER
ANTHONY L. TILLMAN
MATTHEW P. TINKER
BRYAN M. TITUS
JAMES P. TOBIN
SHAMEKIA N. TOLIVER
TYLER C. TOLLMAN
CHRISTOPHER A. TOOMAN
AARON O. TORCZYNSKI
NICHOLAS A. TORRES
BRENT J. TOTH
ROBERT C. TOURNAY
TODD E. TRACY
BRYAN E. TRINKLE
PETER A. TRITSCH, JR.
MATTHEW R. TROVINGER
ANTHONY A. TRUETTE
TRAVIS C. TRUSSELL
ERIC A. TUCKER
WILLIAM D. TUCKER
CHRISTOPHER A. ULIBARRI
BRYAN T. UNKS
NICHOLAS D. UNRUH
EMILIO J. URENA
LEAH B. VANAGAS
BRIAN H. VANCE
DAVID ALLEN VANPELT
MARK F. VANWEEZENDONK
JASON C. VAP
JENNIFER L. VARGA
RAFAEL A. VARGASFONTANEZ
MARC A. VASSALLO
WILLIAM J. VAUSE
FRANCISCO VEGA
JEREMY D. VERBOUT
MARIO O. VERRETT
BRIAN P. VESEY
ROBERT D. VIDOLOFF
CHRISTINA DUNN VILE
DAVID W. VILLARREAL
DANIEL J. VISOSKY
GREGORY S. VOELKEL
ROBERT A. VOLESKY
DAMON C. VORHEES
GREGORY W. VOTH
ELWOOD T. WADDELL
JAMIE M. WADE
AARON D. WALENGA
TOBY LOUIS WALKER
TODD A. WALKER
CAROLYN J. WALKOTTE
KIMBERLY Y. WALLACE
LONZO E. WALLACE
DANIEL P. WALLICK
LEON H. WALTS, JR.
TERRY L. WANNER, JR.
JASON T. WARD
THOMAS C. WARD
DAVID M. WARE
DOUGLAS M. WARREN
THOMAS C. WASHBURN
ANA C. WATKINS
WARREN B. WATKINSON II
JOSEPH C. WATSON
DAVID T. WATTS
JEFFERY C. WATTS
NEAL A. WATTS
CEDRIC D. WEATHERLY
CHRISTOPHER J. WEATON
STEPHANIE L. WEAVER
VANESSA C. WEED
THOMAS F. WEGNER
WILLIAM L. WEIFORD III
KENNETH H. WEINER
MATTHEW R. WEINSCHENKER
JOHN S. WELCH
CHRIS T. WELLBAUM
JAMES E. WELLS
RACHEL A. WELLS
FRANK W. WELTON
REBECCA M. WELTON
AMANDA J. G. WERKHEISER
JASON E. WEST
TONI J. WHALEY
NEIL D. WHELDEN
ANTHONY D. WHITE
JUSTIN D. WHITE
MICHELLE M. H. WHITFIELD
JOSEPH E. WHITTINGTON, JR.
STEVEN P. WICK
KEVIN W. WIERSCHKE
GEORGEREECO J. WIGFALL
JASON W. WILD
SHAUN M. WILLHITE
DANIEL L. WILLIAMS
JASON EDWARD WILLIAMS
JEREMY E. WILLIAMS
DANIEL P. WILLISON, JR.
CARL C. WILSON
DAVID J. WILSON
ERIC W. WILSON
MARCUS D. WILSON
RICHARD G. WILSON
SHEENA L. WINDER
JAMES M. WINNING
DOUGLAS R. WITMER
RANDOLPH B. WITT
JAMES D. WOMBLE
CHRISTOPHER C. WOOD
NICHOLAS S. WOODROW
TANNER G. WOOLSEY
RICHARD H. WORCESTER
CHRISTOPHER M. WRIGHT
NORMAN P. WRIGHT
PAUL B. WURSTER
REID J. WYNANS
NICHOLAUS A. YAGER
SEAN E. YARBROUGH
MARK L. YARIAN
STEVEN D. YELVERTON
CHRISTIAN C. YERXA
MARK T. YOUKEY
KEITH A. YOUNG
ROBERT M. YOUNG
RONNIE B. YOUNG
EVER O. ZAVALA
RYAN A. ZEITLER
ERIC D. ZION
MICHAEL E. ZISKA
ERIC J. ZUHLSDORF
JASON C. ZUMWALT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID L. ALLISON
MELANIE N. ASBURY
ANDREW M. BRUTON
ANTHONY COCHET
ANDREW L. CORNELIUS
LARRY E. MYLES II
DAVE C. PRAKASH
KENNETH R. RICHMOND
KIRSTEN J. SJOSTRAND
LAVANYA VISWANATHAN
KWANI D. WILLIAMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

CLAUDIA D. HENDERSON

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 lieutenant colonel

JESSE ABREU
GERARD M. ACOSTA
TOD A. ADDISON
TRAVIS D. ADKINS
KEVIN W. AGNESS
RICKY L. ALLBRITTON
STEPHEN R. ALLYN
PATRICK B. ALMOND
WILLETTE L. ALSTONWILLIAMS
CHRISTOPHER W. ANDERSON
KEVIN W. C. ANDERSON
MATTHEW S. ARBOGAST
DAPHNE H. AUSTIN
BRETT A. AYVAZIAN
JOHN M. BALBUENA
PAUL R. BAMONTE
STEFAN R. BANDAS, JR.
GRANT B. BANKO
DACHELLE D. BANKS
ROB W. BARNHILL
AARON T. BARTH
KARL J. BEIER
SHARI R. BENNETT
SCOTT M. BISHOP
PAUL M. BONANO
ERIC L. BOOKER
ERIC L. BOWEN
LUCAS J. A. BRAXTON
ANDRE L. BROWN
JACOB M. BROWN
MARVIN J. BROWN, JR.
YVETTE L. BROWN
TAVI N. BRUNSON
NATHANAEL D. BRYANT
LAVERN T. BURKES
JULIE L. BURMEISTER
BEIRE D. CASTRO
DAVID A. CENTENO, JR.
EDGAR A. CERDA
FAITH M. CHAMBERLAIN
MARIA CHAMORRO
DAVID C. CHANDLER, JR.
MARK A. CHEATHAM
JILL N. CHENEY
ROBERT E. CICCOLELLA
MICHAEL C. CIMATO
BONNIE B. B. CLEMENTE
BYRON T. COLEMAN
MELISSA R. COLEMAN
CHRISTOPHER F. CONLEY
BRIAN T. COURTER
RODNEY O. CRENSHAW
GEORGE S. CROCKATT
ELIZABETH H. CURTIS
JOHN R. CUVA
KANDACE M. DAFFIN
WILLIAM R. DAILEY III
SCOTT E. DAVIDSON
MELVIN T. DAVIS III
LAURA C. DECLOUETSMITH
ERIC B. DENNIS
LESLIE A. DESANDER
KHANH T. DIEP
BRIAN T. DOERR
JORGE A. DOLMO
ANTHONY E. DOUGLAS
RICHARD T. DOWNS
ANDREW J. DUUS
ERIK J. DYE
C M. DYER III
BOYCE L. EDWARDS, JR.
MEKELLE L. EPPERSON
ANGEL R. ESTRADA
JOSEPH EVANS
NICOLE E. FISCHER
MICHAEL S. FLETCHER
KELLY L. FRENCH
MICHAEL R. GAINES
JAMES M. GALLAGHER
BRUCE P. GANNAWAY
CEDRIC D. GASKIN, JR.
MATTHEW A. GIERTZ
ERIN M. GILLIAM
JACQUELINE M. GLAZE
KELVIN L. GRAVES
HENRY S. GROULX
ANH H. HA
MICHAEL D. HAGERTY, JR.
MICHAEL F. HAMMOND
SHERRIE L. HANCOCK
CHRISTOPHER HARVEY, SR.
CHAD B. HAYES
KEVIN G. HEINONEN
RICHARD D. HELLING
HAROLD P. HENDERSON, JR.
CONNIE V. HERBIN III
JOSEPH M. HERMAN
ROBERT M. HICKS
DARIUS M. HIGHSMITH
CHRISTOPHER P. HILL
CRYSTAL M. HILLS
ROBERT D. HILTON, JR.
LETICIA M. HINES
JOSHUA D. HIRSCH
STEVEN W. HOLDEN
NED C. HOLT
DANIEL L. HORN
ANDREW T. HOTALING
YU K. HU
GEORGE K. HUGHES
ANTHONY E. HUGHLEY
ROBIN D. HUSTED
ADRAIN C. JACKSON
FRANK E. JEFFERSON, JR.
JEYANTHAN JEYASINGAM
DAVID A. JIMENEZ
BENJAMIN G. JOHNSON
ROBIN A. JOHNSON
DALE A. JONES
DAMAR K. JONES
NATASHA S. JONES
RHONDA E. JONES
SHAWN L. KADLEC
JASON M. KAHNE
JOSHUA M. KEENA
ROBERT L. KELLAM
ROLAND A. KELLER, JR.
HOWELL M. KELLY
SEAN P. KELLY
BRIAN J. KETZ
DAVID P. KEY
ROBERT G. KLARENBACH
JEFFREY M. KUTTER
JOSHUA J. LAMOTTE
MICHAEL A. LAPORTE
ANDREW D. LEE
JIM A. LEE
GREGORY W. LEIPHART
EDWARD LEWIS
PETER LIN
PHILLIP R. LOPEZ
ANDREW S. LUNOFF
ANDREW P. MACK
DARCY S. MANION
SARAH K. MARSHREAD
TIMOTHY E. MATTHEWS
CHRISTOPHER L. MAY
THOMAS G. MCFALL
CRAIG M. MCILWAIN
JAMES W. MCKENNA
BRETT M. MEDLIN
MATTHEW S. METCALF
ETHAN J. MILLS
SANDRA D. MINGWILKS
DAMIKO K. MOORE
MARK S. MORGAN
STEVEN W. MORRIS
DETRICE D. MOSBY
BRIAN S. NEILL
TERRANCE R. NEWMAN
JARED P. NOVAK
ROBERT L. OBER
TRACEY J. A. OLSON
EMMITT K. OSBORNE II
JAMES T. OUTLAND
MARK D. OWENS
AARON A. PARKER
KARRIE M. PATTERSON

BRIDGETTE L. PAYTON
DOUGLAS J. PELUSO
JOHNNY A. PEREZ
TODD D. PERODEAU
PETER M. PERZEL
JAMES P. PETE
ROBERT L. PETROSKY, JR.
JAMIE M. PHELPS
GEORGE M. PLANSKY
KEVIN M. POLOSKY
LISA M. PRUITT
STEVE L. RAGEL
GRETA A. RAILSBACK
ROLAND E. RAMIREZ
EFRAIN RAMOS
JOE A. RATLIFF
HARVEY R. RAVENHORST
JAMES W. READ
JONATHAN D. REEVES
BENJAMIN B. REX
PERCY W. RHONE, JR.
MICHAEL A. RICCIARDI
DOUGLAS C. RICHTER
TONI M. RIEKE
MARK D. RIPLEY
ROBERT G. RIVERS
ERIC C. ROBINSON
MELISSA M. ROSOL
SHAWN C. ROSS
DANIEL A. ROWELL
JOSEPH J. RUSH, JR.
RIZALDO D. L. SALVADOR
GINA D. SANNICOLAS
PATRICK L. SCHACHLE
JUSTIN C. SCHAEFFER
JOHN L. SCHIMMING
MICHAEL G. SCHOONOVER
JAY S. SCHRODER
TONYA L. SEBOLD
ROD W. SECOR
JUSTIN R. SHELL
ANTHONY R. SHERRILL
SHANE D. SIMS
EDWARD L. SLEEPER
SHAWANTA D. SMART
ADAM D. SMITH
RODNEY C. SMITH
RYAN D. SMITH
SEAN D. SMITH
STEVEN R. SMITH
TAURUS D. SMITH
LANCE M. SNEED
CHRISTIAN SOLINSKY
KENNETH E. SOSA
BRIAN M. SPURLOCK
MELISSA A. SQUIZZEROLEE
GEORGE J. STEFFENS
SCOTT H. STEPHENSON
MICHAEL C. SUAREZ
TIMOTHY SUGARS
BRETT C. SWANKE
JASON F. TATE
STACY M. TOMIC
TRAVIS D. TRAINER
KECIA M. TROY
ROCKY R. VAIRA
SANTEE B. VASQUEZ
LISA A. VILLARREALRENNARD
WALLY VIVESOCASIO
JEFFREY E. WAGSTAFF
FRANCES K. WALKER
RALPH L. WARE
DAVID G. WATSON
DAVID M. WEESE
GAIL L. WEGE
GINGER L. WHITEHEAD
TREVOR D. WIECK
BRYAN J. WILEY
MICHAEL J. WILLIAMS
MICHELLE M. WILLIAMS
JULIA A. WILSON
ROBERT B. WILSON
NATHAN N. WINN
ROBERT J. WOLFE
DAVID J. YOUNG
JOSEPH W. YOUNG
JAMES J. ZACCHINO, JR.
RYAN B. ZACHRY
D001385
D011286
D011399
D011933
D003102
D011406
D011861
D012122
D011533

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

SUN S. MACUPA

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 lieutenant colonel

BRIAN S. ADAMS
JOHN A. ADAMS
STEPHAN E. ADAMS
EDWARD M. ALLEN III
VINCENT A. AMERENA
LEIGHTON W. ANGLIN
RONALD E. ANZALONE
CHE T. AROSEMENA
THOMAS J. ARRIAGA
JASON B. AVERY
DUSTIN J. BAADTE
BRETT A. BAIR
MICHAEL B. BAKA
MICHELLE L. BALDANZA
DAVID A. BARBER
JAMES A. BARBER
ANTHONY P. BARBINA
JAMES R. BARROWS
STEPHEN L. BATTLE
ANDREW M. BEAL
BENNY R. BEASLEY
KEVEN P. BEATTIE
HENRY M. BENNETT, JR.
HOLLI A. BENNETT
PHILLIP A. BERGERON
JOHN M. BERGMAN
ROBERT P. BEUERLEIN
BRANDON A. BISSELL
JEREMY N. BLACK
CHRISTOPHER T. BLAIS
AARON D. BOHRER
MANDI L. BOHRER
GARY S. BONHAM
JAMES L. BOOTH
KEVIN D. BRADLEY
KELBY V. BRAKE
JOSEPH S. BRANNON
MATTHEW A. BREITBACH
THOMAS J. BROCK, JR.
JAY W. BROOKE
SCOTT T. BROOME
CHRISTOPHER D. BROUGH
JASON S. BROWN
LOYD W. BROWN
SEAN M. BROWN
DANFORD W. BRYANT II
KEITH D. BRYANT
JOSEPH P. BUCCINO
AMY L. BURROWS
MICHAEL A. BUSBY
SHAWN D. BUTLER
THOMAS A. CALDWELL
GREGORY V. CAMPION
SCOTT C. CAPEHART
PAUL S. CARLOCK
DARRELL W. CARR
JOHN P. CARSON IV
TANEHA N. CARTER
STEPHEN V. CARUSO
JOHN M. CASIANO
CHARLES B. CAUDILL
JON C. CECALUPO
SCOTT B. CHENEY
JUSTIN M. CHEZEM
JASON A. CLARKE
KAREN L. CLARKE
DAVID S. CLUKEY
CHARLES J. COGGER
BRYAN K. COHOON
FORREST V. COOK
JASON T. COOK
DONALD E. CRAWFORD II
KEVIN G. CROOKS
JOHN C. CROTZER
JESSE T. CURRY
JAMES R. CUTCHIN
MATTHEW P. CUVIELLO
ADAM J. CZEKANSKI
HERBERT A. DANIELS, JR.
MICHAEL R. DAVIS
RICHARD J. DAVIS
WILLIAM L. DAVIS
JAMES C. DAYHOFF
DAMON A. DELAROSA
MATTHEW B. DENNIS
ANDREW T. DEPONAI
DAVID S. DIAZ
CARL D. DICK
JEREMY J. DIGIOIA
BYRON A. DOBSON
DWIGHT D. DOMENGEAUX, JR.
ARAM M. DONIGIAN
JOHN C. DONLIN
SEAN P. DONNELLY
BRYAN T. DONOHUE
PATRICK A. DOUGLAS
ROBERT F. DOUGLAS
STEPHEN E. DOUGLAS
JAMES W. DOWNING
EARL DOYLE
TIMOTHY H. DRAVES
BRIAN M. DUCOTE
ANDREW R. DUPREY
JONATHAN A. EASLEY
PAUL B. EBERHARDT
SAMUEL G. EDWARDS
JAMES M. EGAN
RYAN J. ELLIS
BARRETT M. EMENHEISER
SCOTT J. EMMEL
JOEY L. ERRINGTON
JOHNNY A. EVANS, JR.
MATTHEW S. FARMER
ALAN E. FAYE
JOHN M. FERNAS
EUGENE J. FERRIS
BRIAN J. FICKEL
SHANE F. FINN
MICHAEL T. FITZPATRICK
JANUS T. FRALEY
AARON L. FREEMAN
RECELLA S. L. FROBE
CHAD A. FROEHLICH
CHRISTOPHER FUHRIMAN
MARC P. GAGUZIS
BRYON G. GALBRAITH
JON R. GARDNER
MATTHEW B. GARNER
RUBEN GARZA
DARIN L. GAUB
JOSEPH R. GEARY
JOHN J. GEIS III
JASON T. GENTILE
BRIAN J. GERBER
WADE A. GERMANN
DANIEL C. GIBSON
JOHN B. GILLIAM
TIMOTHY L. GITTINS
PHILIP W. GODDARD III
MICHAEL GOMEZ
MATTHEW J. GOMLAK
MATTHEW F. GOODING
EVAN H. GOTKIN
JAMES M. GRANDY
SCOTT W. GRECO
ROBERT G. GREEN
ANGELA M. GREENEWALD
WILLIAM M. GRIESHABER
TIMON D. GROVES
STEVEN E. GVENTER
JEREMY T. GWINN
RAYMOND L. HAKEY, JR.
JEFFREY D. HALL
MICHAEL J. HALL
BRIAN P. HALLBERG
SALLY C. HANNAN
ERIC W. HARRELSON
BRYAN M. HARRIS
JONATHAN L. HARVEY
JOSEF S. HATCH
JOHN J. HAWBAKER
MARCUS C. HAY
MALCOLM G. HAYNES
RALPH D. HEATON
SEAN C. HEIDGERKEN
STEPHEN A. HEINZ
MICHAEL D. HELTON
JASON A. HENDERSON
WADE D. HERMAN
BRIAN D. HEVERLY
BRENDAN R. HOBBS
GEORGE A. HODGES
BRIAN T. HOFFMAN
KYLE M. HOGAN
ROBERT J. HOLCOMBE
DEXTER A. HOLLEY
EDWARD L. HOLLIS
BERNARD HOUSE
ROBERT C. HOWARD
JUSTIN R. HOWE
SCOTT L. HOWELL
RONALD J. HUGHES
RICHARD C. HYDE
RICHARD J. IKENA, JR.
JEFFREY E. IVEY
SEDRICK L. JACKSON
TRAVIS A. JACOBS
ERIC JACOBSON
JASON R. JAJACK
JEREMY W. JAMES
RANDY P. JAMES, JR.
ANDREW JASSO
NICHOLAS C. JENKINS
BJORN D. A. JOHNSON
RODNEY D. JOHNSON
HARRY H. JONES IV
ANDREW Q. JORDAN
CHRISTOPHER E. JUDGE
MARK A. KAPERAK
STEPHEN M. KAPLACHINSKI
CHRISTOPHER G. KASKER
EDWARD W. KEEL
BLAKE W. KEIL
DEREK R. KELLER
ZACHARY D. KERNS
RYAN D. KEYS
JAMES A. KIEVIT
ROSS A. KILBURN
ROBERT C. KIMMEL
LIAM J. KINGDON
CHRISTOPHER J. KIRK
ANDREW J. KISER
DAMON M. KNARR
JEFFREY R. KNUDSON
ERIC J. KUNAK
STEVEN J. KURCZAK
ADAM J. LACKEY
DONALD J. LAGRANGE
PHILLIP H. LAMB
CHRISTOPHER V. LANE
THOMAS E. LAYBOURN
JEFFREY J. LESPERANCE
CHRISTOPHER M. LEUNG
RYAN P. LEVESQUE
ADAM J. LEWIS
ALEXANDER C. LOVASZ
ADAM L. LOWMASTER
SHARON R. LYGHT
EDWARD J. LYNCH
GARY J. LYSAGHT
TRENT J. LYTHGOE
THOMAS N. MACMILLIN
TIMOTHY M. MAHONEY
JOHN A. MAILMAN, JR.
MICHAEL J. MANNION
LAFRAN MARKS
CHRISTOPHER M. MARQUEZ
DAVID C. MARTIN
ELIZABETH A. MARTIN
TIMOTHY S. MARZANO

JARRET D. MATHEWS
EDWIN D. MATTHAIDESS III
ROBERT W. MATTHEWS
RAYMOND M. MATTOX
JAMES D. MAXWELL
MICHAEL R. MCCARSON
BRIAN E. MCCARTHY
PATRICK M. MCCARTHY
GINAMARIE MCCLOSKEY
TRAVIS E. MCCRACKINE
CHRISTOPHER C. MCGARRY
SEAN P. MCGEE
WILLIAM P. MCGLOTHLIN
KASI E. MCGRAW
TIM M. MCGREW
GEOFFREY M. MCKENZIE
THURMAN C. MCKENZIE
SCOTT W. MCLELLAN
KALI A. MCMURRAY
ROBERT B. MCNELLIS
STEVEN R. MEEK
JUAN R. MEJIA
JON W. MEREDITH
MATTHEW A. MERTZ
KEYES M. METCALF
CARY J. METZ
RYAN M. MIEDEMA
JACOB W. MILLER
SCOTT D. MILLER
TIMOTHY M. MILLER
DUSTIN R. MITCHELL
JAMES M. MITCHELL
PATRICK C. MOFFETT
CHANDA I. MOFU
JOHN J. MONTGOMERY
PETER J. H. MOON
RYAN I. MOORE
RODNEY J. MORGAN
JOHN D. MORIS
JASON C. MORITZ
CHRISTOPHER S. MORRIS
MICHAEL G. MOUROUZIS
CARLOS E. MOYA
JEFFREY M. MUNN
JENNIFER A. MYKINS
BRIAN J. NEWILL
JASON M. NIERMAN
DAVID A. NORRIS
LANCE A. OBRYAN
SEAN M. OCONNELL
MARTIN L. ODONNELL
CHRISTOPHER W. OGWIN
DAVID R. OLSEN
EMANUEL L. E. ORTIZCRUZ
MARK A. PACZYNSKI
DANIEL W. PADGETT
DAVID J. PAINTER
JAMES T. PALMER
WAYNE D. PARE
FREDRICK B. PARKER
MICHAEL S. PARSONS
SHAWN M. PATRICK
ROBERT J. PAWLAK
MARC E. PELINI
SCOTT A. PENCE
ROBERT E. V. PETTY
ROBERT W. PHILLIPS
JUSTIN D. PIERSON
ESTHER S. PINCHASIN
CHIP POTTER
JEFFREY M. PRAY
WILLIAM C. PRUETT
JUSTIN B. PUTNAM
LANDON M. RABY
ISAAC J. RADEMACHER
FREDERICK D. RAMIREZ
CARLOS A. RAMOS
JONATHAN R. RASTALL
MATTHEW C. RAWLINS
DANIEL P. RAYCA
OTIS E. REGISTER III
ANDREW R. RIES
JOHN J. RIPA
ALEXIS RIVERAESPADA
BRIAN C. ROEDER
JOSE E. ROSARIOMENENDEZ
SIDNEY D. ROSENQUIST
JASON H. ROSENSTRAUCH
ROBERT J. ROSS
MATTHEW L. ROWLAND
JOSHUA R. RUISANCHEZ
KEVIN L. RUNKLE
ROBERTO SALAS
ROSA C. SANCHEZ
JOHN W. SANDOR
VICTOR R. SATTERLUND
ERIC M. SAULSBURY
BRIAN P. SCHOELLHORN
CORY E. SCHOWENGERDT
GREGORY M. SCHREIN
GERALD P. SCHUCK
WALKER W. SCOTT III
JEFFREY A. SEARL
EDWARD A. SEDLOCK, JR.
JONATHAN K. SHAFFNER
KEVIN R. SHARP
JAMES E. SHERIDAN
MICHAEL J. SHOUSE
JASON C. SHROPSHIRE
MICHAEL J. SIEBER
KEVIN W. SIEBOLD
MICHAEL A. SINES
KURT N. SISK
CHARLES E. SLAGLE III
JAMES J. SMITH
MATTHEW E. SNELL
DAVID J. SNODDERLY
PAUL H. SNYDER
KENT G. SOLHEIM
REYNALDO F. SOLIZ, JR.
MORGAN G. SOUTHERN
SEAN A. SPENCE
DAVID K. SPENCER
SCOTT R. SPURRIER
CHRISTOPHER D. STANGLE
JOHN E. STEEN II
MICHAEL P. STEWART
TED L. STOKES, JR.
MARK T. STONE
DEREK P. STORY
DENNIS P. SUGRUE
JOEY J. SULLINGER
NATHAN S. SURREY
JARED J. SUTTON
DANIEL L. SWANSON
JOSEPH L. SWINDLE
KELVIN P. SWINT
ANTHONY E. TANGEMAN
ASHLEY F. THAMES
DOUGLAS M. THOMAS
CHRISTIAN A. THOMPSON
BEAU W. TIBBITTS
JOHN E. TIEDEMAN
TERRY R. TILLIS
GREGORY S. TILY
PAUL J. TOOLAN
JASON C. TOWNSEND
CLINT E. TRACY
KEVIN M. TRUJILLO
MATTHEW P. TUCKER
RICHARD P. TUCKER
JAMES E. TULLY
JEREMY R. TURNER
BILLY J. VANCUREN
JAMES M. VANG
LOUIS VENEZIANO
ERIC P. VETRO
WILLIAM D. VICKERY
DARYL S. VONHAGEL
WILLIAM D. WADE
DAVID M. WARD
MATTHEW D. WASHBURN
KARIN L. WATSON
MARK C. WEAVER
THAD D. WEIST
JOHN C. WELCH
MARCUS S. WELCH
RANDALL D. WENNER
JASON L. WEST
ERIC A. WESTPHAL
SETH A. WHEELER
SCOTT C. WHITE
MICHAEL T. WHITNEY
KIRK J. WHITTENBERGER
RICHARD T. WILLBANKS
EDWARD O. WILLIAMS
EVERETT C. WILLIAMS
TIMIKA M. WILSON
CHRISTOPHER W. WINGATE
ROBERT J. WISHAM
JOHN P. WISHART
KARL M. WOJTKUN
JOHN S. WOO
MICHAEL L. WOOD
TIMOTHY L. WOODRUFF
MARCUS W. WRIGHT
RYAN E. YEDLINSKY
JAYSEN A. YOCHIM
ANDREW P. YODER
DANIEL R. YOUNG
JUDD K. YOUNG
PATRICK R. YOUNG
WILLIAM M. YUND
WILLIAM J. ZIELINSKI
MATTHEW T. ZIGLAR
JOHN J. ZOLLINGER
D002263
D011237
D012184
D002129
D006292
D011134
D002302
D011350
D011956
D005922
D011554
D010207
D012106
G010266

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 lieutenant colonel

CLARK C. K. ADAMS II
LEONARDO ADAMS
MICHAEL J. ADAMSKI
KRISTOPHER S. ALEXANDER
MICHAEL P. ANDERSON
KRISTIN M. ARNEY
MICHAEL A. AVILA
CHRISTOPHER H. BACHMANN
STEPHEN J. BANKS
THEODORE A. BANNER
JACQUELYN M. BARCOMB
LEE A. BARNARD
MATTHEW C. BENIGNI
DEREK S. BICKLER
JOSEPH C. BILBO
WADE C. BIRDWELL
DONALD E. BISHOP
RICHARD A. BLACKBURN, JR.
TIMOTHY P. BLANCH
KATIE J. BLUE
KENNETH N. BOOK
JOSHUA J. BRADLEY
LOUIVE B. BROGAN
CHRISTOPHER P. BROOKE
DONALD K. BROOKS
ANDREW P. BROSNAN
ANDRE M. BROWN
ANDREW R. BROWN
KEVIN P. BUETTNER
DAVID H. BURNHAM
BOBBY R. BURRUS
MATTHEW D. BUTT
ANDREW D. BYRD
NATHANEAL R. BYRNES
KATHLEEN S. CAGE
ERICA L. CAMERON
JASON L. CAMPBELL
STUART B. CATE
JAMES C. CHENEY
KWOK F. CHIU
ANDREW P. CLARK
SEAN P. COAKLEY
DUDLEY J. COBB
JOHN A. COFIELD
JUSTIN K. COLBERT
ROBERT L. COLLINS III
JOSHUA B. COMSTOCK
JUSTIN D. CONSIDINE
JONATHAN D. CORNETT
EDWARD L. COX
ZACHARY W. COYAN
ROBERT R. CRAIG
MELLYORA K. CRAWFORD
JUAN R. CUELLAR
STEVEN B. CUNNINGHAM
STEPHEN M. DAIL
ILYA DASHEVSKY
ANNA M. DAVIS
JEFFREY A. DAYTON
VICTOR M. DEEKENS
CHRISTOPHER S. DENHAM
MARK A. DENTON
PAUL K. DONNELL
JOHN C. DRAKE
ANDREW A. DUGGER
CHRISTOPHER J. DUNCAN
PATRICK D. DUNCAN
JOHNATHAN K. EASLER
JOSEPH H. EVANS, JR.
PAUL J. EWALD
BRETT T. FEHRENBACHER
BRIAN P. FLEMING
BRENT D. FOGLEMAN
BRYCE E. FREDERICKSON
SEAN J. GALLAGHER
BRIAN M. GELLMAN
ROBERT T. GERALD
JEFFREY T. GIBBONS
JOSHUA A. GILLEN
MICHAEL D. GOSSETT
AARON M. GOULD
BRYAN N. GROVES
JOSEPH C. GUIDO, JR.
STEPHEN M. HALL
BRIAN K. HAMILTON
JOSHUA J. HAMILTON
ROBERT J. HANNAH
BRETT I. HANSON
EDMOND A. HARDY
MATTHEW D. HASTING
ANTON J. HEDRICK
GLEN R. HEES
MATTHEW W. HEIM
WILLIAM D. HEMPHILL
ANDREW J. HIERSTETTER
JIMMY W. HILL
JOHN P. HILTZ
KEITH D. HOCKMAN
JOHN J. HOSEY, JR.
ROBERT R. HOUSTON
SAMUEL H. HUDDLESTON
MIKEL E. HUGO
NATHAN C. HURT
JOHN M. IVES
BRIAN P. JACOBSON
CRAIG S. JAYSON
ROBERT J. JOHANEK
BYRON G. JOHNSON
JAMES R. JOHNSON
JERAMIE D. JOHNSON
ROBERT R. JOHNSTON II
DAMIAN M. JONES
LEONARD E. JONES
MICHAEL R. JONES
JEFFREY C. KACALA
BRIAN M. KADET
CHARLES J. KARELS
CARLOS J. KAVETSKY
GREGORY P. KEENEY
RICHARD A. KIPHUTH
DIANE E. KLEIN
MATTHEW D. KOEHLER
ERIK E. KOENIG
JONATHAN P. KOERNIG
MICHAEL T. KOSUDA
THOMAS J. KUCIK
KANAME K. KUNIYUKI II
YUKIO A. KUNIYUKI III
SHAWN W. KYLE
BRYAN D. LAKE
MICHAEL A. LANDIN
KARLTON L. LANE
PATRICK J. LANE
MARK J. LAVIN II
MATTHEW J. LENNOX

CHRISTIAN T. LEWIS
THEODORE T. LIEBREICH
BRETT D. LINDBERG
KELLEY D. LITZNER
CHARLES S. LOCKWOOD
GARY M. L. LYKE
NEILL A. MACLEOD III
MICHAEL I. MAHARAJ
CHRISTOPHER E. MARKS
CHRISTOPHER M. MARTINEZ
DANIEL I. MATTEI
ROBERT L. MAY
MICHAEL E. MCCARTHY
TARA L. MCCARTY
DAVIS K. MCELWAIN
CHARLES J. MCGARRY
PHILIP J. MCGOVERN
ROBERT E. MCGUIRE
KRISTIAN MCKENNEY
KEITH D. MCMANUS
DOUGLAS J. MCNAIR
ROBERT A. MCVEY, JR.
PAUL C. MEAUX
ANDREW J. MEETZE
RICHARD E. MICHAEL
STEPHEN J. MIKO
ZACHARY F. MILLER
GREGORY R. MITCHELL
ROBERT G. MITCHELL
BASEL M. MIXON IV
MATTHEW J. MOAKLER
GEORGE L. MOORE
DANIEL R. MORRIS
BRIAN M. MURNOCK
IAN H. MURRAY
RICHARD J. NOWINSKI
TERRENCE J. OCONNOR
MARTIN H. OKADA
FREDERICK H. ORNDORFF
CHRISTOPHER J. ORTIONA
CASSANDRA M. OWENS
DAVID E. OWENS
DUSTIN M. OWENS
JOSHUA G. PARRISH
BYRON C. PATERAS
CLAUDIA P. PENAGUZMAN
GLEN D. PENROD
KRISTY K. PERRY
JONATHAN T. PETTY
GREGORY D. PIPES
ANTHONY F. PISANO
BRANDON A. PRESSLEY
BRYAN C. PRICE
WAYNE E. PRINCE
NICHOLAS E. PRISCO
MATTHEW R. PROVOST
ROMEO QUREISHI
PABLO A. RAGGIO
JOSE A. RAMIREZ
MANUEL F. RAMIREZ
KLAUDIUS K. ROBINSON
SHAWNETTE M. ROCHELLE
JOSE R. RODRIGUEZ, JR.
MELBERT V. ROLDAN
JOSEPH A. ROMAN
JAMES M. ROSS
JASON K. ROUNDY
KELLIE S. ROURKE
JOHN A. RUCKAUF
PHILIP R. RUSIECKI
KENNETH J. RUTKA, JR.
TONI K. SABO
CADE M. SAIE
MELAN P. SALAS
FRANKLIN B. SCHERRA, JR.
JAMES A. SHAW
BRYAN P. SHRANK
CHRISTOPHER M. SIEGRIST
BENJAMIN R. SIMMS
JAMES A. SINK
KENNETH P. SIVERSON, JR.
CHARLES M. SMITH
DONALD E. SMITH II
BERNARD L. SNOW, SR.
SANG M. SOK
GENE R. SOUZA
MICHAEL P. STACHOUR
RYAN P. STAMATIS
THOMAS L. STJOHN, JR.
MICHAEL STURDIVANT
WILLIAM E. SYMOLON
CHRISTOPHER S. SYNOWIEZ
JEAN P. G. TARMAN
MARK A. TERRELL
MICHAEL D. TETER
KRIST G. THODOROPOULOS
CHRISTOPHER M. THOMAS
DAVID C. THOMAS
DARIN A. TIBBETTS
JAMES D. TOLBERT
CHRISTOPHER G. TURNER
JAMES O. TURNER, JR.
NICOLE E. VINSON
DAVID E. VIOLAND
VICTOR A. VOGEL III
ROBERT T. VOLK
JASON D. VULCAN
STEVEN B. WALDROP
JASON M. WARD
LATISHA M. WAYNE
JASON R. WHIPPLE
MARK R. WHITEMAN
SHANNON J. WHITEMAN
GEORGE B. WHITTENBURG
CHIKE T. WILLIAMS
DERRICK B. WILLIAMS
KRISTINA M. WILLIAMS
CARL J. WINOWIECKI II
TIMOTHY E. WOLFE
DANIEL C. WOOD II
PRINCETON D. WRIGHT
BRUNO A. ZITTO
BRENDA D. ZOLLINGER
D001245
D001992
D003840
D003879
D006536
D010105
D010490
D010740
D010779
D011333
D011359
D011367
D012109
D012186
G001008
G001232
G001288
G001298
G010051
G010059
G010212
G010269

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

EDWARD J. EDER

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

WILLIAM A. BURNS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KEVIN L. BELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

CLAYTON M. PENDERGRASS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CASEY D. FERGUSON
ANTHONY K. TOBIAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CRYSTAL R. AANDAHL
TUESDAY L. ADAMS
KIMBERLY ALBERO
BRANDI M. ALFORD
TIMOTHY J. BENJAMIN
MOHNEKE V. BROUGHTON
SARA M. BROWN
MARK C. BUENO
STEPHANIE L. BURLESON
JEFFREY K. BURNEY
ERA P. BURROWS
MICHAEL D. BUSHEY
ARVELLA M. CASE
EDWARD R. CAVANAUGH
SARAH M. CHAMBERAS
KATHERINE M. CHIU
MARK W. CLARK, JR.
MARY S. CLEMENTS
CHRISTOPHER J. DAVIS
JEFFERY L. DEWEY
BRIAN P. DRZEWIECKI
ERIN M. EICKHOFF
BRANDI A. EPPERSON
COLLEEN L. FISHER
LADONYIA L. GRAHAM
DARCY R. GUERRICAGOITIA
MONICA L. HALL
WADE C. HANSON
KRISTEN A. HARDING
JUSTIN B. HEFLEY
MARIE J. HOOD
SACHIKO M. IKARI
ANGELA M. KELLY
GEORGE C. KRAFT III
MICHELLE L. LIND
KRISTIE L. LINDER
LAUREN B. LOGAN
JUBAL L. MARLATT
MICHELLE M. MCCORMICK
JOSEPH C. MCDONALD
MICHELLE K. MCKENNA
ELAINE P. MEDLEY
JEFFREY A. MILES
KATHERINE C. MONAGHAN
RACHEL E. NEWNAM
MELODY A. OCONNOR
NICHOLAS G. PEREZ
BYRON J. PETERSON
NICKY S. PETERSON
CHAD E. PHIPPS
SUSANNE M. PICKMAN
WOODY PIERRE
KELLY P. RICKETTS
JOSEPH I. ROMAN
MICHAEL T. RUCKER
RAMIR C. SALCEDO
JULIE M. SCHAUB
SONIA C. SCOTT
JAMIE E. SHERRY
KATHERINE E. STOWELL
SARAH J. T. TALLENT
JOSEPH A. UKE
TRACI J. VANDERMOLEN
TERRY D. VINCENT
MEGHAN L. WEAVER
STELLA J. WEISS
ALLYSON E. WHALEN
AHMON R. WHITE
JAMES H. WHITE
LILLIAN W. WHITE
LINA M. YECPOT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CYNTHIA N. ABELLA
KENDAL J. ALLMANBAILEY
MICHAEL R. ANDERSEN
SALIM M. AQIL
ROBERT B. ARTHUR
CHRISTINE M. BAKER
ANNA E. I. W. BECK
SCOTT P. BLACKHART
MATTHEW S. BOLDUC
CHRISTOPHER D. BRADLEY
TODD G. BRINGHURST
HEATHER M. BROWN
ANGEL J. CALVO
JOSEPH F. CAREY
SARA A. CHILCUTT
KATIANA CRUET
CHAD E. CUCA
JEFFREY K. DEAN
CHRISTOPHER D. DINDAL
JAMES K. DOLL
CARLA L. EPPEL
TODD A. EPPEL
DANIEL J. FUHRMANN
MORGEN Y. GARDNER
DEREK B. GATTA
JEREMY R. GIES
JOAN M. GONZALEZ
THOMAS D. GRUBBS
NICHOLAS J. HAMLIN
CHRISTOPHER M. HANSON
AARON G. HASSELL
DREW B. HAVARD
JASON L. HICKS
DANIEL J. HONL
ERIC M. HOWARD
JEFFREY T. HOYLE
SHAWNA L. JACKSON
STEPHEN W. JOHNDREAU
DORIS K. LAM
DEVIN J. LANGGUTH
KATHY A. LIGON
BRYAN S. MAY
MICHELLE M. MAYER
MATTHEW J. MILLER
DANIELLE T. MUCKENTHALER
JOSEPH R. MUCKENTHALER
DAVID A. MYERS
CODY J. NELSON
ANDREW J. PAKCHOIAN
ERIN R. PALMER
PHILIP PARK
JENNIFER M. PILBY
ALLEN D. RASMUSSEN
DAVID M. RASMUSSEN
CLAYTON T. RAU
FRANCISCO RODRIGUEZ
NOEL RODRIGUEZ
PAUL M. RUSSELL
DAVID J. RUSTHOVEN
LESLEY A. SACRAMENTO
YOUNGSEOK SEO
KAMBEZ SHUKOOR
MICHAEL A. SMITH
JULIE K. SUGUITAN
MICHAEL R. SYAMKEN
CHRISTOPHER E. VERZOSA
ERIC D. VILLARREAL
JAMES D. WARD
CHRISTOPHER P. WERMERSON
RACHEL L. WERNER
SHAUN T. WHITE
BARAK A. WRAY
YU ZHENG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHRISTOPHER A. ADAMS
JENNIFER H. ANDERSON
DONALD A. BAKER III
STEVEN T. BENEFIELD
SHAWN L. BOOTSMA
GENEVIEVE M. F. CLARK
STEPHEN L. CLOER

GREGORY R. COATES
JASON M. CONSTANTINE
BRYAN J. DAVENPORT
DAVID S. DEESE
JAMES O. DEWEY
JASON M. DIPINTO
DAVID L. DUPREY
DEVON H. FOSTER
TODD D. FOWLER
CALVIN B. GARDNER, SR.
JASON A. GREGORY
ANDREW J. HAYLER
PAUL A. HYDER
GLEN D. KITZMAN
AARON E. KLEINMAN
JOHN M. MABUS
WAYNE J. MASON
ROBERT E. MILLS
DAVID L. MOWBRAY
DAVID T. NELSON
MATTHEW G. PRINCE
BRYAN E. PURVIS
DANIEL R. SPIES
JONATHAN D. STEPHENS
GREGORY D. UVILA
JASON D. WEATHERWAX
MARLIN WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JESSE D. ADAMS
MATTHEW C. ANDERSON
KATHERINE R. CALLAN
PARKER S. CARLISLE
ERIK A. CARLSON
CALEB CHRISTEN
DAVID A. CHRISTENSON
JOSHUA L. CORNTHWAITE
NEIL R. DARCO
BRADLEY L. DAVIS
BRYAN M. DAVIS
CHRISTOPHER M. FLETCHER
RYAN G. FORBES
BENJAMIN B. M. GARCIA
MANDY L. GARDNER
LINDSAY P. GEISELMAN
WILLIAM L. GERATY
JOSEPH T. GRIFFO
LAUREN F. HANZEL
TRACY L. HARP
JONATHAN K. HULLIHAN
MIKAEL P. JOHNSON
NICHOLAS J. KASSOTIS
DAYTON A. KRIGBAUM
ANDREA J. LEAHY
SAMANTHA F. LIPPOFF
JOCELYN E. LOFTUSWILLIAMS
DARREN E. MYERS
BYRON M. NAKAMURA
BRANDI R. ORTON
JESSICA L. PYLE
MARK T. RASMUSSEN
ALEXANDER R. SEVALD
ROBERT C. SINGER
NICHOLAS B. STAMPFLI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JON A. ANGLE
NICHOLAS C. BROWN
KIMBERLY M. CAUDLE
PAULSTEPHEN CHIERICO
VINCENZO J. CIARAVINO III
DAVID C. COLLINS
THOMAS J. DILL
MICHAEL L. DOBLING
JAMES R. W. GALLOWAY
SHAWN C. GORMAN
AMY J. HONEK
JONATHAN R. HORNER
TIMOTHY P. JAMES
DALONE T. JENKINS
JAMES D. JOHNCOCK
CLIFFORD L. KELSEY, JR.
ROBERT W. LEFTWICH
MATTHEW M. MATTIVI
ROBERT E. MCCHAREN
DANNY B. MCMASTER
SANDRANELL L. MOERBE
WILLIAM E. MOILES
STEVEN H. PARKS
JEFFREY D. PATTON
JOHN K. PERGERSON
JEREMY M. SCHWARTZ
RILEY W. SMITH
LAVELL B. WALSON
KEVIN E. WESTBROOK
KHALID J. WOODS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TODD A. ANDERSON
EBENEZER ANIAGYEI
JOELLE L. ANNANDONO
JAMES L. ARMITAGE
KISHLA A. ASKINS
YESENIA ASTORGA
SHANDA F. AVENT
JEFFREY D. BATEMAN
JOSEPH A. BAUGH
DAVID G. BENNETT
NEVON R. BURNEY
MICHAEL J. BUYSKE
LANCE CALHOUN
KATHLEEN R. DAGHER
MATTHEW W. DESHAZO
SHARON K. DOERSOM
JAMES C. DUNFORD
JOSEPH M. FROMKNECHT
HEATH G. GASIER
CHERYL A. GRISWOLD
NICHOLAS P. GUZMAN
JOSHUA P. HALFPAP
KAREN B. HARMAN
SHANI K. HENRY
HANNAH L. HOOTEN
CHRISTOPHER A. JACKSON
KENNETH R. JENKINS
SANDRA P. JIMENEZ
JAMES A. LAGGER
JEREMY D. LAMB
JAKE S. LEHMAN
JESSE D. LOCKE
JAMAAL D. LOFTON
ORLANDO LOPEZ
ANDREA J. MCCOY
JENNIFER G. MCNAB
ROBERT M. NOSEK
OLUSEGUN A. OLABODE
KENNETH C. PADGETT
MELISSA K. PARKES
BENJAMIN B. PARKS
FRANK G. PERCY, JR.
COBEY B. PETE
YARON RABINOWITZ
SETH A. REINI
BERNARDINO RODRIGUEZ
IRINA ROMAN
DOMINIC J. ROMANOWSKI
DOUGLAS R. SANTILLO
MICHAEL D. SCHWARTZ
ALALEH K. SELKIRK
CHRISTOPHER R. SHARPE
PHILIP M. SHERRICK, JR.
JUDITH A. SILVA
THOMAS J. SLOCUM
CAROLYN N. SMITH
EUGENE SMITH, JR.
JAMES D. SPEITEL
ADAM C. STRONG
CHERYL D. SWINK
MICHAEL L. TAPIA
CHAD M. THOEMKE
JONE L. TILLMAN
DAVID VALENTINE III
DAVID M. VIAYRA
ANDREW J. WEISS
SHEVONNE K. WELLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AUSTIN G. ALDRIDGE
LINDSAY R. ANDERSON
JAMES F. BABCOCK
JACOB T. BAKER
ANJAIL F. BELTON
WARREN K. BLACKBURN
JASON E. BLANCHARD
LAMONT A. BROWN
WILLIAM C. BUFFINGTON
CHRISTOPHER S. BURT
CURTISS BUTLER
CURTIS P. CEASER
JON K. CHRISTENSEN
HYONG Y. CHU
MATTHEW C. CLUTE
JOSEPH M. COZART
JENNIFER L. CUSTARD
JASON F. DELEON
CHARLES M. DONALDSON
JEREMY J. DUKE
MATTHEW E. DUNCAN
NATHANIEL S. EDGE
DANNY L. EWING, JR.
JEFFGERARD C. FERNANDEZ
ERIC C. FOLKERS
GIOVANNI FORERO
JAMES L. FOSTER
ANDREW R. HALEY
JOSHUA R. HARDING
RICHARD P. HARTL
LINORA C. HAYES
DAVID M. HENTON
SAMUEL A. HULL
MARK C. JACKSON
BRIAN J. KENDRICK
DAVID C. KNOBEL
NOEL K. KOENIG
KONRAD R. KRUPA
SUNEET KUNDRA
KARA B. LANGFORD
HEATHER E. K. LEE
DAVID S. LEWIS
JAMES R. MARSH
SCOTT M. MCCARTHY
GREGORY T. MCCLEERY
SCOTT R. MILLIET
ALEXANDER S. MOLNAR
SEAN R. MOODY
ARTHUR C. NELSONWILLIAMS
ERIC J. NEWSOME
KURTIS A. NOACK
PAUL C. NOTARNICOLA
JAMAL M. OSMAN
WILFREDO OTEROMATOS
CARRIE L. PABEN
ROBERT W. PAUL
BRADY R. PETERS
KEVIN M. PETERS
JASON J. PFAFF
JACOB M. PRENTISS
DOMINIC M. RAIGOZA
MICHAEL P. RIGONI
MICHAEL P. SARGENT
JASON A. SHAW
CHRISTOPHER G. SMITH
FREDERICK M. STAINES
WENDELL K. STEPHENS
GARRETT D. STONE
BRENT L. SUMMERS
RYAN M. TOBIN
EDWARD E. TUCKER III
PETER L. VAPOR
NATHAN T. WOODWARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ALWIN L. ALBERT
PAUL C. ALGRA
ART A. AMBROSIO
DAVID R. ANDRES
MICHAEL J. ANNEN
FRANK J. ARNOLD
ARNEH BABAKHANI
BRIAN T. BARLOW
ERIC V. BARTON
ANDREW M. BASNETT
LYNN L. BEAUCHAMP
ANDREW S. BERNHARDSON
KEVIN M. BERNSTEIN
ERICA L. BERRY
NIKUNJ A. BHATT
BENJAMIN A. BOGRAD
PATRICK L. BOOTHE
JOEL A. BRAMAN
JASON B. BRILL
JOSEPH V. BROWN
TAM BUI
JOHN M. BURGER
MARY C. CARONITI
ERIC T. CARROLL
CHRISTOPHER A. COCHRAN
GLEN A. COOK
CHRISTOPHER P. COSENTINO
WILLIAM A. CRONIN
JAMEY D. CROSS
DEREK J. DAVIES
CHRISTINE A. DEFOREST
THEODORE J. DEMETRIOU
JONATHAN R. DETTMER
NATHAN J. DETTORI
JILLIAN M. DORSAM
SIBYL M. DUNCAN
NICHOLAS S. DUROCHER
CICELY A. DYE
KEVIN T. ELWELL
ROBERT R. ENLOE
SHALIMAR J. ENRIGHT
SHARON C. ENUJIOKE
WILLIAM J. EPPS
CHRISTIAN E. ESQUIVEL
MATTHEW P. FEIST
HUCKELBERRY A. FINNE
GAVIN W. FORD
ADAM J. FORREST
IZHAK FRIDMAN
RYAN M. FUGATE
JAMI L. GANN
GABRIEL T. GIZAW
GALE K. GOODLOW II
DAVID L. GRIFFIN
GEORGE R. GRIMES
MATHEW R. GUGGENBILLER
JONATHAN L. HALBACH
DAVID M. HANRAHAN
TODD P. HANSEN
ROBERT S. HANSON
SARA N. HANSON
CURTIS L. HARDY
RASHEED HASSAN
LESLEY A. HAWLEY
EDWARD E. HEARN
MARA H. HEGEL
CHRISTOPHER D. HELMAN
MATTHEW D. HENRY
AMY A. HERNANDEZ
COLLEEN T. HIEBENTHAL
MAUREEN M. HIGGS
TIMOTHY J. HILL II
CURTIS A. HIMES
DUY T. HOANG
SEQUIA A. HOLLAND
TIFFANY N. HOLLAND
MANJU S. HURVITZ
DANIEL S. HWANG
WILLIAM W. IDE
CHRISTY Y. INAE
JOHANES M. ISMAWAN
CODY R. JACKSON
MICHAEL L. JACKSON
HARBRINDER S. KAHLON
SUMMANTHER A. KAVIRATNE
STEPHEN A. KECK
JOHN E. KEHOE
EAMON C. KELEHER
TAMARA L. KEMP
JOSHUA J. KUHN

COLLEEN F. LAHEY
DAVID S. LAW
MICHAEL A. LEE
MICHAEL M. LEE
TIDA K. LEE
TRACY J. LEE
COURTNEY L. LENNON
ROBERT P. LENNON
KATRINA M. LESHANSKI
LOUIS R. LEWANDOWSKI
RADHAMES E. LIZARDO
BRYAN E. LONG
DONALD J. LUCAS, JR.
VERNON E. MACKIE, JR.
CLIFFORD M. MADSEN
BRIAN J. MANNINO
GORDON T. MARKHAM
CHARLES D. MARTIN
BLAKE A. MARVIN
LAUREN H. MATTINGLY
BRENDAN J. MCCLUNEY
MELISSA M. MCCORMACK
VICTORIA S. D. MCDONALD
ANNE E. MCLENDON
BRANDI N. MILMO
LAURA M. MORGAN
ROSS A. MULLINAX
KENNETH E. NEEDHAM
LUKE S. OAKLEY
ANDREW J. OBARA
BRENDAN M. OCONNOR
KRISTINA W. OCONNOR
ROBERT J. OLDT III
JARED M. PATTON
JOSHUA R. PAUL
ASHLEY B. PENN
DAVID E. PIKE
DUSTIN M. PORTER
LINDSEY M. PRESCHER
KENNETH R. PRINCE, JR.
JACOB F. QUAIL
STEPHEN T. RACHAEL
PATRICIA A. REICHERT
DANIELLE M. ROBINS
GABRIEL A. RODRIGUEZ
KATHERINE J. ROSS
BRANDI L. SAKAI
KERMIT C. SALIVIA
PAUL M. SCHMIDT
MARGARET E. SCOTT
JONATHAN G. SEAVEY
DANIEL N. SHIPPY
VIKAS SHRIVASTAVA
ANDREA N. SIMS
MOHENISH K. SINGH
ROBERT V. SKLAR
CHARLES T. SMARK
STEPHANIE L. SMITH
JOSEPH SPINELLI
PAUL A. STICKELS
JUSTIN P. STOCKS
ERIN B. STORIE
SCOTT G. STORY
DANIEL D. TARMAN
BRYON D. THOMSON
BRENDON G. TILLMAN
DENISE R. TORBERT
VISONG TRING
DIEGO A. VICENTE
JOHN A. VIGILANTE IV
JEREMY D. WALDRAM
MARCUS A. WALTON
JACK C. WANG
CHRISTINA M. WARD
DANIEL E. WARREN
STEVEN R. WEATHERSPOON
XIN WEI
SCOTT M. WEITZEL
SHANNON M. WELTER
SARAH M. WIED
CLIFTON J. WILCOX
MARCIE S. WILDE
MATTHEW C. WILLETT
BENJAMIN C. WILLIAMS
LAWRENCE L. WILLIAMS, JR.
JUSTIN D. WILSON
KERRY E. WILSON
JIAN XU
JAMES A. YODER
KAREN G. ZEMAN
JANIE A. ZUBER
JACK M. ZUCKERMAN

DEPARTMENT OF THE TREASURY

BRODI L. FONTENOT, OF LOUISIANA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY, VICE DANIEL M. TANGHERLINI, RESIGNED.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

LOURDES MARIA CASTRO RAMIREZ, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE SANDRA BROOKS HENRIQUEZ.

SOCIAL SECURITY ADMINISTRATION

ANDREW LAMONT EANES, OF KANSAS, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2019, VICE CAROLYN W. COLVIN, TERM EXPIRED.

DEPARTMENT OF STATE

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

ROBERT T. YAMATE, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MADAGASCAR, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF THE COMOROS.

FEDERAL MINE SAFETY AND HEALTH ADMINISTRATION

MARY LUCILLE JORDAN, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2020. (REAPPOINTMENT)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

P. DAVID LOPEZ, OF ARIZONA, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate July 31, 2014:

DEPARTMENT OF DEFENSE

LAURA JUNOR, OF VIRGINIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

DEPARTMENT OF STATE

JOHN FRANCIS TEFFT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

IN THE AIR FORCE

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. CLARENCE ERVIN

IN THE ARMY

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 major general

BRIG. GEN. CHARLES L. GABLE

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 major general

BRIG. GEN. STEPHEN L. DANNER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL PATRICIA M. ANSLOW
BRIGADIER GENERAL ELIZABETH D. AUSTIN
BRIGADIER GENERAL WALTER E. FOUNTAIN
BRIGADIER GENERAL RICHARD J. GALLANT
BRIGADIER GENERAL SCOTT A. GRONEWALD
BRIGADIER GENERAL JEFFREY H. HOLMES
BRIGADIER GENERAL WALTER T. LORD
BRIGADIER GENERAL JOHNNY R. MILLER
BRIGADIER GENERAL GLEN E. MOORE
BRIGADIER GENERAL LESTER SIMPSON
BRIGADIER GENERAL REX A. SPITLER
BRIGADIER GENERAL ROY S. WEBB
BRIGADIER GENERAL DAVID E. WILMOT
BRIGADIER GENERAL DAVID C. WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MARK W. PALZER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 1211:

To be major general

BRIG. GEN. NEAL G. LOIDOLT

To be brigadier general

COL. THOMAS P. BUMP
COL. JEFFREY E. IRELAND
COL. ISABELO RIVERA
COL. WALLACE N. TURNER

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 brigadier general

COL. ROBERT J. ULSES

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. TIMOTHY J. SHERIFF

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. TIMOTHY S. PAUL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. GLENN A. GODDARD

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS 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

COLONEL GREGREY C. BACON
COLONEL DARYL D. JASCHEN
COLONEL DAVID S. WERNER

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. ROBERT J. HOWELL, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) KERRY M. METZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GENE F. PRICE
CAPT. LINNEA J. SOMMERWEDDINGTON

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 (lower half)

CAPT. DAWN E. CUTLER

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JONATHAN ACKLEY AND ENDING WITH AARON ALLEN WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD EDWARD ALFORD AND ENDING WITH DYLAN B. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM J. ANNEXSTAD AND ENDING WITH DAVID J. WESTERN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

AIR FORCE NOMINATION OF ROBERT P. MCCOY, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL E. COGHLAN AND ENDING WITH AJAY K. OJHA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 22, 2014.

IN THE ARMY

ARMY NOMINATION OF BURTON C. GLOVER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PAUL A. THOMAS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ALEKSANDR BARON AND ENDING WITH RYAN D. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

ARMY NOMINATIONS BEGINNING WITH CARLO J. ALPHONSO AND ENDING WITH JORDAN E. YOKLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

ARMY NOMINATION OF DESIREE S. DIRIGE, TO BE MAJOR.

ARMY NOMINATION OF NEALANJON P. DAS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH YONG K. CHO AND ENDING WITH THOMAS A. STARKOSKI, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 22, 2014.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH JOHN I. ACTKINSON AND ENDING WITH ROBERT E. ZUBECK II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER W. ACOR AND ENDING WITH RICHARD P. ZABAWA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH MATE W. AERANDIR AND ENDING WITH JACQUELINEMAR W. WRONA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH CHRISTIAN G. ACORD AND ENDING WITH BRIAN P. WORDEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH AARON N. AARON AND ENDING WITH CHELSEY L. ZWICKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH BRIAN F. BRESHEARS AND ENDING WITH DAVID A. ZIEMBA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH DANIEL J. BRADSHAW AND ENDING WITH ROSS W. PETERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH ARLO K. ABRAHAMSON AND ENDING WITH TIFFANI B. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH JAMES C. BAILEY AND ENDING WITH AMANDA J. WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH ERIC S. KINZBRUNNER AND ENDING WITH ERIC M. ZACK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH JERMAINE A. BAILEY AND ENDING WITH JEREMIAH J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH JEMAR R. BALLESTEROS AND ENDING WITH ANNE L. ZACK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATION OF CHRISTOPHER A. CEGIELSKI, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH KEVIN C. ANTONUCCI AND ENDING WITH JOSHUA D. WEISS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH FERDINAND D. ABRIL AND ENDING WITH ALLEN E. WILLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH MICHAEL D. AMEDICK AND ENDING WITH DENNIS M. WHEELER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH KERRY E. BAKER AND ENDING WITH MICHAEL D. WINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH KENNETH R. BASFORD AND ENDING WITH JOHN P. ZALAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH BRIAN J. ELLIS, JR. AND ENDING WITH SYLVAINE W. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH KEVIN S. BAILEY AND ENDING WITH THEODOR A. ZAINAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH DAVID L. BELL, JR. AND ENDING WITH NATHAN J. WONDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATIONS BEGINNING WITH RUBEN D. ACOSTA AND ENDING WITH DAVID M. YOU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 17, 2014.

NAVY NOMINATION OF ADAM J. RAINS, TO BE COMMANDER.

N O T I C E

Incomplete record of Senate proceedings. Today's Senate proceedings will be continued in the next issue of the Record.