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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Almighty God, the Author and Finisher of our faith, teach us to rejoice in the privileges You have strewn on our path to be used to bless others.

Lord, strengthen our lawmakers to resist the temptations that would seek to lure them from Your purposes. Give them clear sight that they may know what to do. Give them courage to embark upon the fulfillment of Your will as You provide them with the skills needed to find a way through all our Nation's challenges. Empower them to persevere in doing what is right, enduring to the end. Help them to begin, to continue, and to end all things by trusting You.

We pray in Your great Name. Amen.

NOTICE

If the 113th Congress, 2nd Session, adjourns sine die on or before December 24, 2014, a final issue of the *Congressional Record* for the 113th Congress, 2nd Session, will be published on Wednesday, December 31, 2014, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Tuesday, December 30. The final issue will be dated Wednesday, December 31, 2014, and will be delivered on Monday, January 5, 2015.

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

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

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, December 10, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a

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

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Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to concur in the House amendment to the Senate amendment to H.R. 3979, which is the Defense authorization bill—a very important piece of legislation.

I would hope that Senators would understand the quicker we get this done, the sooner we can get to the omnibus and the tax extenders and the other things we have to do before we leave.

I would note that it seems very likely we will have some votes this weekend. Everyone should understand that. If we can work a way not to have them, we will not, but I want everybody on notice that if they are not here this weekend, they could miss votes.

TRIBUTE TO NANCY ERICKSON

Mr. REID. Mr. President, when the Senate convened for the first time in April of 1789, there was a lot to do—and that is an understatement—not the least of which was to establish a system of rules to govern proceedings in the U.S. Senate. The first few weeks and months were going to be difficult, as they tried to sort out the structure and organization of this institution, but they had an idea. Two days after achieving its first quorum, the Senate selected a Secretary to oversee the day-to-day operations of what would become the world's greatest deliberative body.

The importance of this position can't be overstated. Senators and their staffs come and go, but the Secretary of the Senate provides much needed stability and support. To put things into perspective, in the entire history of this country—225 years—we have only had 32 Secretaries of the Senate. By contrast, there have been almost 2,000 Senators who have served since its inception. That number will grow, of course, come January.

For the last 8 years, Nancy Erickson has served superbly as Secretary of the Senate. But to be quite honest, that is what we expected her to do when she got this job.

I came to know Nancy when I was the assistant leader, and a friend and confidant of Senator Daschle. Every time I walked in that office, there she was, always so very, very nice. She was a pleasant person. She was always smiling. We had some big issues, but she was always pleasant to everybody.

Her first job here in the Senate was with Tom Daschle. She became his scheduler. But given her abilities, she quickly assumed more responsibility, eventually becoming deputy chief of staff. When Senator Daschle left the Senate, Nancy transitioned to the Sergeant-at-Arms office, where she worked as a liaison to Democratic Senators and their offices.

Nancy is a native of Brandon, SD. She majored in history and government at Augustana College in Sioux Falls. She moved to Washington, DC, in 1987. Her husband Tom is from Sioux Falls. JOHN THUNE used to purchase suits from Nancy's father-in-law.

Nancy's first job here in the Senate, as I have indicated, was for Senator Daschle. In her current office, Nancy has a collection of South Dakota maps hanging on the walls, one of the railroad tracks across South Dakota in 1886, one of Watertown, SD, and she has others. She even has a Rand McNally map of a long time ago that covers the entire State.

As I indicated, when Senator Daschle left the Senate, Nancy transitioned to the Sergeant-at-Arms office where she worked as liaison to Democratic Senators and their offices. When I became leader and it was time for selecting a new secretary, I didn't look very far. I urged her to consider the position. I am glad she did. I have not regretted that decision, not for a second. She has proven herself to be an excellent manager.

Nancy has 26 departments and about 250 employees directly under her supervision, not to mention the other 6,500 Senate employees who depend on her and her office. She has been faced with some difficult times during her tenure as Secretary of the Senate. There has been a lot of roiling—sequestration, a new health care rollout, and, of course, last year's shutdown. She has confronted each difficult obstacle with skill, composure, and that wonderful smile that she has.

Nancy's success as Secretary stems not only from her excellent abilities but also from her character. She is a genuinely good person and she is very thorough, very thoughtful—I have already said that; very kind—I have already said that; very understanding—I have already said that; and something I haven't said, she is very fair.

Whether she walks the halls here or on the Senate floor, she always has a smile every place she goes. I have said that many times. That is her legacy, and it is a good legacy. I have never—never might be an exaggeration, but extremely rarely—heard her criticize anyone.

Nancy's time as Secretary of the Senate is coming to an end and she will be greatly missed. She has attended to the Senate's every need, day and night. She has earned a break, and I hope she takes one. I hope she gets to spend some time with her husband Tom, her daughter Drew, and I can still see in my mind's eye that picture she has of little Patrick—that little tiny boy. She had that on her desk forever, and he kept getting bigger and bigger and became an athlete. We had many conversations—and I try not to boast about a lot of things, but I am always anxious to boast about my youngest son, who was a stellar athlete and played on three national championship teams at the University of Virginia—so I have watched Patrick become a college soccer player.

There will never be another Nancy Erickson here in the Senate. People like her don't come along very often. But she leaves a legacy, and it is one that will endure through the history of this great body.

So thank you, Nancy, for your service to the country.

TRIBUTE TO SHEILA DWYER

Mr. REID. Mr. President, when Secretary Erickson steps down, so does the Assistant Secretary of the Senate Sheila Dwyer. Sheila has a long history in the U.S. Senate, but Sheila's time started long ago—and I am not going to talk about how long ago, but she was a Senate page during the time, of course, when she was in high school. But after her semester as a page, she, like all these young pages who are here for a semester, returned home to Connecticut. She loves to boast about the great State of Connecticut, and I have listened to her do that for many years. But her heart has always been with the Senate from the time she was a page, and so she returned after her education.

Sheila got a degree from Suffolk University. She returned to the Senate in many different capacities, but we have had wonderful conversations about her time with Chuck Robb. She is a family friend of the Robbs—and I mean a family friend—very close to them. She later worked for Senator Daniel Patrick Moynihan.

I talked to his widow within the past couple of weeks. What a unique man Senator Moynihan was. There is a new book out about him, and I have asked my staff to get a copy of it, which talks about this unusual man. I am anxious to read it because he was brilliant, but also he had a few—he was eccentric in some ways. And Sheila loves to tell privately—and I will not repeat here on the floor—some of the things he did that would appear to a lot of us to be a little bit eccentric. But that was part of his unique quality and she handled him so well—as well as anyone could.

She worked for another man with a huge personality: Senator Fritz Hollings. He would, even though he is over 90 years old, still be here in the Senate except his wife became ill. He is physically strong today, bright of mind, and I can hear this man's voice from where he stood. What a voice he had, a man who was the epitome of what a Senator

should look like. He was a handsome man. I repeat, he had this great voice, and he was very tall, stood very erect. I was always very envious of how he could stand so tall, and he has such a sense of humor that is quite remarkable. Sheila is his friend. She visits him in his home in South Carolina now, and she has helped me keep in touch with Fritz Hollings.

Then she worked for me. I was so fortunate. I was looking for someone to do my fundraising during a very difficult election I had before me. I knew who I wanted, but I didn't know that I could get her. Well, we worked things out. And it wasn't just because I offered her more money, it was because she wanted to work with me, and I am so happy that came to be.

For 14 years, she has been part of my team—and I mean part of my team. During that entire time, she has done an incredible job doing my Senate business as a candidate. Doing Senate business here as the Assistant Secretary, she has been the best.

So after having worked for the Senators I have mentioned, including me, when the time came to fill the role of Assistant Secretary of the Senate, she was a perfect candidate, and in this position she has not disappointed me once.

Everyone who has ever worked with Sheila knows she is a meticulous planner. If you want something done—an event—and done right—and I mean done right: help setting up the program, what the flowers are going to look like, what the food is going to be, what time it should start, what time it should end—and she is very, very precise on when it should start and when it should end—we learned that last night during a farewell for a number of Democratic Senators—she really spares no effort, leaves no detail unattended.

Her time here in the Secretary's office has been a smashing success. It is not easy to attend to the needs of 100 Senators—100 Senators—Democrats, Republicans, Independents, their families and staffs, but Sheila handles it with skill and with grace. That is why many call her the ''Mayor of Capitol Hill,'' and for good reason.

Whether she is escorting the President's daughter to the inauguration podium in her bright pink coat, or planning a ceremonial dinner in Statuary Hall, Sheila does the job exceptionally well.

Just one example, 2 years ago the Senate hosted the screening of Steven Spielberg's now legendary film, ''Lincoln.'' There were some real big-shots there. Spielberg, Daniel Day Lewis, the guy that wrote the script—they were all there. So there were, frankly, a lot of prima donnas there, including of course all the Senators. So it was an exceptionally difficult feat to pull off, coordinating attendance for 100 Senators who all wanted to go to see these famous people.

She was preparing a panel discussion for the cast and crew, all while following strict Capitol protocols as to who could go where and what we could do in the places we went. But she had a secret weapon, and that was she. She didn't know it, but that was the secret weapon. She took care of every possible problem and coordinated every single detail, even down to a makeshift concession stand in the lobby. It was a wonderful event, a marvelous event, because for the briefest moment it brought the Senate together in the spirit of unity that we haven't had in some time. It all happened because of her.

She is very devoted to her family, her mom Lois, about whom she has talked endlessly, and of course her deceased father. I was trying to help in comforting her as I could when she lost her mom Lois. I can't imagine how proud her parents would be—and are, from wherever they are, looking down on us—at the work that Sheila has done in her life. I know how proud I am of her now, as she prepares to move on to her next chapter of life, and I will do everything I can to help that chapter be a good one. I wish her the best.

I, along with the entire Senate, thank her for the steadfast diligent service she has rendered as Assistant Secretary for the last 8 years.

Sheila has a dog she loves, little Ava, and I hope she takes that little dog on a trip to have a good time. I am sure she will.

On a personal note, I wish to say publicly how much she has meant to me. She has been really a part of my family the last 15 years. As most everyone knows, my wife was involved in a really bad accident. Who was there? Sheila. Battling, as she did for 1½ years, ravaging breast cancer, who was there? I would come home after having been unable to do the things around the house. I would have a refrigerator full of food. Not junk—it was wonderful food. She did that not once, not twice, but many, many times. She is my friend—my forever friend.

She interacts with my children as if they were her siblings. She knows everything about them. So even though I will not see her at work every day, as I have for 14 or 15 years, she will always be part of my life.

RECOGNITION OF THE MINORITY LEADER

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

TRIBUTE TO SAXBY CHAMBLISS

Mr. MCCONNELL. Mr. President, I wish to say a few words about my friend and colleague, Senator SAXBY CHAMBLISS.

SAXBY, as we all know, is the ultimate southern gentleman. He is a man of his word. He is blessed with the charm and the drawl only a Georgian could possess, and he is far too modest. He shouldn't be. He has a lot to be proud of as he looks back at a storied career here in Congress.

We are talking about one of our Nation's top experts on intelligence and national security. We are talking about a standout champion for the men and women of our military. We are also talking about a Senator who became chair of the Agriculture Committee just 2 years into his first term. That is really quite an accomplishment. But once you get to know SAXBY, it isn't all that surprising.

Before he came to Congress, SAXBY was a smalltown ag lawyer. He still lives in a rural area—a peanut and cotton-farming region far removed from the bright lights of Atlanta. SAXBY has a feel for the issues that could only be acquired from actual on-the-ground experience. He understands the real-world impact of what we discuss here in Washington, and he cares.

On top of that, he has the disciplined work ethic of a minister's son—which makes sense, because he is one. SAXBY is usually the first guy to raise his hand when there is an assignment no one else wants. That is what we saw for him on the Gang of 6, a politically difficult and work-intensive committee if there ever was one.

But SAXBY came here to get things done—not to posture. He takes on projects with the kind of drive and courage we don't often see.

How courageous is SAXBY? Well, he accepted an invitation to go quail hunting with Vice President Cheney, and he lived to tell the tale. The senior Senator from South Carolina remembers the trip very well. He had to be persuaded by SAXBY to come. He still suspects that SAXBY's real motive was to give Cheney a second target.

It wasn't the only time SAXBY cheated death with the Vice President. Lindsey recalls a meeting in Baghdad with SAXBY, JOE BIDEN, and the Iraqi Prime Minister. Afterward, they boarded a plane and came under fire. Here is what SAXBY said: ''I guess the meeting didn't go that well.''

So SAXBY is a comedian. But he is also courageous. He is also persuasive. He is really good at getting his way. It is kind of what we would expect from a former door-to-door fruitcake salesman. After hawking loaves of spiced dough, there is not much SAXBY can't sell at this point.

We know he was persuasive enough to convince Julianne to marry him. SAXBY and Julianne met at the University of Georgia. She was Sigma Chi's pledge-class sweetheart—and she soon became SAXBY's sweetheart. The Chamblisses have been inseparable ever since.

Now, just in case SAXBY ever becomes his own category on Jeopardy, here is an interesting piece of trivia. The president of the same pledge class became SAXBY's Democrat challenger in 2008. The two fraternity brothers are still friendly. Here is how this gentleman remembered SAXBY from college. He said he ''looked old.''

Well, Julianne fell for him anyway, and it is a good thing she did. This former schoolteacher is better than anyone at keeping him centered, and she has even taught students who would go on to serve on SAXBY's staff. So it is really quite a partnership. SAXBY says that the most significant moment of his life is when he met Julianne.

That is really something when we consider how much he loves golf. Last year, SAXBY sank a hole in one squaring off against the leader of the free world—that is, the President of the United States. He has a signed flag to prove it.

But golf is more than just a hobby for SAXBY. It is a way to get things done. More than most people around here, he understands the value of relationships. He is good at whipping votes and picking up intel from both ends of the Capitol. He works across the aisle, and he is unafraid to stand up when something needs to be said.

That is the thing about SAXBY. He doesn't say a lot, but when he does, you know it is significant. You know there is a lot of careful thought behind it.

SAXBY is a serious legislator who approaches his role as vice chairman of the Intelligence Committee in that frame. SAXBY learns things on that committee that would keep anyone up at night. It is a grave responsibility. But SAXBY is perfectly suited to it. He has always stood proudly in defense of our Nation.

We are going to miss his sharp wit, his integrity, and his judgment.

I know SAXBY's staff is going to miss him, too. Some of them have been with him since his days in the House. Well, the Senate's loss is the Chambliss family's gain.

I know SAXBY is looking forward to spending more time with Julianne. I know he can't wait to trade the title of Senator for a new one—Big Daddy. It is what his grandkids call him. He can't wait to see more of them. They are the reason he works so hard here—to build a better future for them, for the next generation.

SAXBY will have plenty of stories to share when he leaves, such as when he hit that hole in one, when he threw out the first pitch for the Braves, and when he made the cover of Peanut Patriot Magazine.

So SAXBY has obviously had a long and interesting career. He deserves some time to focus on his family. We thank him for his dedication to this body and to the people he represents, and we send him every wish for a retirement filled with joy and happiness.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the message to accompany H.R. 3979, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment to H.R. 3979, an act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 3984 (to the amendment of the House to the amendment of the Senate to the bill), to change the enactment date.

Reid amendment No. 3985 (to amendment No. 3984), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid amendment No. 3986, to change the enactment date.

Reid amendment No. 3987 (to (the instructions) amendment No. 3986), of a perfecting nature.

Reid amendment No. 3988 (to amendment No. 3987), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I am pleased to join with Senator INHOFE, the ranking Republican on the Senate Armed Services Committee, to bring to the floor H.R. 3979. This is the agreement between the Armed Services Committees of the Senate and House on the National Defense Authorization Act for Fiscal Year 2015. The House of Representatives passed the bill last week by a vote of 300 to 119. If we succeed in the Senate, it will mark the 53rd year in a row that we have enacted this bill that is so essential to the defense of our Nation and to our men and women in uniform and their families.

I thank all the members of the staff of the Senate Armed Services Committee, especially our subcommittee chairs for the hard work they have done to get us to the finish line on this bill. I thank Senator INHOFE for his close partnership. Before this Congress I had been fortunate to serve with a series of Republican chairmen and ranking members, including JOHN MCCAIN, John Warner, and Strom Thurmond. They understood and appreciated the traditions of our committee and the importance of the legislation we enact every year for our men and women in uniform. That is what this is all about. JIM INHOFE, our ranking Republican in this Congress, has upheld that tradition of bipartisanship and dedication to enacting this important legislation through particularly challenging circumstances.

Our bill includes hundreds of important provisions to authorize the activities of the Department of Defense and to provide for the well-being of our men and women in uniform and their families. The bill will enable the military services to continue paying special pay and bonuses needed for recruitment and retention of key personnel. It strengthens survivor benefits for disabled children of servicemembers and retirees. It includes provisions addressing the employment of military spouses, job placement for veterans, and military child custody disputes. It addresses military hazing, military suicide, post-traumatic stress disorder, and mental health problems in the military. It provides continuing impact to support military families and local school districts.

The bill includes 20 provisions to continue to build on the progress we are starting to make in addressing the scourge of sexual assault in the military. Key provisions will eliminate the so-called good soldier defense, give victims a voice in whether their case is prosecuted in military or civilian courts, give victims the right to challenge court-martial rulings that violate their rights at the court of criminal appeals, and would strengthen the psychotherapist-patient privilege. Last week we received the welcome news that the number of incidents of unwanted sexual contact in the military is down and that more incidents are being reported so victims can receive the care and assistance they need and perpetrators can be brought to justice. With the enactment of the legislation before us and the commitment of military leaders, we hope to build on these trends.

The bill provides continued funding and authorities for ongoing operations in Afghanistan and for our forces conducting operations against the Islamic State in Iraq and Syria called ISIS.

As requested by the administration, it authorizes the Department of Defense to train and equip vetted members of the moderate Syrian opposition and to train and equip national and local forces who are actively fighting ISIS in Iraq. It establishes a counterterrorism partnership fund that provides the administration new flexibility in addressing emerging terrorist threats around the world. In addition, the bill extends the Afghanistan Special Immigrant Visa Program, providing for 4,000 new visas, and addresses a legal glitch that precluded members of the ruling parties in Kurdistan from receiving visas under the Immigration and Nationality Act.

The authority provided in this bill to train and equip local forces in Iraq and Syria to take on ISIS is particularly important because our military leaders and intelligence experts have uniformly told us airstrikes alone will not be sufficient to defeat ISIS. American air power has changed the momentum on the ground somewhat and given moderates in the region an opportunity

to regroup, but ISIS cannot be defeated without an opposing force to take the fight to it on the ground. To do that, our Arab and Muslim partners must be in the lead because the fight with ISIS is primarily a struggle within Islam for the hearts and minds of Muslims. Training and equipping our moderate Muslim allies gives us a way to move beyond the use of air power to support them in this fight.

Our bill takes steps to respond to Russian aggression in Ukraine by authorizing $1 billion for a European Reassurance Initiative to enhance the U.S. military presence in Europe and build partner capacity to respond to security threats, of which no less than $75 million would be committed for activities and assistance to support Ukraine by requiring a review of U.S. and NATO force posture, readiness and contingency plans in Europe and by expressing support for both nonprovocative defense military assistance—both lethal and non lethal—to Ukraine.

The bill adds hundreds of millions of dollars in funding to improve the readiness of our Armed Forces across all branches—Active, Guard, and Reserve—to help blunt some—and I emphasize some—of the negative effects of sequestration. It includes provisions increasing funding for science and technology, providing women-owned small businesses the same sole-source contracting authority that is already available to other categories of small businesses, expanding the No Contracting With the Enemy Act to all government agencies and requiring governmentwide reform of information technology acquisition. Although we were unable to bring the Senate-reported bill to the floor for amendment, we established an informal clearing process pursuant to which we were able to clear 44 Senate amendments—roughly an equal number of Democratic and Republican amendments—and include them in the new bill which is before us.

I am pleased the bill also includes a half dozen provisions to address the growing cyber threat to critical information systems of the Department of Defense and the Nation. One provision which was added to the bill was the Levin-McCain amendment, which requires the President to identify nations that engage in economic or industrial espionage against the United States through cyber space and provides authority to impose trade sanctions on persons determined to be knowingly engaged in such espionage.

A second provision which arose out of a committee investigation of cyber threats to the Department of Defense requires the Secretary of Defense to establish procedures for identifying contractors that are operationally critical to mobilization, deployment or sustainment of contingency operations and to ensure that such contractors report any successful penetrations of their computer networks. Much more remains to be done, but these are important first steps as we begin to respond to the serious threat posed to U.S. interests by cyber attacks.

With regard to military compensation reform, we adopted a number of proposals to slow the growth of personnel costs in fiscal year 2015, as needed to enable the Department of Defense to begin to address readiness shortfalls in a fiscal environment constrained by sequestration-level budgets, while deferring further changes to be made in future years if sequestration is not adequately addressed.

In particular, the Department requested pay raises below the rate of inflation for 5 years. This bill provides a pay raise below the rate of inflation for fiscal year 2015, deferring decisions on future pay raises to later bills. The Department requested that we slow the growth of the basic allowance for housing by permitting adjustments below the rate of inflation for 3 years. This bill would slow the growth of the basic allowance for housing for fiscal year 2015, deferring decisions on future increases to later bills. The Department requested that we gradually increase copays for TRICARE pharmaceuticals over 10 years. This bill includes a proportionate increase in copays for fiscal year 2015, deferring decisions on future increases to later bills.

These are not steps any of us want to have to take; however, the Budget Control Act of 2011 cut $1 trillion from the planned Department of Defense budget over a 10-year period. Our senior military leaders told us they simply cannot meet sequestration budget levels without structural changes—canceling programs, retiring weapon systems, and reducing the growth in benefits—to reduce the size and cost of our military.

A year and a half ago when sequestration was first triggered, the Chairman of the Joint Chiefs of Staff testified that sequestration ''will severely limit our ability to implement our defense strategy. It will put the nation at greater risk of coercion, and it will break faith with men and women in uniform.'' At a hearing this spring, he told us that ''delaying adjustments to military compensation will cause additional, disproportionate cuts to force structure, readiness, and modernization.''

The Department of Defense budget proposal also proposed to retire several weapon systems in an effort to meet sequestration-level budget ceilings. For example, the Department proposed to take half of the Navy's fleet of cruisers out of service and to retire the Army's entire fleet of scout and training helicopters. With regard to Navy cruisers, our bill allows the Navy to take two cruisers out of service this year, deferring a decision on additional ships until next year's budget. With regard to Army helicopters, the National Guard objected to the plan to consolidate Apache attack helicopters in the Active component so they can operate at the higher operational tempo needed to both fill their own mission and replace the Kiowa mission. The Guard maintains that the Army should be able to achieve needed savings and meet mission requirements without transferring Apaches from the Reserve components to the Active Army.

Our bill establishes an independent commission on the future of the Army to examine Army force structure and make recommendations as to the best way forward for Army helicopters. Because the Army needs the savings generated by the helicopter restructuring now, the bill would allow the transfer of 48 Apache helicopters—as called for in both the Army plan and the alternative National Guard plan—before the commission reports. Additional transfers would depend on the recommendations of the commission and subsequent Department or congressional action.

Sequestration is damaging enough to our military, but the damage will be far worse if we insist that the Department conduct business as usual without regard to the changed budget circumstances. The budget caps imposed by sequestration mean that every dollar we choose to spend on a program that we refuse to cancel or reduce has to come from another higher priority program. Our senior military leaders have told us that this will mean planes that can't fly, ships that can't sail, and soldiers, sailors, airmen, and marines who are not properly trained and equipped for the mission we expect them to accomplish. As the Vice Chairman of the Joint Chiefs of Staff told us in January, sending troops into harm's way without training, equipment, or the latest technology is a breach of trust with the troops and their families.

The painful measures included in this bill are just a downpayment on the changes that will be needed if sequestration is not repealed. Delaying these changes will only make the pain worse later on while damaging the readiness of our troops to carry out their missions when we call upon them.

I am disappointed that we were unable to make further progress in this bill toward the objective of closing the detention facility at Guantanamo, Cuba. The Senate committee-reported bill included a provision that would have allowed the Department of Defense to bring Gitmo detainees to the United States, subject to a series of legal protections, for detention and trial. The provision also included an amendment—this is the provision in the Senate committee-passed bill—which was offered by Senator GRAHAM that would require the President, before authorizing the transfer of any detainees to the United States, to present a plan to Congress and that Congress would be afforded an opportunity to disapprove the plan using expedited procedures. It would have been a joint resolution.

I continue to believe the Gitmo facility undermines our interests around the world and has made it more difficult to try to convict the terrorists

who are detained there, and I am disappointed that the House leadership refused to consider this provision even with the Graham amendment.

Finally, our bill includes a lands package that Senator INHOFE and I agreed to include based on the bipartisan, bicameral request of the committees of jurisdiction and the overwhelming support of our colleagues. The contents of the lands package were worked out by the House Natural Resources Committee and the Senate Energy and Natural Resources Committee, which will be managing that part of the bill on the Senate floor. We have been assured that all provisions have been cleared and that the package has been cleared by the chairmen and ranking minority members of the relevant committees.

Mr. President, I ask unanimous consent that a full list of the names of our majority and minority staff members, who have given so much of themselves and their families, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Peter K. Levine, Staff Director, John A. Bonsell, Minority Staff Director, Daniel C. Adams, Minority Associate Counsel, Adam J. Barker, Professional Staff Member, Steven M. Barney, Minority Counsel, June M. Borawski, Printing and Documents Clerk, Leah C. Brewer, Nominations and Hearings Clerk, William S. Castle, Minority General Counsel, John D. Cewe, Professional Staff Member, Samantha L. Clark, Minority Associate Counsel, Jonathan D. Clark, Counsel, Allen M. Edwards, Professional Staff Member, Jonathan S. Epstein, Counsel, Richard W. Fieldhouse, Professional Staff Member, Lauren M. Gillis, Staff Assistant, Thomas W. Goffus, Professional Staff Member, Creighton Greene, Professional Staff Member, Ozge Guzelsu, Counsel, Daniel J. Harder, Staff Assistant, Alexandra M. Hathaway, Staff Assistant, Ambrose R. Hock, Professional Staff Member, Gary J. Howard, Systems Administrator.

Michael J. Kuiken, Professional Staff Member, Mary J. Kyle, Legislative Clerk, Anthony J. Lazarski, Professional Staff Member, Gerald J. Leeling, General Counsel, Daniel A. Lerner, Professional Staff Member, Gregory R. Lilly, Minority Clerk, Jason W. Maroney, Counsel, Thomas K. McConnell, Professional Staff Member, Mariah K. McNamara, Special Assistant to the Staff Director, William G. P. Monahan, Counsel, Natalie M. Nicolas, Minority Research Analyst, Michael J. Noblet, Professional Staff Member, Cindy Pearson, Assistant Chief Clerk and Security Manager, Roy F. Phillips, Professional Staff Member, John H. Quirk V, Professional Staff Member, Brendan J. Sawyer, Staff Assistant, Arun A. Seraphin, Professional Staff Member, Travis E. Smith, Chief Clerk, Robert M. Soofer, Professional Staff Member, William K. Sutey, Professional Staff Member, Robert T. Waisanen, Staff Assistant, Barry C. Walker, Security Officer.

Mr. LEVIN. I thank the Presiding Officer and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I have to say what a joy it is to work with Senator LEVIN. I know the public thinks that no Republicans like any Democrats and vice versa—at least those are the flames they try to fan—and that is not true.

I can only think of two issues on which Senator LEVIN and I disagreed with each other. He has been through 16 of the NDAAs as either chairman or ranking member. I am sure that is some kind of a record. But to work with someone who you know will be totally honest with you even when you have a difference of opinion is really a joy. I hope we can be an example for some of the other committees that don't have that much joy when they are working on an issue.

The long history he has had here and the integrity he has expressed will be sorely missed, I have to say to my good friend Senator LEVIN.

As Senator LEVIN said, we will have to get to the bill before we leave. This bill has passed for 52 consecutive years, and that really says something. But each year there is always a problem.

The comment that was made on the land package—I think the process is wrong regardless of the merits of the bill. As was pointed out by Senator LEVIN, it was supported in a bipartisan way by all the appropriate committees; however, that is not us, that is them. The process should not allow others to come in on this bill, so I think it is flawed. I don't think it will happen again. I really don't.

I talked to the people who will be involved in next year's NDAA, which, by the way, we will start working on in February of next year.

I will go over a couple of other reasons why we have to get this bill done. As I said, we have done this for 52 consecutive years, and I am sure we are going to be able to get this done.

We passed this bill out to the floor from our committee—the committee chaired by Senator LEVIN—on May 23, the day after it was done in the House committee. So we were ready to do this way back in May, and the problem was we could not get it on the floor.

I can remember coming down to the floor with Senator LEVIN and begging people to bring amendments to us. We have to have amendments down here because we can't expect the leader to bring this to the floor unless we know people will work with us on amendments. So eventually they did bring amendments, and we responded. We had many amendments. I don't remember exactly how many amendments were put forth, but I do remember we considered and put 47 amendments into this package—we did it through the big four method, which was the only thing left for us to do—47 amendments divided almost equally between Republicans and Democrats. We considered those amendments and put them in as a part of the bill.

Of course, despite pushing for months that the NDAA be considered under regular order, which we should have done, we find ourselves in the unfortunate situation we are in today. It is reminiscent of last year. Last year we went all the way up to December 26 before we finally passed it.

It would really be a disaster if we didn't pass it. People don't realize that if we don't pass this bill—our last chance is this week because the House will be out of there. There will be no way to have amendments or change anything now from the product we have. We already have a lot of the amendments in, but we can't make changes to them. We can't have another bill because we have run out of time. It will not happen unless it happens with this bill. I know a lot of people would prefer to have something else, although I know this bill is going to pass by a large margin. It is a good bill.

People wonder what would happen if we didn't pass this bill. It would be a disaster. Enlistment bonuses—a lot of these kids have been over there serving, and they have been told they will have certain things, and one of them is the bonuses. Well, all of a sudden, on December 31, if we don't have a bill, those expire and those kids will not have enlistment or reenlistment bonuses.

The incentives are important in order to keep troops with critical skills. We hear a lot about the SEALs and the great work they do. These critical skills incentives will go away on December 31.

There is also incentive pay for pilots. I have researched this because there is a lot of competition out there for our pilots—pilots for heavy vehicles, as well as strike fighters. Right now there is a competition with the airlines. Everyone wants to hire these guys, so there is competition out there. All of a sudden the flight pay would come out on December 31 if we don't pass this bill, and that means we will lose some of these guys. It is a $25,000-a-year bonus for these guys over a 10-year period, so it is $250,000. However, for each one who decides not to come back—to retrain someone to the status of an F–22 would cost about $17 million. We are looking at bonuses that might be $25,000, but the alternative, if we don't get this done by December 31, would cost $17 million for each pilot who needs to be trained. So that is very significant. We have skill incentive pay and proficiency bonuses for all of those. So that singularly would be enough reason to say we have to have it; we just can't do without it. Stopping all military construction, which would be on December 31.

One of the areas where the chairman and I disagree is on Gitmo. We have had a friendly and honest difference of opinion on that. I look at Gitmo as one of the few resources we have that is a good deal for government. We have had it since 1904 and it only costs us $4,000 and half the time Cuba forgets to charge us, so it is a pretty good deal. There is no place else we can put, in my opinion, the combatants. People say bring them back to the United States. The problem is if we intermingle prisoners at Gitmo with the

prison population—these people at Gitmo are not criminals, they are people who teach terrorists. So there are a lot of arguments against bringing Gitmo prisoners to the United States. That in itself would be a 2-hour speech, so I will not get into it now.

There are some areas where the chairman and I disagree and there were a lot of compromises because we knew we had to have the bill. If we don't pass this bill, there will be no European Reassurance Initiative to stand up against Russian aggression. I shouldn't have done this because I was on the ballot this year for reelection, but for the week prior to our election, I went over to see what was happening in Ukraine because Ukraine was having their elections the week before we had our elections. Not many people are aware that in Ukraine, Poroshenko—what happened in their election in Ukraine, a political party cannot have a seat in Parliament unless they get 5 percent of the vote. The vote took place 1 week before our vote. This will be the first time in 96 years that the Communist Party will not have one seat in Parliament. That is amazing. We have to understand what is happening with Putin.

I also went to Lithuania and Estonia and Latvia and those areas in the Baltics. That is another problem we have. They want to give us the assurance that it is not just Putin in Ukraine, but they are becoming aggressive. I coined the term for what Putin is trying to do, ''de-Reaganize'' Europe, to try to take out all the freedoms that were there and try to put a coalition together. That is a huge issue, and it is addressed in this bill in a very aggressive way with the reassurance initiative.

Also, if we don't pass this bill, we would not have the Counterterrorism Partnership Fund, which I think we are all aware is so necessary with ISIL on the rampage they are pursuing.

So we have a lot of provisions. I think the chairman did a good job of covering them. A couple of them perhaps might have been overlooked or that I might add for my own personal interests. One is the support of the Aircraft Modernization Program. Historically, we have always had the best of everything, but now when we look at China and at Russia and what they are doing, it is a very difficult situation for us. We had the F–22; the President terminated that program his first year in office. So now we have all of our eggs in the basket in terms of the strike vehicles and the F–35. A lot of people don't like the F–35, but that is what we have to have and that is in this bill to continue with that.

The E–2D surveillance aircraft is one very few people know about. It is one of the ugliest airplanes in the sky, but it is one that is necessary for surveillance and other functions of government.

We have the KC–46 tanker aircraft. We have been using the KC–135 now for decades and we have to go toward a more modern vehicle, and we do have on the books that we will continue to do that, working with the KC–46. So several others—some improvements to the workhorse of the military, the C–130 aircraft, and other vehicles.

Without this bill, we are going to have to stop some of these projects, so think about the cost. We are in the midst of contracts right now that we could be in jeopardy of losing.

The construction on military and family housing is there. It is very significant.

So I think all of these pieces—and one piece I think people are interested in is this will end the reliance on Russian-made rocket engines. We hear a lot about that. This bill includes a timeframe for when the current contracts run out, so that we are going to be developing our own rocket engine. I have heard from a lot of outside experts. Tom Stafford is one of the famous astronauts from Oklahoma. He and I have talked at length about what we are going to be able to do with some of these rocket engines. So I think this is enough reason why we have to do this, and I think everyone realizes that.

We have heard a lot of talk that frankly is not true. Unfortunately, there are some groups that are kind of antimilitary groups that came out with some statements that weren't true and some of the talk show hosts I admire were given information that wasn't quite as accurate as it should have been.

Right now, if we can think of no other single major reason to pass this bill, it is to take care of those individuals who are in the field right now who are fighting. We have the exact count, to make sure we use accurate figures. As of today, 1,779,343 troops in the field or enlisted personnel. These are the ones who can be affected, 1.8 million of them. We would be reneging on the commitments we have made to them.

We have heard criticism that we are somehow cutting their benefits to put in a land package. That just isn't true. We don't need to talk about this because that is not our committee. That is the committee referred to by the chairman in his remarks—the Energy and Natural Resources Committees of the House and the Senate. But it is budget neutral. Over a 10-year period, the CBO says it is budget neutral. So there is no legitimate argument that we are using any of the funds that would otherwise go to the military on the land package.

I have to say the process was wrong. We have done this in the past and we are not going to do it again. We shouldn't have had a land package come in that has nothing to do with defense, but nonetheless it is there. I was offended by the process. Frankly—I have to confess, and it is good for the soul, I guess—I thought after reading it, it was a pretty good bill. If it would have been brought up outside of this bill, I would have still voted for it. But the process is wrong, and I think we all understand that. We did the best we could.

We have these things that are going on right now, and I think we can't take a chance on not having or, for the first time in 53 years, not passing an NDAA bill by the end of the year. It would be a crisis. The system could be criticized for the way it happened. Considering that we passed our bill out of the committee on May 23, we should have had it on the floor. We should have had it done in regular order. We will do everything we can in the future to try to make that happen. For two consecutive years now we have not been able to do that. We have had to go through the system of what they call the Big Four—the chairman and ranking member of the House and the chairman and ranking member of the Senate—to pass this bill. I think in this case we have come up with a good bill. We have been able to incorporate 47 of the amendments that have come from those that were filed to be added on the floor. So we have done the best we can. There is no other alternative now when we consider what will happen if for some unknown reason this would be the first year in 53 years that we don't have an NDAA bill.

I will just repeat what I started off with; that is, what a joy it has been to work with CARL LEVIN over these years in the capacity of either the chairman or the ranking member of the Senate Armed Services Committee. He will be sorely missed. Oddly enough, we also have the same situation happening over on the House side with BUCK MCKEON. I served with him when I served in the House. He is going to be retiring after this year as well. So we have two retiring chairmen of what I consider to be the most significant committees in Washington.

We are going to continue to work together for the rest of this bill. We have a good bill, and we are going to uphold our obligation to the 1,779,343 enlisted personnel in the field. We are not going to let them down.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me thank Senator INHOFE for his friendship, most importantly, but also for the great partnership we have enjoyed. It has been a real pleasure working with the Senator from Oklahoma. I should perhaps also say we are confident our successors will carry on this tradition as well. Senator MCCAIN, the new chairman, and Senator JACK REED will be the new ranking member and they will be carrying on this tradition that we have done everything we know how to do to maintain.

I wish to again thank my good friend JIM INHOFE and his staff who worked so well with the staff on this side. We talk about this side of the aisle and that side of the aisle. In this bill obviously there will be differences—very rarely,

by the way, on a partisan basis, even when there are differences. But the aisle sort of disappears when it comes to the Defense authorization bill, and that is the way it should be.

I yield the floor.

Mr. INHOFE. Mr. President, let me reclaim my time just to make one other comment. The two people who are sitting here, Peter Levine on your side and John Bonsell on our side, their compatibility in working together is also unprecedented. It doesn't happen very often. I can't speak for the Senator from Michigan, but I can speak for myself, to say that without these two working together I sure could not have participated in a meaningful way. So I thank them as well.

Mr. LEVIN. The Senator from Oklahoma is speaking for both of us, I can assure him, with his comments and so many other comments he made.

I will yield to the Senator from Colorado, but first I wish to thank him for the great contribution he has made to our committee. I think he is planning on speaking on a different subject. He has played a major role on the Intelligence Committee. I look forward to reading, if not hearing, his remarks on the subject on which I know he has spent a good deal of time. Although he has had perhaps more visibility in terms of the Intelligence Committee, he has been a major contributor on the Armed Services Committee. I can't say we will miss him because I will not be here, but they will miss the Senator from Colorado.

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

Mr. UDALL of Colorado. Madam President, before I start my remarks on the historic day which was yesterday—when it comes to the publication of our long-in-the-making report on the CIA's torture program—I wish to thank the chairman for his leadership, his mentorship, and his friendship. I also am proud obviously to be a part of the Armed Services Committee and to have chaired the Strategic Forces Subcommittee. Again, I extend my thanks to the good men and women in uniform, as did my good friend from Oklahoma. The NDAA bill is a crucial task in front of us. I look forward to one of my last votes as a Senator from the great State of Colorado, and I look forward to casting a vote in favor of the Defense authorization bill.

Again, I wish to thank my two friends who have mentored me and who have led our committee with great elan and intelligence.

SSCI STUDY OF THE CIA'S DETENTION AND INTERROGATION PROGRAM

Yesterday was a historic day. Almost 6 years after the Senate Intelligence Committee voted to conduct a study of the CIA's detention and interrogation program and nearly 2 years after approving the report, the American people will finally know the truth about a very dark chapter in our Nation's history.

My goal from the start has been twofold. First, I have been committed to correcting the public record on the CIA's multiple misrepresentations to the American people, to other agencies in the executive branch, the White House, and to Congress. Second, my goal has been to ensure that the full truth comes out about this grim time in the history of the CIA and of our Nation so that neither the CIA nor any future administration repeats the grievous mistakes this important oversight work reveals.

The process of compiling, drafting, redacting, and now releasing this report has been much harder than it needed to be. It brings no one joy to discuss the CIA's brutal and appalling use of torture or the unprecedented actions that some in the intelligence community and administration have taken in order to cover up the truth.

A number of my colleagues who have come to the floor over the past 24 hours and discussed this report have referred to 9/11. I, too, will never forget the fear, the pain, and the anger we all felt on that day and in the days that followed. Americans were demanding action from our government to keep us safe. Everyone, myself included, wanted to go to the ends of the Earth to hunt down the terrorists who attacked our Nation and to make every effort to prevent another attack. Although we all shared that goal, this report reveals how the CIA crossed a line and took our country to a place where we violated our moral and legal obligations in the name of keeping us safe. As we know now, this was a false choice. Torture didn't keep us safer after all. By releasing the Intelligence Committee's landmark report, we reaffirm we are a nation that does not hide from its past but must learn from it and that an honest examination of our shortcomings is not a sign of weakness but the strength of our great Republic.

From the heavily redacted version of the executive summary first delivered to the committee by the CIA in August, we made significant progress in clearing away the thick, obfuscating fog these redactions represented.

As Chairwoman FEINSTEIN has said, our committee chipped away at over 400 areas of disagreement with the administration on redactions down to just a few.

We didn't make all the progress we wanted to and the redaction process itself is filled with unwarranted and completely unnecessary obstacles. Unfortunately, at the end of the day, what began as a bipartisan effort on the committee did not end as such, even after my colleagues on the other side of the aisle were repeatedly urged to participate with us as partners.

As my friends in the Senate know, I am a legislator who goes out of his way to form bipartisan consensus. However, it became clear that was not possible here and that is regrettable.

But all told, after reviewing this final version of the committee's study, I believe it accomplishes the goals I laid out and it tells the story that needs to be told.

It also represents a significant and essential step for restoring faith in the crucial role of Congress to conduct oversight. Congressional oversight is important to all of government's activities, but it is especially important for those parts of the government that operate in secret, as the Church Committee discovered decades ago. The challenge the Church Committee members discovered are still with us today: how to ensure that secret government actions are conducted within the confines of the law. The release of this executive summary is testament to the power of oversight and the determination of Chairman FEINSTEIN and the members of this committee to doggedly beat back obstacle after obstacle in order to reveal the truth.

There are a number of thank-yous that are in order. I start by thanking the chairman for her courage and persistence. I also thank the committee staff director, David Grannis; the staff lead for the study, Dan Jones; and his core study team, Evan Gottesman and Chad Tanner. They toiled for nearly 6 years to complete this report. They then shepherded it through the redaction process, all the while giving up their nights, weekends, vacations, and precious time with family and friends in an effort to get to the truth of this secret program for the members of the committee, the Senate, and now the American people.

They have been assisted by other dedicated staff, including my designee on the committee, Jennifer Barrett. We would not be where we are today without them. I am grateful, beyond words, for their service and dedication. I want them to know our country is grateful too.

Let me turn to the study itself. Much has been written about the significance of the study. This is the study. It is a summary of the CIA's detention and interrogation program. I want to start by saying I believe the vast majority of CIA officers welcome oversight and believe in the checks and balances that form the very core of our Constitution.

I believe many rank-and-file CIA officers have fought internally for and supported the release of this report. Unfortunately, again and again, these hardworking public servants have been poorly served by the CIA's leadership. Too many CIA leaders and senior officials have fought to bury the truth while using a redaction pen to further hide this dark chapter of the Agency's history.

The document we released yesterday is the definitive, official history of what happened in the CIA's detention and interrogation program. It is based on more than 6 million pages of CIA and other documents, emails, cables, and interviews. This 500-page study, this document, encapsulates the facts drawn from the 6,700-page report, which is backed up by 38,000 footnotes.

This is a documentary that tells of the program's history based on the CIA's own internal records. Its prose is dry and spare, as you will soon see for yourself. It was put together methodically, without exaggeration or embellishment. This study by itself—using the CIA's own words—brings the truth to light, and that is what it was intended to do.

The study looked carefully at the CIA's own claims—most notably that the so-called enhanced interrogation techniques used on detainees elicited unique, otherwise unobtainable intelligence that disrupted terrorist plots and saved lives. It debunks those claims conclusively.

The CIA repeatedly claimed that using these enhanced interrogation techniques against detainees was the only way to yield critical information about terrorist plotting. But when asked to describe this critical information and detail which plots were thwarted, the CIA provided exaggerated versions of plots and misattributed information that was obtained from traditional intelligence collection, claiming it came from the use of interrogation techniques that are clearly torture.

This study shows that torture was not effective, that it led to fabricated information, and its use—even in secret—undermined our security and our country more broadly. Our use of torture and I believe the failure to truly acknowledge it continues to impair America's moral leadership and influence around the world, creates distrust among our partners, puts Americans abroad in danger, and helps our enemies' recruitment efforts.

Senior CIA leaders would have you believe their version of the truth—promoted in CIA-cleared memoirs by former CIA Directors and other CIA and White House officials—that while there was some excesses in its detention and interrogation program, the CIA did not torture. Their version would have you believe that the CIA's program was professionally conducted, employing trained interrogators to use so-called enhanced interrogation techniques on only the most hardened and dangerous terrorists.

But as Professor Darius Rejali writes in his book ''Torture and Democracy,'' ''To think professionalism is a guard against causing excessive pain is an illusion. Instead, torture breaks down professionalism'' and corrupts the organizations that use it.

This is exactly what happened with the CIA's detention and interrogation program. Without proper acknowledgement of these truths by the CIA and the White House, it could well happen again.

In light of the President's early Executive order disavowing torture, his own recent acknowledgement that ''we tortured some folks'' and the Assistant Secretary of State Malinowski's statements last month to the U.N. Committee Against Torture that ''we hope to lead by example'' in correcting our mistakes, one would think this administration is leading the efforts to right the wrongs of the past and ensure the American people learn the truth about the CIA's torture program. Not so.

In fact, it has been nearly a 6-year struggle—in a Democratic administration no less—to get this study out. Why has it been so hard for this document to finally see the light of day? Why have we had to fight tooth and nail every step of the way? The answer is simple: Because the study says things that former and current CIA and other government officials don't want the American public to know. For a while I worried that this administration would succeed in keeping this study entirely under wraps.

While the study clearly shows that the CIA's detention and interrogation program itself was deeply flawed, the deeper, more endemic problem lies in the CIA, assisted by a White House that continues to try to cover up the truth. It is this deeper problem that illustrates the challenge we face today: reforming an agency that refuses to even acknowledge what it has done. This is a continuing challenge that the CIA's oversight committees need to take on in a bipartisan way. Those who criticize the committee's study for overly focusing on the past should understand that its findings directly relate to how the CIA operates today.

For an example of how the CIA has repeated its same past mistakes in more recent years, look at the section of the executive summary released yesterday that deals with the intelligence on the courier that led to Osama bin Laden. That operation took place under this administration in May of 2011. After it was over, the CIA coordinated to provide misinformation to the White House and its oversight committees suggesting the CIA torture program was the tipoff information for the courier. That is 100 percent wrong and signifies the Agency leadership's persistent and entrenched culture of misrepresenting the truth to Congress and the American people. This example also illustrates again the dangers of not reckoning with the past. So while I agree with my colleagues on the committee who argue that doing oversight in real time is critical, I believe we cannot turn a blind eye to the past when the same problems are staring us in the face in the present. Oversight by willful ignorance is not oversight at all.

In Chairman FEINSTEIN's landmark floor speech earlier this year, she laid out how the CIA pushed back on our committee's oversight efforts. Thanks to her speech, we know about the history of the CIA's destruction of interrogation videotapes and about what motivated her and her colleagues to begin the broader committee study in 2009. We know about the CIA's insistence on providing documents to the committee in a CIA-leased facility and the millions of dollars the CIA spent on contractors hired to read, multiple times, each of the 6 million pages of documents produced before providing them to the committee staff. We know about the nearly 1,000 documents that the CIA electronically removed from the committee's dedicated database on two occasions in 2010, which the CIA claimed its personnel did at the direction of the White House. Of course we know about the Panetta review.

I turn to the Panetta review. I have provided more information on the events that led up to the revelation included in the Panetta review in a set of additional views that I submitted for the committee's executive summary, but I will summarize them.

From the beginning of his term as CIA Director, John Brennan was openly hostile toward and dismissive of the committee's oversight and its efforts to review the detention and interrogation program. During his confirmation hearing, I obtained a promise from John Brennan that he would meet with committee staff on the study once confirmed. After his confirmation, he changed his mind.

In December 2012, when the classified study was approved in a bipartisan vote, the committee asked the White House to coordinate any executive branch comments prior to declassification. The White House provided no comment. Instead, the CIA responded for the executive branch nearly 7 months later, on June 27, 2013.

The CIA's formal response to the study under Director Brennan clings to false narratives about the CIA's effectiveness when it comes to the CIA's detention and interrogation program. It includes many factual inaccuracies, defends the use of torture, and attacks the committee's oversight and findings. I believe its flippant and dismissive tone represents the CIA's approach to oversight—and the White House's willingness to let the CIA do whatever it likes—even if its efforts are armed at actively undermining the President's stated policies.

It would be a significant disservice to let the Brennan response speak for the CIA. Thankfully, it does not have to. There are some CIA officials and officers willing to tell it straight. In late 2013, then-CIA General Counsel Stephen Preston answered a series of questions that I asked about his thoughts on the Brennan response as part of his Armed Services Committee nomination hearing to be General Counsel of the Defense Department.

His answers to the questions about the program contrasted sharply with the Brennan response. For instance, he stated matter of factly that from his review of the facts, the CIA provided the committee with inaccurate information regarding the detention and interrogation program. I have posted on line my questions to Mr. Preston, along with his answers.

Stephen Preston was not alone in having the moral courage to speak frankly and truthfully about the CIA's

torture program. There were also other CIA officers willing to document the truth. In March 2009, then-CIA Director Leon Panetta announced the formation of a Director's review group to look at the agency's detention and interrogation program. As he stated at the time, ''The safety of the American people depends on our ability to learn lessons from the past while staying focused on the threats of today and tomorrow.''

The Director's review group looked at the same CIA documents that were being provided to our committee. They produced a series of documents that became the Panetta review. As I discussed in late 2013, the Panetta review corroborates many of the significant findings of the committee's study. Moreover, the Panetta review frankly acknowledges significant problems and errors made in the CIA's detention and interrogation program. Many of these same errors are denied or minimized in the Brennan response.

As Chairman FEINSTEIN so eloquently outlined in her floor speech on March 11 of this year, drafts of the Panetta review have been provided by the CIA unknowingly to our committee staff years before within the 6 million pages of documents it had provided.

So when the committee received the Brennan response, I expected a recognition of errors and a clear plan to ensure that the mistakes identified would not be repeated again. Instead—this is a crucial point—instead, the CIA continued not only to defend the program and deny any wrongdoing but also to deny its own conclusions to the contrary found in the Panetta review.

In light of those clear factual disparities between the Brennan response and the Panetta review, committee staff grew concerned that the CIA was knowingly providing inaccurate information to the committee in the present day, which is a serious offense, and a deeply troubling matter for the committee, the Congress, the White House, and our country.

The Panetta review was evidence of that potential offense. So to preserve that evidence, committee staff securely transported a printed portion of the Panetta review from the CIA-leased facility to the committee's secure offices in the Senate. This was the proper and right thing to do, not only because of the seriousness of the potential crime, but also in light of the fact that the CIA had previously destroyed interrogation videotapes without authorization and over objections of officials in the Bush White House.

In my view, the Panetta review is a smoking gun. It raises fundamental questions about why a review the CIA conducted internally years ago and never provided to the committee is so different from the official Brennan response and so different from the public statements of former CIA officials. That is why I asked for a complete copy of the Panetta review at a December 2013 Intelligence Committee hearing.

Although the committee now has a portion of the review already in its possession, I believed then, as I do now, that it is important to make public its existence and to obtain a full copy of the report. That is why I am here today, to disclose some of its key findings and conclusions on the Senate floor for the public record, which fly directly in the face of claims made by senior CIA officials past and present.

For example, as I mentioned earlier, on a number of key matters, the Panetta review directly refutes information in the Brennan response. In the few instances in which the Brennan response acknowledges imprecision or mischaracterization relative to the detention interrogation program, the Panetta review is refreshingly free of excuses, qualifications, or caveats.

The Panetta review found that the CIA repeatedly provided inaccurate information to the Congress, the President, and the public on the efficacy of its coercive techniques. The Brennan response, in contrast, continues to insist the CIA's interrogations produced unique intelligence that saved lives. Yet the Panetta review identified dozens of documents that include inaccurate information used to justify the use of torture and indicates that the inaccuracies it identifies do not represent an exhaustive list. The Panetta review further describes how detainees provided intelligence prior to the use of torture against them.

It describes how the CIA, contrary to its own representations, often tortured detainees before trying any other approach. It describes how the CIA tortured detainees, even when less coercive methods were yielding intelligence. The Panetta review further identifies cases in which the CIA used coercive techniques when it had no basis for determining whether a detainee had critical intelligence at all.

In other words, CIA personnel tortured detainees to confirm they did not have intelligence, not because they thought they did. Again, while a small portion of this review is preserved in our committee spaces, I have requested the full document. Our request has been denied by Director Brennan. I will tell you, the Panetta review is much more than a ''summary'' and ''incomplete drafts,'' which is the way Mr. Brennan and former CIA officials have characterized it, in order to minimize its significance. I have reviewed this document. It is as significant and relevant as it gets.

The refusal to provide the full Panetta review and the refusal to acknowledge facts detailed in both the committee study and the Panetta review lead to one disturbing finding: Director Brennan and the CIA today are continuing to willfully provide inaccurate information and misrepresent the efficacy of torture. In other words, the CIA is lying. This is not a problem of the past but a problem that needs to be dealt with today.

Let me turn to the search of the Intelligence Committee's computers. Clearly the present leadership of the CIA agrees with me that the Panetta review is a smoking gun. That is the only explanation for the CIA's unauthorized search of the committee's dedicated computers in January. The CIA 's illegal search was conducted out of concern that the committee staff was provided with the Panetta review. It demonstrates how far the CIA will go to keep its secrets safe. Instead of asking the committee if it had access to the Panetta review, the CIA searched, without authorization or notification, the committee computers that the agency had agreed were off limits.

In so doing, the agency might have violated multiple provisions of the Constitution as well as Federal criminal statutes and Executive Order 12333.

More troubling, despite admitting behind closed doors to the committee that the CIA conducted the search, Director Brennan publicly referred to ''spurious allegations about CIA actions that are wholly unsupported by the facts.''

He even said such allegations of computer hacking were beyond ''the scope of reason.'' The CIA then made a criminal referral to the Department of Justice against the committee staff who were working on the study. Chairman FEINSTEIN believed these actions were an effort to intimidate the committee staff, the very staff charged with CIA oversight. I strongly agree with her point of view.

The CIA's inspector general subsequently opened an investigation into the CIA's unauthorized search and found, contrary to Director Brennan's public protestations, that a number of CIA employees did, in fact, improperly access the committee's dedicated computers. The investigation found no basis for the criminal referral on the committee staff. The IG also found that the CIA personnel involved demonstrated a ''lack of candor'' about their activities to the inspector general.

However, only a 1-page unclassified summary of the IG's report is publicly available. The longer classified version was only provided briefly to Members when it was first released. I had to push hard to get the CIA to provide a copy for the committee to keep in its own records. Even the copy in committee records is restricted to committee members and only two staff members, not including my staff member.

After having reviewed the IG report myself again recently, I believe even more strongly that the full report should be declassified and publicly released, in part because Director Brennan still refuses to answer the committee's questions about the search.

In March, the committee voted unanimously to request responses from Director Brennan about the computer search. The chairman and vice chairman wrote a letter to Director Brennan, who promised a thorough response

to their questions after the Justice Department and CIA IG reviews were complete. The Chair and Vice Chair then wrote two more letters, to no avail. The Director has refused to answer any questions on this topic and has again deferred his answers, this time until after the CIA's internal accountability board review is completed, if it ever is.

So from March until December, for almost 9 months, Director Brennan has flat out refused to answer basic questions about the computer search; whether he suggested a search or approved it; if not, who did. He has refused to explain why the search was conducted, its legal basis, or whether he was even aware of the agreement between the committee and the CIA laying out protections of the committee's dedicated computer system. He has refused to say whether the computers were searched more than once, whether the CIA monitored committee staff at the CIA-leased facility, whether the agency ever entered the committee's secure room at the facility, and who at the CIA knew about the search both before and after it occurred.

I want to turn at this point to the White House. To date, there has been no accountability for the CIA's actions or for Director Brennan's failure of leadership. Despite the facts presented, the President has expressed full confidence in Director Brennan and demonstrated that trust by making no effort at all to rein him in.

The President stated it was not appropriate for him to weigh into these issues that exist between the committee and the CIA. As I said at the time, the committee should be able to do its oversight work consistent with our constitutional principle of the separation of powers, without the CIA posing impediments or obstacles as it has and as it continues to do today. For the White House not to have recognized this principle and the gravity of the CIA's actions deeply troubles me today and continues to trouble me.

Far from being a disinterested observer in the committee-CIA battles, the White House has played a central role from the start. If former CIA Director Panetta's memoir is to be believed, the President was unhappy about Director Panetta's initial agreement in 2009 to allow staff access to operation cables and other sensitive documents about the torture program.

Assuming its accuracy, Mr. Panetta's account describes then-Counterterrorism Adviser John Brennan and current Chief of Staff Denis McDonough—both of whom have been deeply involved in the study redaction process—as also deeply unhappy about this expanded oversight.

There are more questions that need answers about the role of the White House in the committee's study.

For example, there are the 9,400 documents that were withheld from the committee by the White House in the course of the review of the millions of documents, despite the fact that these documents are directly responsive to the committee's document request. The White House has never made a formal claim of executive privilege over the documents, yet it has failed to respond to the chairman's request to the documents or to compromise proposals she has offered to review a summary listing of them. When I asked CIA General Counsel Stephen Preston about the documents, he noted that ''the Agency has deferred to the White House and has not been substantially involved in subsequent discussions about the disposition of these documents.''

If the documents are privileged, the White House should assert that claim. But if they are not, White House officials need to explain why they pulled back documents that the CIA believed were relevant to the committee's investigation and responsive to our direct request.

The White House has not led on this issue in the manner we expected when we heard the President's campaign speeches in 2008 and read the Executive order he issued in January 2009. To CIA employees in April 2009, President Obama said:

> What makes the United States special, and what makes you special, is precisely the fact that we are willing to uphold our values and ideals even when it's hard—not just when it's easy; even when we are afraid and under threat—not just when it's expedient to do so. That's what makes us different.

This tough, principled talk set an important tone from the beginning of his Presidency. However, let's fast forward to this year, after so much has come to light about the CIA's barbaric programs, and President Obama's response was that we ''crossed a line'' as a nation and that ''hopefully, we don't do it again in the future.''

That is not good enough. We need to be better than that. There can be no coverup. There can be no excuses. If there is no moral leadership from the White House helping the public to understand that the CIA's torture program wasn't necessary and didn't save lives or disrupt terrorist plots, then what is to stop the next White House and CIA Director from supporting torture.

Finally, the White House has not led on transparency, as then Senator Obama promised in 2007. He said then this:

> We'll protect sources and methods, but we won't use sources and methods as pretexts to hide the truth. Our history doesn't belong to Washington, it belongs to America.

In 2009 consistent with this promise, President Obama issued Executive Order 13526, which clarified that information should be classified to protect sources and methods but not to obscure key facts or cover up embarrassing or illegal acts.

But actions speak louder than words. This administration, like so many before, has released information only when forced to by a leak or by a court order or by an oversight committee.

The redactions to the committee's executive summary on the CIA's detention and interrogation program have been a case study in its refusal to be open. Despite requests that both the chairman and I made for the White House alone to lead the declassification process, it was given by the White House to the CIA—the same Agency that is the focus of this report. Predictably, the redacted version that came back to the committee in August obscured key facts and undermined key findings and conclusions of the study.

The CIA also included unnecessary redactions to previously acknowledged and otherwise unclassified information. Why? Presumably, to make it more difficult for the public to understand the study's findings. Content that the CIA has attempted to redact includes information in the official, declassified report of the Senate Armed Services Committee, other executive branch declassified official documents, information in books and speeches delivered by former CIA officers who were approved by the CIA's Publication Review Board, news articles, and other public reports.

It is true that through negotiations between the committee, the CIA, and the White House, many of these issues were resolved. However, at the end of the day, the White House and CIA would not agree to include any pseudonyms in the study to disguise the names of CIA officers. In 2009 the CIA and the committee had agreed to use CIA-provided pseudonyms for CIA officials, but in the summary's final version, the CIA insisted that even the pseudonyms should be redacted.

For an agency concerned about morale, this is the wrong approach to take, in my view. By making it less possible to follow a narrative threat throughout the summary, this approach effectively throws many CIA personnel under the bus. It tars all of the CIA personnel by making it appear that the CIA writ large was responsible for developing, implementing, and representing the truth about the CIA's detention and interrogation program. In fact, a small number of CIA officers were largely responsible.

Further, there is no question that the identities of undercover agents must be protected, but it is unprecedented for the CIA to demand—and the White House to agree—that every CIA officer's pseudonym in the study be blacked out. U.S. Government agencies have used pseudonyms to protect officers' identities in any number of past reports, including the 9/11 Commission report, the investigation of the Abu Ghraib detention facility, and the report of the Iran-Contra affair.

We asked the CIA to identify any influences in the summary wherein a CIA official mentioned by pseudonym would result in the outing of any CIA undercover officer, and they could not provide any such examples.

Why do I focus on this? The CIA's insistence on blacking out even the fake

names of its officers is problematic because the study is less readable and has lost some of its narrative thread.

But as the chairman has said, we will find ways to bridge that gap. The tougher problem to solve is how to ensure that this and future administrations follow President Obama's pledge not to use sources and methods as pretexts to hide the truth.

What needs to be done? Chairman FEINSTEIN predicted in March—at the height of the frenzy over the CIA's spying on committee-dedicated computers—that ''our oversight will prevail,'' and generally speaking, it has. Much of the truth is out, thanks to the chairman's persistence and the dedicated staff involved in this effort. It is, indeed, a historic event.

But there is still no accountability, and despite Director Brennan's pledges to me in January 2013, there is still no correction of the public record of the inaccurate information the CIA has spread for years and continues to stand behind. The CIA has lied to its overseers and the public, destroyed and tried to hold back evidence, spied on the Senate, made false charges against our staff, and lied about torture and the results of torture. And no one has been held to account.

Torture just didn't happen, after all. Contrary to the President's recent statement, ''we'' didn't torture some folks. Real actual people engaged in torture. Some of these people are still employed by the CIA and the U.S. Government. There are, right now, people serving in high-level positions at the Agency who approved, directed or committed acts related to the CIA's detention and interrogation program. It is bad enough not to prosecute these officials, but to reward or promote them and risk the integrity of the U.S. Government to protect them is incomprehensible.

The President needs to purge his administration of high-level officials who were instrumental to the development and running of this program. He needs to force a cultural change at the CIA.

The President also should support legislation limiting interrogation to noncoercive techniques—to ensure that his own Executive order is codified and to prevent a future administration from developing its own torture program.

The President must ensure the Panetta review is declassified and publicly released.

The full 6,800-page study of the CIA's detention and interrogation program should be declassified and released.

There also needs to be accountability for the CIA spying on its oversight committee, and the CIA inspector general's report needs to be declassified and released to the public.

A key lesson I have learned from my experience with the study is the importance of the role of Congress in overseeing the intelligence community. It is always easier to accept what we are told at face value than it is to ask tough questions. If we rely on others to tell us what is behind their own curtain instead of taking a look for ourselves, we can't know for certain what is there.

This isn't at all to say that what the committee found in its study is a culture and behavior we should ascribe to all employees of the CIA or to the intelligence community. The intelligence community is made up of thousands of hard-working patriotic Americans. These women and men are consummate professionals who risk their lives every day to keep us safe and to provide the their best assessments regardless of political and policy considerations.

But it is incumbent on government leaders—it is incumbent on us—to live up to the dedication of these employees and to make them proud of the institutions they work for. It gives me no pleasure to say this, but as I have said before, for Director Brennan that means resigning. For the next CIA director that means immediately correcting the false record and instituting the necessary reforms to restore the CIA's reputation for integrity and analytical rigor.

The CIA cannot not be its best until it faces its serious and grievous mistakes of the detention and interrogation program. For President Obama, that means taking real action to live up to the pledges he made early in his Presidency.

Serving on the Senate Intelligence Committee for the past 4 years opened my eyes and gave me a much deeper appreciation of the importance of our role in the balancing of power in our great government. It also helped me understand that all Members of Congress, not only Intelligence Committee members, have an opportunity and an obligation to exercise their oversight powers.

Members who do not serve on the Intelligence Committee can ask to read classified documents, call for classified briefings, and submit classified questions.

This is my challenge today to the American people. Urge your Member of Congress to be engaged, to get classified briefings, and to help keep the intelligence community accountable. This is the only way that secret government and democracy can coexist.

We have so much to be proud of in our great Nation, and one of those matters of pride is our commitment to admit mistakes, correct past actions, and move forward knowing that we are made stronger when we refuse to be bound by the past.

We have always been a forward-looking Nation, but to be so we must be mindful of our own history. That is what this study is all about. So I have no doubt that we will emerge from a dark episode with our democracy strengthened and our future made brighter.

It has been an honor to serve on this committee, and I will miss doing its important work more than I can say.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

FAREWELL TO THE SENATE

Mr. WALSH. Madam President, I rise today to speak to this body and my fellow Montanans about service.

In preparing to leave the Senate, I add my voice to the voices of many other departing Members who have called for a return to civility in Washington, DC. Politics today is too full of pettiness. Public servants—you and I, as well as those elected to serve in the next Congress—should set the standard with better words and better actions, but we should also lead from the front. I am not saying anything that hasn't already been said, but more of us need to say it. If we are lucky, which we are, we are even blessed to stand in this room and do what we do on behalf of our fellow citizens.

Everyone in this Chamber has a unique story about their roots and their path to public service. Mine began in Butte, MT. I was the son of a union pipefitter in a struggling blue-collar town, and my path led to the military. I enlisted out of high school in the Montana National Guard and soon found a career serving my neighbors and family.

The National Guard—the great citizen wing of our Armed Forces—was a home for me. Leading my fellow soldiers into combat in Iraq in 2004–2005 was a defining experience in my life. Overseeing two successful elections for the Iraqis added a new perspective to my view on democracy. Fighting insurgents drove home how fortunate we are to live in the United States of America and to enjoy the freedoms we often take for granted.

The men of Task Force GRIZ who unfortunately didn't come home with me and the men and women who came back with visible and invisible wounds have truly defined the cost of war for me, and they remind me every single day of the cost of public servants getting it wrong when it comes to our national defense. I have devoted much of my professional life since returning home to accounting for the true cost of war.

Today, from my perspective, the debts are stacked against the democratic process in America in many ways. There is too much money, too much noise, and too little commitment to finding common ground. Anonymous money masquerading as free speech can poison campaigns. It silences the voices of the majority of American citizens. The concentration of wealth in fewer hands is bad for our society, just as the ability for a handful of the wealthy to carry the loudest megaphones in our elections is bad for our democracy. Elections are starting to look much like auctions. Dark money and circus politics shouldn't prevent the U.S. Senate from honorably living up to the power we have been given.

Growing up in a little house that shook twice a day from the dynamite

blasts at the copper mine nearby, I never thought I would be involved in public service. I aspired to have a decent job. I aspired to get an education. I aspired to having the time to fish the lakes and streams I fished with my father. Just the normal stuff. And that normal stuff is what I think most Americans still want today and too often can't achieve.

Public service—becoming a soldier—was my ticket to a better life: a job and a college education. After only a small taste, I discovered that I loved public service. I loved being devoted to something bigger than myself.

We should all remember that Congress can always use more Americans from more walks of life who have discovered public service through unlikely means.

It is the privilege of my life to serve the people of Montana in the seat of Senators Lee Metcalf and Max Baucus. Lee, along with Mike Mansfield, was my Senator while I was growing up in Butte, MT. The great citizen conservationist Cecil Garland said:

> It was typical of Lee to fight to give the little guy a voice in government decisions.

In my time in this Chamber, I have tried to follow Lee's example.

The people who need a voice in this Chamber are the ranchers and hardware store owners like Cecil in towns like Lincoln and Dillon. The person who needs a voice in this Chamber is the mother in Troy, MT, who became the primary bread winner when her husband lost his job cutting timber. The person who needs a voice here is the young woman in Shelby, MT, who has done everything right—studied hard and earned her degree—only to be squeezed by too much student debt and too few opportunities. The people who need voices are the servicemembers from Laurel and Great Falls, MT, who returned from the war in Afghanistan and Iraq with delayed onset PTSD and have fallen through the cracks at the VA. They are the entrepreneurs in Big Fork and Bozeman, MT, who have opened small distilleries and faced the tangle of redtape. They are the committed couples across Montana—your neighbors, my family, my friends—who are treated like second-class citizens because of whom they love.

So today I urge my colleagues to lend people like this in each of your States your voice as a Senator in this Chamber.

I am humbled by the number of challenges that face the next Congress. I urge my colleagues to continue to fight to protect Americans' civil liberties. I leave the Senate dismayed by the scope of government surveillance in our everyday life. Congress must always—and I emphasize always—protect the privacy of our citizens.

I remain deeply concerned about the National Security Agency's unconstitutional spying on Americans' communications, the secret backdoors into the Department of Commerce encryption standards, and the gag orders under the FBI national security letter program.

I urge my colleagues to continue fighting for rural America. We need stronger voting rights and more jobs in Indian Country to promote tribal sovereignty and prosperity. We need to keep our farm safety net strong and address brucellosis to protect the livestock industry. We need a stronger commitment to fund and reform the Payment in Lieu of Taxes Program and its sister programs. Small county budgets, schools, and roads depend on them. These same rural communities need better management of our national forests—something Congress and the Forest Service need to focus on.

We need an honest conversation and urgent solutions to the incredible challenge posed by climate change. As I said earlier from this same podium, we cannot put our heads in the sand and continue with business as usual.

Members of Congress should be taking responsibility and upholding the oaths we all swore. We should agree with science—climate change is a clear enemy, and Congress must take steps to stop it.

The next Congress should be thoughtful about women and families—from health care decisions to paycheck fairness.

Finally, I implore all of Congress, all of you, to redouble your attention to the crisis of suicide among our veterans. Yesterday the House of Representatives passed the Clay Hunt Suicide Prevention for American Veterans Act. That bill now sits before this body, and we have an opportunity to act. We have an opportunity to pass it. I mentioned the invisible wounds of war already, but if this country were losing 22 servicemembers a day on the battlefield, Americans would be on the streets protesting. Congress would be demanding action. But that is exactly the number of veterans who die by suicide each and every day from across our country. Veteran suicide is an urgent crisis facing our communities, and congressional action is long overdue.

I believe extending the eligibility for combat veterans at the VA is one essential way to address delayed-onset PTSD and reduce the suicide rate among our veterans. This simple fix and other solutions that improve access to mental health for veterans should continue to be a top priority for the next Congress.

It is fitting that in the last days of the 113th Congress, the Senate is sending the President a bill that carries on the public lands legacy of Senators Lee Metcalf and Max Baucus and the thousands of Montanans who worked together to find common ground.

In the words of Randolph Jennings, Senator ROCKEFELLER's predecessor from West Virginia, Lee ''was a tireless champion of preserving and protecting our nation's natural heritage for succeeding generations to use and enjoy.''

After Lee's death, Max and the rest of the Montana delegation carried on his legacy by passing wilderness designations for the Absaroka-Beartooth, Great Bear, and the Lee Metcalf wilderness areas. In the same spirit, I am honored to join Senator JON TESTER and Senator-elect STEVE DAINES in carrying on their legacy by passing the North Fork Watershed Protection Act and the Rocky Mountain Front Heritage Act. We took a page from Montanans. We sat down together, and we worked out an agreement that protected almost 700,000 acres of the Crown of the Continent. This is how democracy should work.

Forty-two years after the first citizen-driven wilderness, this week Congress is expanding the Scapegoat and Bob Marshall Wilderness areas in Montana. Thirty-eight years after the Flathead River was protected from schemes to dam it and divert it, this week Congress is protecting the Flathead and Glacier National Park forever from efforts to mine it and drill it. Montanans came together. Farmers, ranchers, small business owners, conservationists, hunters, anglers—all worked together to find common ground. Montanans went there first, and their representatives in Congress followed.

When Congress rewards the work of citizens who collaborate, when we finally reach the critical mass in this Chamber to be responsive, that is the day we earn the title of ''public servant.'' Montanans can be hopeful today that government by them and for them still works. They can still effect change. The Senate still listens and serves.

When President Eisenhower left office in 1961, Congress passed legislation at his request that restored his military title. He wanted to be remembered as a career soldier rather than the Commander in Chief.

My 33 years in uniform defined my life. I will always be a soldier. As a soldier, as a husband to my wonderful wife Janet, who has been my partner for 31 years, and as the proud dad of Michael and Taylor, as the father-in-law to my wonderful daughter-in-law April, and as the grandfather of a little girl named Kennedy, who will inherit this great Nation, I will return to civilian life with great hope for the United States Senate and for the United States of America.

I, along with millions of others, will be watching closely and imploring Members in this Chamber to check politics at the door and instead focus on the future. Honor veterans and their families who sacrifice so much. Honor seniors who have heard promises from you. Honor the most vulnerable amongst us. They are who we always should fight for.

Madam President, I am forever grateful to have served the people of Montana in this building standing side by side with each and every one of you. God bless each and every one of you, and may God continue to bless the United States of America.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

COAST GUARD AUTHORIZATION ACT FOR FISCAL YEARS 2015 AND 2016

Mrs. BOXER. Madam President, I am about to ask for unanimous consent to pass a substitute amendment to the Coast Guard bill. Senator VITTER and I hope to get into a bit of a colloquy over it, but first I want to explain what we are doing here.

The Coast Guard bill includes the text of S. 2963, a bill that I introduced to permanently eliminate the requirement that small fishing boats obtain a permit for discharges incidental to normal operation.

This is really important for our small boat fishermen. The bill has 14 cosponsors. I am very happy that Senator MURKOWSKI is now a cosponsor of that important legislation.

This substitute that is at the desk includes that permanent fix so that never again do small fishermen have to worry about being subjected to these permits.

It exempts commercial vessels less than 79 feet from having to get this discharge permit.

We first enacted a moratorium on permits in 2008. We have extended it twice. The current moratorium expires next week. If we don't act, these small vessels will require a permit for the first time. So instead of kicking the can down the road again with these moratoria, I think it is time to say, once and for all, these small vessels do not and will never need a permit. I think a temporary moratorium leaves thousands of the boat operators and the fishermen in limbo instead of giving them permanent certainty.

They are different from large ships that discharge ballast water and introduce harmful invasive species into our coastal waters. That is why a broad array of groups, including the American Sport Fishing Association, Congressional Sportsmen's Foundation, Marine Retailers Association of America, the National Marine Manufacturers Association, and many others, support this permanent exemption for our small boats.

I hope colleagues will support this, but I understand there is another proposal coming forward.

I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 2444; the Senate proceed to its immediate consideration; that the substitute amendment containing a permanent exemption for discharges from small commercial vessels and fishing vessels—and that is at the desk—be agreed to; the bill, as amended, be read three times and passed; the title amendment be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Madam President, reserving the right to object.

I appreciate the comments of the Senator from California and want to work with her toward a common goal. In that spirit, I ask unanimous consent that the Senator modify her request and agree to the substitute amendment, which is also at the desk, which includes a 3-year extension of the vessel discharge moratorium.

The PRESIDING OFFICER. Will the Senator from California so modify her request?

Mrs. BOXER. I reserve the right to object, but I do not intend to object.

I wish to say I am going to agree to this 3-year moratorium but I am a little stunned as to why we are doing this again. We could give these small boats a permanent exemption. It is an important economic issue.

I don't like this approach, but it is the best we can do. I want the American people and the fishermen to know we tried so hard to get this fixed permanently. But I am glad we have a 3-year moratorium. It is better than nothing, and I will therefore agree to the modification.

The PRESIDING OFFICER. Is there objection to the request, as modified?

Without objection, it is so ordered.

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

The amendment (No. 3997) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2444), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The title amendment (No. 3998) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A bill to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.''.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I wish to weigh in on this issue, because it is a critically important issue for my State—for all coastal States, or any State that has commercial fishermen, as my colleague from California and as my colleague from Louisiana know.

I appreciate the fact that we have come to a place where we are going to save these small fishermen from the potential burden of reporting to EPA for any incidental discharge from their vessels for the next 3 years.

I need to acknowledge the good work of my friend from California. She has recognized that we began this years ago, back in 2008, when we had to work together at that time to get a short-term extension to ensure that our small-vessel owners would not be subjected to these EPA requirements that most people would say: What is this reporting all about?

For those who need a little more graphic detail as to what we are talking about, when you take a commercial fishing vessel out, a 45-foot commercial fishing vessel, and you have a good day fishing, there are some salmon guts on the deck, a little bit of slime, and you hose it off. That would be an incidental discharge that would be reportable to the EPA. And if you fail to report, you could be subject to civil penalties. That is not what we are talking about here.

I think it is important to note that we have two leaders here in the Senate who perhaps approach some of the EPA issues from a different angle. Senator BOXER has been a staunch advocate for making sure that when we are talking about clean air and clean water, we are complying with those regulations. Senator VITTER has also been a staunch advocate for making sure our small businesses, our jobs, and our economic opportunities aren't stymied by these regulations.

So the fact that we have two Members coming together to acknowledge we have to do something to ensure these regulations do not impede the ability of our small fishermen, of our commercial operators in the water—those vessels below 79 feet—that we are not harming them.

In my home State of Alaska, we are talking about 8,500 commercial fishermen who were most anxious that 8 days from now they were going to be put in a position where they were effectively violating EPA regulations, subject to civil penalties, for the simple act of runoff off of their decks.

So I concur with Senator BOXER, this is something we don't need to be going from year to year to year to address. We don't need to inject this uncertainty into the operations of our hard-working fishing families. We need to have a permanent solution. I want to work with that permanent solution. Senator VITTER has clearly indicated he is willing to help us with that. Senator THUNE in Commerce has made that clear. We know we have to address the ballast issues. We will do that. And I am looking forward to being engaged with that in the 114th Congress.

But for now, I think it is critically important that consensus has been reached. I acknowledge the good work of both the Senator from Louisiana and the Senator from California, and Senator THUNE, for getting us to this point where we can take the pressure off of our small commercial operators and ensure that they can do what they do so very well.

I look forward to the next Congress where we are making this permanent and, again, where we are dealing with so many of the other issues. But I thank my colleagues today.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I want to make sure I thank Senator MURKOWSKI and Senator BEGICH. When I started this, Senator BEGICH was my first cosponsor and Senator MURKOWSKI made this bipartisan.

I think the important thing was that we could have done it permanently and I just don't want that lost. We could have done it permanently, and we didn't, and that is sad. There are reasons for that. I wasn't born yesterday, as most of you can tell.

I know why it wasn't done. People are going to use this as the little engine that could to drive some other stuff behind it which is not good stuff. I want to see that we can protect our small boats, and I am going to continue to do that. I hope we will work together as we move forward in this new Senate, run by—in the case of the committee I proudly chair—Senator INHOFE, who I think will be very good on this issue; Senator THUNE, who we know is good on this issue.

So we have the pieces in place. And whatever objections there were, I don't think they are really objections to the permanency, they are political objections to try and use this to get some other bad stuff attached to it, and I am not going to let that happen, let me tell you right now, no way, no how. So whatever someone has in their mind that they are going to connect to this little baby, it isn't going to happen, because we can't do that. We can't take one good thing and destroy it. I am not going to let that happen.

Right now we have a 3-year deal put in place. We can breathe easy. If I am someone contemplating buying a small boat, this is one less worry I have. I could have had it permanently; I have it for 3 years. It is too bad, but at least I have it, and that is good.

NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER ACT OF 2014

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 526, S. 2519.

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

The assistant legislative clerk read as follows:

A bill (S. 2519) to codify an existing operations center for cybersecurity.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment, as follows:

(Insert the part printed in italic.)

S. 2519

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 ''National Cybersecurity and Communications Integration Center Act of 2014''.

SEC. 2. 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 National Cybersecurity and Communications Integration Center Act of 2014, 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 National Cybersecurity and Communications Integration Center Act of 2014, 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.''.

SEC. 3. RULE OF CONSTRUCTION.

(a) DEFINITION.—In this section, the term ''critical infrastructure'' has the meaning given that term under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to grant the Secretary of Homeland Security any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

Mrs. BOXER. I ask unanimous consent that the committee-reported amendment be withdrawn; the Carper substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time; and the Senate proceed to vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 3999) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 2519), as amended, was passed.

Mrs. BOXER. Madam President, I ask unanimous consent that the motion to reconsider be made and laid upon the table with no intervening action or debate.

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

PROTECTING AND SECURING CHEMICAL FACILITIES FROM TERRORIST ATTACKS ACT OF 2014

Mrs. BOXER. I ask unanimous consent that the Senate proceed to the

consideration of Calendar No. 578, H.R. 4007.

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

The assistant legislative clerk read as follows:

A bill (H.R. 4007) to recodify and reauthorize the Chemical Facility and Anti-Terrorism Standards Program.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014''.

SEC. 2. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

''TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

''SEC. 2101. DEFINITIONS.

''In this title—

''(1) the term 'CFATS regulation' means—

''(A) an existing CFATs regulation; and

''(B) any regulation or amendment to an existing CFATS regulation issued pursuant to the authority under section 2107;

''(2) the term 'chemical facility of interest' means a facility that—

''(A) holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles; and

''(B) is not an excluded facility;

''(3) the term 'covered chemical facility' means a facility that—

''(A) the Secretary—

''(i) identifies as a chemical facility of interest; and

''(ii) based upon review of the facility's Top-Screen, determines meets the risk criteria developed under section 2102(e)(2)(B); and

''(B) is not an excluded facility;

''(4) the term 'excluded facility' means—

''(A) a facility regulated under the Maritime Transportation Security Act of 2002 (Public Law 107–295; 116 Stat. 2064);

''(B) a public water system, as that term is defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f);

''(C) a Treatment Works, as that term is defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292);

''(D) a facility owned or operated by the Department of Defense or the Department of Energy; or

''(E) a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) to protect against unauthorized access of any material, activity, or structure licensed by the Nuclear Regulatory Commission;

''(5) the term 'existing CFATS regulation' means—

''(A) a regulation promulgated under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note) that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014; and

''(B) a Federal Register notice or other published guidance relating to section 550 of the Department of Homeland Security Appropriations Act, 2007 that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014;

''(6) the term 'expedited approval facility' means a covered chemical facility for which the owner or operator elects to submit a site security plan in accordance with section 2102(c)(4);

''(7) the term 'facially deficient', relating to a site security plan, means a site security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

''(A) the facility's site security plan;

''(B) the facility's Top-Screen;

''(C) the facility's security vulnerability assessment; or

''(D) any other information that—

''(i) the facility submits to the Department; or

''(ii) the Department obtains from a public source or other source;

''(8) the term 'guidance for expedited approval facilities' means the guidance issued under section 2102(c)(4)(B)(i);

''(9) the term 'risk assessment' means the Secretary's application of relevant risk criteria identified in section 2102(e)(2)(B);

''(10) the term 'terrorist screening database' means the terrorist screening database maintained by the Federal Government Terrorist Screening Center or its successor;

''(11) the term 'tier' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto;

''(12) the terms 'tiering' and 'tiering methodology' mean the procedure by which the Secretary assigns a tier to each covered chemical facility based on the risk assessment for that covered chemical facility;

''(13) the term 'Top-Screen' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto; and

''(14) the term 'vulnerability assessment' means the identification of weaknesses in the security of a chemical facility of interest.

''SEC. 2102. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

''(a) PROGRAM ESTABLISHED.—

''(1) IN GENERAL.—There is in the Department a Chemical Facility Anti-Terrorism Standards Program.

''(2) REQUIREMENTS.—In carrying out the Chemical Facility Anti-Terrorism Standards Program, the Secretary shall—

''(A) identify—

''(i) chemical facilities of interest; and

''(ii) covered chemical facilities;

''(B) require each chemical facility of interest to submit a Top-Screen and any other information the Secretary determines necessary to enable the Department to assess the security risks associated with the facility;

''(C) establish risk-based performance standards designed to address high levels of security risk at covered chemical facilities; and

''(D) require each covered chemical facility to—

''(i) submit a security vulnerability assessment; and

''(ii) develop, submit, and implement a site security plan.

''(b) SECURITY MEASURES.—A facility, in developing a site security plan as required under subsection (a), shall include security measures that, in combination, appropriately address the security vulnerability assessment and the risk-based performance standards for security for the facility.

''(c) APPROVAL OR DISAPPROVAL OF SITE SECURITY PLANS.—

''(1) IN GENERAL.—

''(A) REVIEW.—Except as provided in paragraph (4), the Secretary shall review and approve or disapprove each site security plan submitted pursuant to subsection (a).

''(B) BASES FOR DISAPPROVAL.—The Secretary—

''(i) may not disapprove a site security plan based on the presence or absence of a particular security measure; and

''(ii) shall disapprove a site security plan if the plan fails to satisfy the risk-based performance standards established pursuant to subsection (a)(2)(C).

''(2) ALTERNATIVE SECURITY PROGRAMS.—

''(A) AUTHORITY TO APPROVE.—

''(i) IN GENERAL.—The Secretary may approve an alternative security program established by a private sector entity or a Federal, State, or local authority or under other applicable laws, if the Secretary determines that the requirements of the program meet the requirements under this section.

''(ii) ADDITIONAL SECURITY MEASURES.—If the requirements of an alternative security program do not meet the requirements under this section, the Secretary may recommend additional security measures to the program that will enable the Secretary to approve the program.

''(B) SATISFACTION OF SITE SECURITY PLAN REQUIREMENT.—A covered chemical facility may satisfy the site security plan requirement under subsection (a) by adopting an alternative security program that the Secretary has—

''(i) reviewed and approved under subparagraph (A); and

''(ii) determined to be appropriate for the operations and security concerns of the covered chemical facility.

''(3) SITE SECURITY PLAN ASSESSMENTS.—

''(A) RISK ASSESSMENT POLICIES AND PROCEDURES.—In approving or disapproving a site security plan under this subsection, the Secretary shall employ the risk assessment policies and procedures developed under this title.

''(B) PREVIOUSLY APPROVED PLANS.—In the case of a covered chemical facility for which the Secretary approved a site security plan before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary may not require the facility to resubmit the site security plan solely by reason of the enactment of this title.

''(4) EXPEDITED APPROVAL PROGRAM.—

''(A) IN GENERAL.—A covered chemical facility assigned to tier 3 or 4 may meet the requirement to develop and submit a site security plan under subsection (a)(2)(D) by developing and submitting to the Secretary—

''(i) a site security plan and the certification described in subparagraph (C); or

''(ii) a site security plan in conformance with a template authorized under subparagraph (H).

''(B) GUIDANCE FOR EXPEDITED APPROVAL FACILITIES.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall issue guidance for expedited approval facilities that identifies specific security measures that are sufficient to meet the risk-based performance standards.

''(ii) MATERIAL DEVIATION FROM GUIDANCE.—If a security measure in the site security plan of an expedited approval facility materially deviates from a security measure in the guidance for expedited approval facilities, the site security plan shall include an explanation of how such security measure meets the risk-based performance standards.

''(iii) PROCESS.—In developing and issuing, or amending, the guidance for expedited approval facilities under this subparagraph and in collecting information from expedited approval facilities, the Secretary—

''(I) shall consult with—

''(aa) Sector Coordinating Councils established under sections 201 and 871(a); and

''(bb) appropriate labor organizations; and

''(II) shall not be subject to section 553 of title 5, United States Code, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et

seq.), subchapter I of chapter 35 of title 44, United States Code, or section 2107(b) of this title.

''(C) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

''(i) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

''(ii) the site security plan includes the security measures required by subsection (b);

''(iii)(I) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan;

''(II) any deviations from the guidance for expedited approval facilities in the site security plan meet the risk-based performance standards for the tier to which the facility is assigned; and

''(III) the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for any material deviation;

''(iv) the owner or operator has visited, examined, documented, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

''(v) the expedited approval facility has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

''(vi) each individual responsible for implementing the site security plan is fully aware of the requirements relevant to the individual's responsibility contained in the site security plan and is competent to carry out those requirements; and

''(vii) the owner or operator has committed, or, in the case of planned measures will commit, the necessary resources to fully implement the site security plan.

''(D) DEADLINE.—

''(i) IN GENERAL.—Not later than 120 days after the date described in clause (ii), the owner or operator of an expedited approval facility shall submit to the Secretary the site security plan and the certification described in subparagraph (C).

''(ii) DATE.—The date described in this clause is—

''(I) for an expedited approval facility that was assigned to tier 3 or 4 under existing CFATS regulations before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the date that is 210 days after the date of enactment of that Act; and

''(II) for any expedited approval facility not described in subclause (I), the later of—

''(aa) the date on which the expedited approval facility is assigned to tier 3 or 4 under subsection (e)(2)(A); or

''(bb) the date that is 210 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014.

''(iii) NOTICE.—An owner or operator of an expedited approval facility shall notify the Secretary of the intent of the owner or operator to certify the site security plan for the expedited approval facility not later than 30 days before the date on which the owner or operator submits the site security plan and certification described in subparagraph (C).

''(E) COMPLIANCE.—

''(i) IN GENERAL.—For an expedited approval facility submitting a site security plan and certification in accordance with subparagraphs (A), (B), (C), and (D)—

''(I) the expedited approval facility shall comply with all of the requirements of its site security plan; and

''(II) the Secretary—

''(aa) except as provided in subparagraph (G), may not disapprove the site security plan; and

''(bb) may audit and inspect the expedited approval facility under subsection (d) to verify compliance with its site security plan.

''(ii) NONCOMPLIANCE.—If the Secretary determines an expedited approval facility is not in compliance with the requirements of the site security plan or is otherwise in violation of this title, the Secretary may enforce compliance in accordance with section 2104.

''(F) AMENDMENTS TO SITE SECURITY PLAN.—

''(i) REQUIREMENT.—

''(I) IN GENERAL.—If the owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit the amended site security plan and a certification relating to the amended site security plan that contains the information described in subparagraph (C).

''(II) TECHNICAL AMENDMENTS.—For purposes of this clause, an amendment to a site security plan includes any technical amendment to the site security plan.

''(ii) AMENDMENT REQUIRED.—The owner or operator of an expedited approval facility shall amend the site security plan if—

''(I) there is a change in the design, construction, operation, or maintenance of the expedited approval facility that affects the site security plan;

''(II) the Secretary requires additional security measures or suspends a certification and recommends additional security measures under subparagraph (G); or

''(III) the owner or operator receives notice from the Secretary of a change in tiering under subsection (e)(3).

''(iii) DEADLINE.—An amended site security plan and certification shall be submitted under clause (i)—

''(I) in the case of a change in design, construction, operation, or maintenance of the expedited approval facility that affects the security plan, not later than 120 days after the date on which the change in design, construction, operation, or maintenance occurred;

''(II) in the case of the Secretary requiring additional security measures or suspending a certification and recommending additional security measures under subparagraph (G), not later than 120 days after the date on which the owner or operator receives notice of the requirement for additional security measures or suspension of the certification and recommendation of additional security measures; and

''(III) in the case of a change in tiering, not later than 120 days after the date on which the owner or operator receives notice under subsection (e)(3).

''(G) FACIALLY DEFICIENT SITE SECURITY PLANS.—

''(i) PROHIBITION.—Notwithstanding subparagraph (A) or (E), the Secretary may suspend the authority of a covered chemical facility to certify a site security plan if the Secretary—

''(I) determines the certified site security plan or an amended site security plan is facially deficient; and

''(II) not later than 100 days after the date on which the Secretary receives the site security plan and certification, provides the covered chemical facility with written notification that the site security plan is facially deficient, including a clear explanation of each deficiency in the site security plan.

''(ii) ADDITIONAL SECURITY MEASURES.—

''(I) IN GENERAL.—If, during or after a compliance inspection of an expedited approval facility, the Secretary determines that planned or implemented security measures in the site security plan of the facility are insufficient to meet the risk-based performance standards based on misrepresentation, omission, or an inadequate description of the site, the Secretary may—

''(aa) require additional security measures; or

''(bb) suspend the certification of the facility.

''(II) RECOMMENDATION OF ADDITIONAL SECURITY MEASURES.—If the Secretary suspends the certification of an expedited approval facility under subclause (I), the Secretary shall—

''(aa) recommend specific additional security measures that, if made part of the site security plan by the facility, would enable the Secretary to approve the site security plan; and

''(bb) provide the facility an opportunity to submit a new or modified site security plan and certification under subparagraph (A).

''(III) SUBMISSION; REVIEW.—If an expedited approval facility determines to submit a new or modified site security plan and certification as authorized under subclause (II)(bb)—

''(aa) not later than 90 days after the date on which the facility receives recommendations under subclause (II)(aa), the facility shall submit the new or modified plan and certification; and

''(bb) not later than 45 days after the date on which the Secretary receives the new or modified plan under item (aa), the Secretary shall review the plan and determine whether the plan is facially deficient.

''(IV) DETERMINATION NOT TO INCLUDE ADDITIONAL SECURITY MEASURES.—

''(aa) REVOCATION OF CERTIFICATION.—If an expedited approval facility does not agree to include in its site security plan specific additional security measures recommended by the Secretary under subclause (II)(aa), or does not submit a new or modified site security plan in accordance with subclause (III), the Secretary may revoke the certification of the facility by issuing an order under section 2104(a)(1)(B).

''(bb) EFFECT OF REVOCATION.—If the Secretary revokes the certification of an expedited approval facility under item (aa) by issuing an order under section 2104(a)(1)(B)—

''(AA) the order shall require the owner or operator of the facility to submit a site security plan or alternative security program for review by the Secretary review under subsection (c)(1); and

''(BB) the facility shall no longer be eligible to certify a site security plan under this paragraph.

''(V) FACIAL DEFICIENCY.—If the Secretary determines that a new or modified site security plan submitted by an expedited approval facility under subclause (III) is facially deficient—

''(aa) not later than 120 days after the date of the determination, the owner or operator of the facility shall submit a site security plan or alternative security program for review by the Secretary under subsection (c)(1); and

''(bb) the facility shall no longer be eligible to certify a site security plan under this paragraph.

''(H) TEMPLATES.—

''(i) IN GENERAL.—The Secretary may develop prescriptive site security plan templates with specific security measures to meet the risk-based performance standards under subsection (a)(2)(C) for adoption and certification by a covered chemical facility assigned to tier 3 or 4 in lieu of developing and certifying its own plan.

''(ii) PROCESS.—In developing and issuing, or amending, the site security plan templates under this subparagraph, issuing guidance for implementation of the templates, and in collecting information from expedited approval facilities, the Secretary—

''(I) shall consult with—

''(aa) Sector Coordinating Councils established under sections 201 and 871(a); and

''(bb) appropriate labor organizations; and

''(II) shall not be subject to section 553 of title 5, United States Code, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), subchapter I of chapter 35 of title 44, United States Code, or section 2107(b) of this title.

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to prevent a covered chemical facility from developing and certifying its own security plan in accordance with subparagraph (A).

''(I) EVALUATION.—

''(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall take any appropriate action necessary for a full evaluation of the expedited approval program authorized under this paragraph, including conducting an appropriate number of inspections, as authorized under subsection (d), of expedited approval facilities.

''(ii) REPORT.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, 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 contains—

''(I) any costs and efficiencies associated with the expedited approval program authorized under this paragraph;

''(II) the impact of the expedited approval program on the backlog for site security plan approval and authorization inspections;

''(III) an assessment of the ability of expedited approval facilities to submit facially sufficient site security plans;

''(IV) an assessment of any impact of the expedited approval program on the security of chemical facilities; and

''(V) a recommendation by the Secretary on the frequency of compliance inspections that may be required for expedited approval facilities.

''(d) COMPLIANCE.—

''(1) AUDITS AND INSPECTIONS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'nondepartmental'—

''(I) with respect to personnel, means personnel that is not employed by the Department; and

''(II) with respect to an entity, means an entity that is not a component or other authority of the Department; and

''(ii) the term 'nongovernmental'—

''(I) with respect to personnel, means personnel that is not employed by the Federal Government; and

''(II) with respect to an entity, means an entity that is not an agency, department, or other authority of the Federal Government.

''(B) AUTHORITY TO CONDUCT AUDITS AND INSPECTIONS.—The Secretary shall conduct audits or inspections under this title using—

''(i) employees of the Department; or

''(ii) nondepartmental or nongovernmental personnel approved by the Secretary.

''(C) SUPPORT PERSONNEL.—The Secretary may use nongovernmental personnel to provide administrative and logistical services in support of audits and inspections under this title.

''(D) REPORTING STRUCTURE.—

''(i) NONDEPARTMENTAL AND NONGOVERNMENTAL AUDITS AND INSPECTIONS.—Any audit or inspection conducted by an individual employed by a nondepartmental or nongovernmental entity shall be assigned in coordination with a regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the audit or inspection is to be conducted.

''(ii) REQUIREMENT TO REPORT.—While an individual employed by a nondepartmental or nongovernmental entity is in the field conducting an audit or inspection under this subsection, the individual shall report to the regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the individual is operating.

''(iii) APPROVAL.—The authority to approve a site security plan under subsection (c) or determine if a covered chemical facility is in compliance with an approved site security plan shall be exercised solely by the Secretary or a designee of the Secretary within the Department.

''(E) STANDARDS FOR AUDITORS AND INSPECTORS.—The Secretary shall prescribe standards for the training and retraining of each individual used by the Department as an auditor or inspector, including each individual employed by the Department and all nondepartmental or nongovernmental personnel, including—

''(i) minimum training requirements for new auditors and inspectors;

''(ii) retraining requirements;

''(iii) minimum education and experience levels;

''(iv) the submission of information as required by the Secretary to enable determination of whether the auditor or inspector has a conflict of interest;

''(v) the proper certification or certifications necessary to handle chemical-terrorism vulnerability information (as defined in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto);

''(vi) the reporting of any issue of non-compliance with this section to the Secretary within 24 hours; and

''(vii) any additional qualifications for fitness of duty as the Secretary may require.

''(F) CONDITIONS FOR NONGOVERNMENTAL AUDITORS AND INSPECTORS.—If the Secretary arranges for an audit or inspection under subparagraph (B) to be carried out by a nongovernmental entity, the Secretary shall—

''(i) prescribe standards for the qualification of the individuals who carry out such audits and inspections that are commensurate with the standards for similar Government auditors or inspectors; and

''(ii) ensure that any duties carried out by a nongovernmental entity are not inherently governmental functions.

''(2) PERSONNEL SURETY.—

''(A) PERSONNEL SURETY PROGRAM.—For purposes of this title, the Secretary shall establish and carry out a Personnel Surety Program that—

''(i) does not require an owner or operator of a covered chemical facility that voluntarily participates in the program to submit information about an individual more than one time;

''(ii) provides a participating owner or operator of a covered chemical facility with relevant information about an individual based on vetting the individual against the terrorist screening database, to the extent that such feedback is necessary for the facility to be in compliance with regulations promulgated under this title; and

''(iii) provides redress to an individual—

''(I) whose information was vetted against the terrorist screening database under the program; and

''(II) who believes that the personally identifiable information submitted to the Department for such vetting by a covered chemical facility, or its designated representative, was inaccurate.

''(B) PERSONNEL SURETY PROGRAM IMPLEMENTATION.—To the extent that a risk-based performance standard established under subsection (a) requires identifying individuals with ties to terrorism—

''(i) a covered chemical facility may satisfy its obligation under the standard by using any Federal screening program that periodically vets individuals against the terrorist screening database, or any successor program, including the Personnel Surety Program established under subparagraph (A); and

''(ii) the Secretary may not require a covered chemical facility to submit any information about an individual unless the individual—

''(I) is to be vetted under the Personnel Surety Program; or

''(II) has been identified as presenting a terrorism security risk.

''(3) AVAILABILITY OF INFORMATION.—The Secretary shall share with the owner or operator of a covered chemical facility any information that the owner or operator needs to comply with this section.

''(e) RESPONSIBILITIES OF THE SECRETARY.—

''(1) IDENTIFICATION OF CHEMICAL FACILITIES OF INTEREST.—In carrying out this title, the Secretary shall consult with the heads of other Federal agencies, States and political subdivisions thereof, relevant business associations, and public and private labor organizations to identify all chemical facilities of interest.

''(2) RISK ASSESSMENT.—

''(A) IN GENERAL.—For purposes of this title, the Secretary shall develop a security risk assessment approach and corresponding tiering methodology for covered chemical facilities that incorporates the relevant elements of risk, including threat, vulnerability, and consequence.

''(B) CRITERIA FOR DETERMINING SECURITY RISK.—The criteria for determining the security risk of terrorism associated with a covered chemical facility shall take into account—

''(i) relevant threat information;

''(ii) potential economic consequences and the potential loss of human life in the event of the facility being subject to a terrorist attack, compromise, infiltration, or exploitation; and

''(iii) vulnerability of the facility to a terrorist attack, compromise, infiltration, or exploitation.

''(3) CHANGES IN TIERING.—

''(A) MAINTENANCE OF RECORDS.—The Secretary shall document the basis for each instance in which—

''(i) tiering for a covered chemical facility is changed; or

''(ii) a covered chemical facility is determined to no longer be subject to the requirements under this title.

''(B) REQUIRED INFORMATION.—The records maintained under subparagraph (A) shall include information on whether and how the Secretary confirmed the information that was the basis for the change or determination described in subparagraph (A).

''(4) SEMIANNUAL PERFORMANCE REPORTING.—Not later than 6 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, and not less frequently than once every 6 months thereafter, 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 describes, for the period covered by the report—

''(A) the number of covered chemical facilities in the United States;

''(B) the average number of days spent reviewing site security or an alternative security program for a covered chemical facility prior to approval;

''(C) the number of covered chemical facilities inspected;

''(D) the average number of covered chemical facilities inspected per inspector; and

''(E) any other information that the Secretary determines will be helpful to Congress in evaluating the performance of the Chemical Facility Anti-Terrorism Standards Program.

"SEC. 2103. PROTECTION AND SHARING OF INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, information developed under this title, including vulnerability assessments, site security plans, and other security related information, records, and documents shall be given protections from public disclosure consistent with the protection of similar information under section 70103(d) of title 46, United States Code.

''(b) SHARING OF INFORMATION WITH STATES AND LOCAL GOVERNMENTS.—Nothing in this section shall be construed to prohibit the sharing of information developed under this title, as the Secretary determines appropriate, with State and local government officials possessing a need to know and the necessary security clearances, including law enforcement officials and first responders, for the purpose of carrying out this title.

''(c) SHARING OF INFORMATION WITH FIRST RESPONDERS.—

''(1) REQUIREMENT.—The Secretary shall provide to State, local, and regional fusion centers

(as that term is defined in section 210A(j)(1)) and State and local government officials, as the Secretary determines appropriate, such information as is necessary to help ensure that first responders are properly prepared and provided with the situational awareness needed to respond to security incidents at covered chemical facilities.

''(2) DISSEMINATION.—The Secretary shall disseminate information under paragraph (1) through a medium or system determined by the Secretary to be appropriate to ensure the secure and expeditious dissemination of such information to necessary selected individuals.

''(d) ENFORCEMENT PROCEEDINGS.—In any proceeding to enforce this section, vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this title, and related vulnerability or security information, shall be treated as if the information were classified information.

''(e) AVAILABILITY OF INFORMATION.—Notwithstanding any other provision of law (including section 552(b)(3) of title 5, United States Code), section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') shall not apply to information protected from public disclosure pursuant to subsection (a) of this section.

"SEC. 2104. CIVIL ENFORCEMENT.

''(a) NOTICE OF NONCOMPLIANCE.—

''(1) NOTICE.—If the Secretary determines that a covered chemical facility is not in compliance with this title, the Secretary shall—

''(A) provide the owner or operator of the facility with—

''(i) not later than 14 days after date on which the Secretary makes the determination, a written notification of noncompliance that includes a clear explanation of any deficiency in the security vulnerability assessment or site security plan; and

''(ii) an opportunity for consultation with the Secretary or the Secretary's designee; and

''(B) issue to the owner or operator of the facility an order to comply with this title by a date specified by the Secretary in the order, which date shall be not later than 180 days after the date on which the Secretary issues the order.

''(2) CONTINUED NONCOMPLIANCE.—If an owner or operator continues to be in noncompliance with this title after the date specified in an order issued under paragraph (1)(B), the Secretary may enter an order in accordance with this section assessing a civil penalty, an order to cease operations, or both.

''(b) CIVIL PENALTIES.—

''(1) VIOLATIONS OF ORDERS.—Any person who violates an order issued under this title shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

''(2) NON-REPORTING CHEMICAL FACILITIES OF INTEREST.—Any owner of a chemical facility of interest who fails to comply with, or knowingly submits false information under, this title or the CFATS regulations shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

''(c) EMERGENCY ORDERS.—

''(1) IN GENERAL.—Notwithstanding subsection (a) or any site security plan or alternative security program approved under this title, if the Secretary determines that there is a reasonable likelihood that a violation of this title or the CFATS regulations by a chemical facility could result in death, serious illness, severe personal injury, or substantial endangerment to the public, the Secretary may direct the facility, effective immediately or as soon as practicable, to—

''(A) cease some or all operations; or

''(B) implement appropriate emergency security measures.

''(2) LIMITATION ON DELEGATION.—The Secretary may not delegate the authority under paragraph (1) to any official other than the Under Secretary for the National Protection and Programs Directorate.

''(d) RIGHT OF ACTION.—Nothing in this title confers upon any person except the Secretary or his or her designee a right of action against an owner or operator of a covered chemical facility to enforce any provision of this title.

"SEC. 2105. WHISTLEBLOWER PROTECTIONS.

''(a) PROCEDURE FOR REPORTING PROBLEMS.—

''(1) ESTABLISHMENT OF A REPORTING PROCEDURE.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish, and provide information to the public regarding, a procedure under which any employee or contractor of a chemical facility may submit a report to the Secretary regarding problems, deficiencies, or vulnerabilities at a covered chemical facility that are associated with the risk of a chemical facility terrorist incident.

''(2) CONFIDENTIALITY.—The Secretary shall keep confidential the identity of an individual who submits a report under paragraph (1) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of publicly available information.

''(3) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies the individual making the report, the Secretary shall promptly respond to the individual directly and shall promptly acknowledge receipt of the report.

''(4) STEPS TO ADDRESS PROBLEMS.—The Secretary shall—

''(A) review and consider the information provided in any report submitted under paragraph (1); and

''(B) take appropriate steps under this title if necessary to address any substantiated problems, deficiencies, or vulnerabilities associated with the risk of a chemical facility terrorist incident identified in the report.

''(5) RETALIATION PROHIBITED.—

''(A) IN GENERAL.—An owner or operator of a covered chemical facility or agent thereof may not discharge an employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).

''(B) EXCEPTION.—An employee shall not be entitled to the protections under this section if the employee—

''(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

''(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

''(b) PROTECTED DISCLOSURES.—Nothing in this title shall be construed to limit the right of an individual to make any disclosure—

''(1) protected or authorized under section 2302(b)(8) or 7211 of title 5, United States Code;

''(2) protected under any other Federal or State law that shields the disclosing individual against retaliation or discrimination for having made the disclosure in the public interest; or

''(3) to the Special Counsel of an agency, the inspector general of an agency, or any other employee designated by the head of an agency to receive disclosures similar to the disclosures described in paragraphs (1) and (2).

''(c) PUBLICATION OF RIGHTS.—The Secretary, in partnership with industry associations and labor organizations, shall make publicly available both physically and online the rights that an individual who discloses information, including security-sensitive information, regarding problems, deficiencies, or vulnerabilities at a covered chemical facility would have under Federal whistleblower protection laws or this title.

''(d) PROTECTED INFORMATION.—All information contained in a report made under this subsection (a) shall be protected in accordance with section 2103.

"SEC. 2106. RELATIONSHIP TO OTHER LAWS.

''(a) OTHER FEDERAL LAWS.—Nothing in this title shall be construed to supersede, amend, alter, or affect any Federal law that regulates the manufacture, distribution in commerce, use, sale, other treatment, or disposal of chemical substances or mixtures.

''(b) STATES AND POLITICAL SUBDIVISIONS.—This title shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.

"SEC. 2107. CFATS REGULATIONS.

''(a) GENERAL AUTHORITY.—The Secretary may, in accordance with chapter 5 of title 5, United States Code, promulgate regulations or amend existing CFATS regulations to implement the provisions under this title.

''(b) EXISTING CFATS REGULATIONS.—

''(1) IN GENERAL.—Notwithstanding section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, each existing CFATS regulation shall remain in effect unless the Secretary amends, consolidates, or repeals the regulation.

''(2) REPEAL.—Not later than 30 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall repeal any existing CFATS regulation that the Secretary determines is duplicative of, or conflicts with, this title.

''(c) AUTHORITY.—The Secretary shall exclusively rely upon authority provided under this title in—

''(1) determining compliance with this title;

''(2) identifying chemicals of interest; and

''(3) determining security risk associated with a chemical facility.

"SEC. 2108. SMALL COVERED CHEMICAL FACILITIES.

''(a) DEFINITION.—In this section, the term 'small covered chemical facility' means a covered chemical facility that—

''(1) has fewer than 100 employees employed at the covered chemical facility; and

''(2) is owned and operated by a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

''(b) ASSISTANCE TO FACILITIES.—The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this title.

''(c) REPORT.—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 best practices that may assist small covered chemical facilities in development of physical security best practices.

"SEC. 2109. OUTREACH TO CHEMICAL FACILITIES OF INTEREST.

''Not later than 90 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish an outreach implementation plan, in coordination with the heads of other appropriate Federal and State agencies, relevant business associations, and public and private labor organizations, to—

''(1) identify chemical facilities of interest; and

''(2) make available compliance assistance materials and information on education and training.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–196; 116 Stat. 2135) is amended by adding at the end the following:

''TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

''Sec. 2101. Definitions.
''Sec. 2102. Chemical Facility Anti-Terrorism Standards Program.
''Sec. 2103. Protection and sharing of information.
''Sec. 2104. Civil enforcement.
''Sec. 2105. Whistleblower protections.
''Sec. 2106. Relationship to other laws.
''Sec. 2107. CFATS regulations.
''Sec. 2108. Small covered chemical facilities.
''Sec. 2109. Outreach to chemical facilities of interest.''.

SEC. 3. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Chemical Facility Anti-Terrorism Standards Program'' means—

(A) the Chemical Facility Anti-Terrorism Standards program initially authorized under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note); and

(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102(a) of the Homeland Security Act of 2002, as added by section 2;

(2) the term ''Department'' means the Department of Homeland Security; and

(3) the term ''Secretary'' means the Secretary of Homeland Security.

(b) THIRD-PARTY ASSESSMENT.—Using amounts appropriated to the Department before the date of enactment of this Act, the Secretary shall commission a third-party study to assess vulnerabilities of covered chemical facilities, as defined in section 2101 of the Homeland Security Act of 2002 (as added by section 2), to acts of terrorism.

(c) REPORTS.—

(1) REPORT TO CONGRESS.—Not later than 18 months after the date of 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 on the Chemical Facility Anti-Terrorism Standards Program that includes—

(A) a certification by the Secretary that the Secretary has made significant progress in the identification of all chemical facilities of interest under section 2102(e)(1) of the Homeland Security Act of 2002, as added by section 2, including—

(i) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

(ii) information on whether facilities that submitted Top-Screens as a result of the identification of chemical facilities of interest were tiered and in what tiers those facilities were placed; and

(iii) an action plan to better identify chemical facilities of interest and bring those facilities into compliance with title XXI of the Homeland Security Act of 2002, as added by section 2;

(B) a certification by the Secretary that the Secretary has developed a risk assessment approach and corresponding tiering methodology under section 2102(e)(2) of the Homeland Security Act of 2002, as added by section 2;

(C) an assessment by the Secretary of the implementation by the Department of the recommendations made by the Homeland Security Studies and Analysis Institute as outlined in the Institute's Tiering Methodology Peer Review (Publication Number: RP12–22–02); and

(D) a description of best practices that may assist small covered chemical facilities, as defined in section 2108(a) of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

(2) ANNUAL GAO REPORT.—

(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress the first report under subparagraph (A).

(C) SECOND ANNUAL REPORT.—Not later than one year from the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (a)(1) of such section 2105; and

(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

(D) THIRD ANNUAL REPORT.—Not later than 1 year after the date on which the Comptroller General submits the second report required under subparagraph (A), the Comptroller General shall submit to Congress the third report under subparagraph (A), which shall include an assessment of—

(i) the expedited approval program authorized under section 2102(c)(4) of the Homeland Security Act of 2002, as added by section 2; and

(ii) the report on the expedited approval program submitted by the Secretary under subparagraph (I)(ii) of such section 2102(c)(4).

SEC. 4. EFFECTIVE DATE; CONFORMING REPEAL.

(a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

(b) CONFORMING REPEAL.—Section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1388), is repealed as of the effective date of this Act.

SEC. 5. TERMINATION.

The authority provided under title XXI of the Homeland Security Act of 2002, as added by section 2(a), shall terminate on the date that is 4 years after the effective date of this Act.

Mrs. BOXER. Madam President, I ask unanimous consent that the committee-reported substitute amendment be considered; the Carper-Coburn amendment, which is at the desk, be agreed to; the committee substitute, as amended, be agreed to; the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended.

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

The amendment (No. 4000) was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4007), as amended, was passed.

Mrs. BOXER. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

CIRDA ACT OF 2014

Mrs. BOXER. Madam President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of H.R. 2952 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2952) to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

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

Mrs. BOXER. I ask unanimous consent that the Carper substitute amendment be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended.

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

The amendment (No. 4001) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cybersecurity Workforce Assessment Act''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Cybersecurity Category'' means a position's or incumbent's primary work function involving cybersecurity, which is further defined by Specialty Area;

(2) the term ''Department'' means the Department of Homeland Security;

(3) the term ''Secretary'' means the Secretary of Homeland Security; and

(4) the term ''Specialty Area'' means any of the common types of cybersecurity work as recognized by the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report.

SEC. 3. CYBERSECURITY WORKFORCE ASSESSMENT AND STRATEGY.

(a) WORKFORCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for 3 years, the Secretary shall assess the cybersecurity workforce of the Department.

(2) CONTENTS.—The assessment required under paragraph (1) shall include, at a minimum—

(A) an assessment of the readiness and capacity of the workforce of the Department to meet its cybersecurity mission;

(B) information on where cybersecurity workforce positions are located within the Department;

(C) information on which cybersecurity workforce positions are—

(i) performed by—

(I) permanent full-time equivalent employees of the Department, including, to the greatest extent practicable, demographic information about such employees;

(II) independent contractors; and

(III) individuals employed by other Federal agencies, including the National Security Agency; or

(ii) vacant; and

(D) information on—

(i) the percentage of individuals within each Cybersecurity Category and Specialty Area who received essential training to perform their jobs; and

(ii) in cases in which such essential training was not received, what challenges, if any, were encountered with respect to the provision of such essential training.

(b) WORKFORCE STRATEGY.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 1 year after the date of enactment of this Act, develop a comprehensive workforce strategy to enhance the readiness, capacity, training, recruitment, and retention of the cybersecurity workforce of the Department; and

(B) maintain and, as necessary, update the comprehensive workforce strategy developed under subparagraph (A).

(2) CONTENTS.—The comprehensive workforce strategy developed under paragraph (1) shall include a description of—

(A) a multi-phased recruitment plan, including with respect to experienced professionals, members of disadvantaged or underserved communities, the unemployed, and veterans;

(B) a 5-year implementation plan;

(C) a 10-year projection of the cybersecurity workforce needs of the Department;

(D) any obstacle impeding the hiring and development of a cybersecurity workforce in the Department; and

(E) any gap in the existing cybersecurity workforce of the Department and a plan to fill any such gap.

(c) UPDATES.—The Secretary submit to the appropriate congressional committees annual updates on—

(1) the cybersecurity workforce assessment required under subsection (a); and

(2) the progress of the Secretary in carrying out the comprehensive workforce strategy required to be developed under subsection (b).

SEC. 4. CYBERSECURITY FELLOWSHIP PROGRAM.

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility, cost, and benefits of establishing a Cybersecurity Fellowship Program to offer a tuition payment plan for individuals pursuing undergraduate and doctoral degrees who agree to work for the Department for an agreed-upon period of time.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2952), as amended, was passed.

Mrs. BOXER. Madam President, I ask unanimous consent that the Carper title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The title amendment (No. 4002) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''To require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes.''.

Mrs. BOXER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014—Continued

COAST GUARD AUTHORIZATION

Mr. BEGICH. Madam President, I will be brief, but I want to thank both Senators on the floor, Senators BOXER and VITTER, for working on this issue. It was critical for Alaska's fishermen and really for fishermen across the country. More importantly this will resolve the issue with the Coast Guard bill, which is critical to get done for many other reasons.

First, on the discharge issue, as stated earlier, this is an important waiver for our fishermen in Alaska. This will ensure that a regulation that wasn't going to have any positive impact with regards to what they were attempting to do but would have a negative impact in regards to our fishermen—giving them a 3-year waiver is exceptional because every year we would have a 1-year waiver. So a 3-year waiver is fantastic, but I agree with Senator BOXER that this should be permanent. I would like to watch from the outside in to see how this develops over the years.

The Coast Guard authorization bill was critical to get done. This has many important provisions. As the chair of the committee that dealt with the Coast Guard bill, not only this year but 2 years ago, we have been successful now at least since I have been chair to ensure the bill passed by unanimous consent and not to have big fights over working out the differences. Again, I thank Senator VITTER for his effort, making sure we move forward on this piece of legislation.

The issue I want to highlight—and then I will close—is that the Coast Guard bill is not only important for our fishermen in Alaska, the 79 feet and under ships, but also many other things. It ensures additional resources for the Arctic and Antarctic and ensures ice-breaking capabilities, including extending the service life of the currently idled *Polar Sea*. It enhances vessel safety information regarding ice and weather conditions and improves the oil spill prevention and response capabilities. It also ensures availability of quality childcare for our Coast Guard personnel. We require Coast Guard personnel to go all over this country. Part of it is their families are obviously with them and making sure they have quality of life aspects that are important for us to continue to recruit and get the best of the best. It also creates educational and portable career opportunities for Active-Duty Coast Guard spouses and eases the transition for Coast Guard personnel into postservice life. It provides inflation adjustment for funding levels for something very important to us in Alaska, the Cook Inlet Regional Citizens Advisory Committee. This group of citizens is involved in ensuring that the community at Cook Inlet—there is a lot of oil activity and fishing activity and other types of activities that are in that region—and citizens are engaged in their input. It is not just industry, but it is industry and citizens working together. This ensures that their funding continues and is inflation adjusted for the future. That is important.

Lastly, a small item, but it allows the Commandant to issue leases on tidelands and submerged lands. That is important because there are parcels of property that the Coast Guard controls that are adjacent to communities, and we need to make sure that there is flexibility for them to do the work they need to do. This piece of legislation was cosponsored by Senator ROCKEFELLER, Senators THUNE, RUBIO, MARIA CANTWELL and many others. This truly is a bipartisan piece of legislation and an example of what we do best when we work together.

Imagine a piece of legislation such as this, an authorization legislation for one of our large agencies, the Coast Guard, now the second time happening without a big fight on the floor, without this back and forth between the House and Senate, but actually getting the work done so our Coast Guard personnel know they have a budget that improves upon their quality of life issues and in my case in Alaska, making sure the Arctic is taken care of. We also increased and made sure the Coast Guard ongoing replacement programs are there, with $1.5 billion to continue to increase and improve the Coast Guard programs for our country, which is also very important.

Again, I want to thank the body, thank the folks on both sides of the aisle. As chair of the committee, it was my honor to be able to move this forward, but also I want to give a special thanks to all my staff members who worked on this because without the Senate staff who participated in this work, we could not have gotten the work done. I appreciate that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

IMMIGRATION

Mr. VITTER. Thank you, Madam President. I rise today to express strong concern and opposition to President Obama's Executive amnesty, which I think is clearly, flat-out illegal and unconstitutional.

I announce that because of that I will be voting ''no'' on the confirmation of Loretta Lynch to become Attorney General—because she would directly

help President Obama execute that illegal Executive amnesty, and she would be actively giving him legal cover, if you will—bad legal reasoning—used for PR purposes to further that illegal Executive order. I urge all my colleagues who share my concern about this illegal Executive amnesty to do the same.

I strongly oppose President Obama's recent action for two reasons. The first is I think it is a horrible policy that is going to take a desperate situation of illegal immigration into this country—a situation that has truly reached crisis proportions, including over the last several months with these new waves, for instance, of illegal minors—and make that desperate situation much worse.

Why do I say that? Well, it is common sense. If you take a big action that is going to reward folks who have participated in that illegal crossing, what do you think you are going to get—more of it or less of it? If you reward behavior, you are going to get more of it; if you punish or stop behavior, you will get less of it. So on policy grounds, this Executive action—this illegal Executive amnesty for about 5 million illegal aliens in our country—is going to reward that behavior and produce more of it.

As we have proved, we don't have adequate protections at the border—an adequate system of enforcement in place either at the border or just as importantly at the workplace. It is horrible policy that is going to make the situation worse.

But the second concern I have is much more fundamental, and it goes to the constitutional authority of the President and the fact that this is clearly beyond his authority because he is acting contrary to statutory law. The Congress and the President have acted together in the past and laid out statutory law about immigration. This is clearly directly contrary to statutory law because the President through this Executive action is not simply saying: I am going to refuse to prosecute this case or that case or even a broad category of cases. He is going even further and saying: I am going to issue work permits to affirmatively say that these people can work legally in our country, to affirmatively say that employers can hire these people, even though that is directly contrary to all sorts of statutory law on the books now.

Every President in the United States has significant powers, obviously, and Presidents have the power to fill in the details of legislation when those details are not clear and when they need to do so to properly execute the law. But that is completely different from doing something contrary to statutory law, and that is what President Obama is doing here.

Several people directly involved in this—including the Supreme Court, including President Obama, ironically—have made this clear: The Supreme Court in the past has recognized that ''over no conceivable subject is the power of Congress more complete'' than over immigration. So the Supreme Court has said that in all subject matters of law across the board, immigration is squarely in the hands of Congress under the Constitution.

As I said, even more interesting, President Obama in the past, before this illegal Executive order, has said he doesn't have this power. He has repeatedly acknowledged that in the past before he took this action. He said: ''This notion that somehow I can just change the laws unilaterally is just not true.''

Furthermore he said: ''For me to simply, through Executive order ignore those congressional mandates would not conform with my appropriate role as President.''

That is what he said when he was defending not taking action before, and he was right. Now he has done exactly what he correctly said before he did not have the power to do.

As I suggested at the beginning of my remarks, the Attorney General is directly related to this immigration issue and this legal constitutional issue. The Attorney General is the top law enforcement officer of the United States. The Attorney General is the top legal expert for the President and for the Federal Government. So I think if we truly believe—as I do and as certainly my Republican colleagues and as several Democrats do, based on their public statements—that this Executive action is wrong, is unconstitutional, is illegal, then we should not confirm an Attorney General who is going to further that illegal unconstitutional course of action. To me that is very straightforward. This is not just grabbing someone out of the blue. The Attorney General is directly—directly—related to these issues of the constitutional bounds of law, the constitutional lines between the executive and the legislative—and immigration enforcement. Based on that, I will vote no, and I will strongly push against the confirmation of Loretta Lynch as attorney general, and I urge my colleagues to do the same.

If you believe that President Obama's actions are illegal or unconstitutional through executive amnesty, then I think you need to reach the same conclusion, but the attorney general is directly related to these issues of both immigration enforcement and the Constitution.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Massachusetts.

FINANCIAL SYSTEM

Ms. WARREN. Madam President, I come to the floor today to ask a fundamental question: Who does Congress work for? Does it work for the millionaires, the billionaires, the giant companies with their armies of lobbyists and lawyers, or does it work for all the people?

People are frustrated with Congress and part of the reason, of course, is gridlock, but mostly it is because they see a Congress that works just fine for the big guys, but it won't lift a finger to help them. If big companies can deploy armies of lobbyists and lawyers to get the Congress to vote for special deals that benefit themselves, then we simply confirm the view of the American people that the system is rigged.

Now the House of Representatives is about to show us the worst of government for the rich and powerful. The House is about to vote on a budget deal—a deal negotiated behind closed doors—that slips in a provision that would let derivative traders on Wall Street gamble with taxpayer money and get bailed out by the government when their risky bets threaten to blow up our financial system. These are the same banks that nearly broke the economy in 2008 and destroyed millions of jobs, the same banks that got bailed out by taxpayers and are now raking in record profits, the same banks that are spending a whole lot of time and money trying to influence Congress to bend the rules in their favor.

You will hear a lot of folks say that the rule that will be repealed in the omnibus is technical and complicated and you shouldn't worry about it because smart people who know more than you do about financial issues say it is no big deal. Well, don't believe them. Actually, this rule is pretty simple. Here is what it is called—the rule the House is about to repeal, and I am quoting from the text of Dodd-Frank, is entitled ''Prohibition Against Federal Government Bailouts of Swaps Entities.''

What does it do? The provision that is about to be repealed requires the banks to keep separate a key part of their risky Wall Street speculation so there is no government insurance for that part of their business. As the New York Times has explained, ''the goal was to isolate risky trading and to prevent government bailouts'' because these sorts of risky trades, called derivatives trades, were ''a main culprit in the 2008 financial crisis.''

We put these rules in place after the collapse of the financial system because we wanted to reduce the risk that reckless gambling on Wall Street could ever again threaten jobs and livelihoods on Main Street. We put this rule in place because people of all political persuasions were disgusted at the idea of future bailouts. And now, no debate, no discussion, Republicans in the House of Representatives are threatening to shut down the government if they don't get a chance to repeal it.

That raises a simple question: Why? If this rule brings more stability to our financial system and helps prevent future government bailouts, why in the world would anyone want to repeal it, let alone hold the entire government hostage in order to ram through this appeal? The reason, unfortunately, is

simple—it is about money and power. Because while this legal change could pose serious risks to our entire economy, it will also make a lot of money for Wall Street banks.

According to Americans for Financial Reform, this change will be a huge boon to a handful of our biggest banks—Citigroup, J.P. Morgan, and Bank of America.

Wall Street spends a lot of time and money on Congress. Public Citizen and the Center for Responsive Politics found that in the runup to Dodd-Frank, the financial services sector employed 1,447 former Federal employees to carry out their lobbying efforts, including 73 former Members of Congress.

According to a report by the Institute for America's Future, by 2010, the six biggest banks and their trade associations employed 243 lobbyists who once worked in the Federal Government, including 33 who worked as chiefs of staff for Members of Congress and 54 who worked as staffers for the banking oversight committees in the House and Senate. That is a lot of former government employees and Senators and Congressmen pounding on Congress to make sure that the big banks get heard.

It is no surprise that the financial industry spent more than $1 million a day lobbying Congress on financial reform, and that is a lot of money that went to former elected officials and government employees. Now we see the fruits of those investments.

This provision is all about goosing the profits of the big banks. Wall Street is not subtle about this one. According to documents reviewed by the New York Times, the original bill that is being incorporated into the House spending legislation today was literally written by Citigroup lobbyists who ''redrafted'' the legislation, ''striking out certain phrases and inserting others.'' It has been opposed by current and former leaders of the FDIC, including Sheila Bair, a Republican who formerly chaired the agency, and Thomas Hoenig, the current vice chairman of the agency. For those who are keeping score, this is the agency that will be responsible for bailing out Wall Street when their risky bets go south.

I know that House and Senate negotiators from both parties have worked long and hard to come to an agreement on the omnibus spending legislation, and Senate leaders deserve great credit for preventing the House from carrying out some of their more aggressive fantasies about dismantling even more pieces of financial reform, but this provision goes too far. Citigroup is large and powerful, but it is a single, private company. It should not get to hold the entire government hostage to threaten a government shutdown in order to roll back important protections that keep our economy safe. This is a democracy, and the American people didn't elect us to stand up for Citigroup, they elected us to stand up for all the people.

I urge my colleagues in the House—particularly my Democratic colleagues whose votes are essential to moving this package forward—to withhold support from it until this risky giveaway is removed from the legislation. We all need to stand and fight this giveaway to the most powerful banks in this country.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

CRIMINAL JUSTICE SYSTEM

Mr. BOOKER. Madam President, I rise today to discuss an issue that I believe should be discussed and worked on so much more in Congress. It demands an urgency of action, a dedication, and a focus to address our shortfalls as a nation to live up to our ideals, liberty and justice for all. Equal justice under the law is written on the Supreme Court, and is a theme of our Nation.

It is the source of anguish that I believe is driving protests all over our country right now. From Ferguson to Staten Island, from New Jersey to Oakland, citizens of all races and all backgrounds—Americans are joining together to call for change, and to have this idea that our legal system really should be a justice system.

Now this is an anguish that is not simply the result and the reaction to specific incidents. Yes, there is much discussion about those specific incidents in places such as Staten Island, but it is a reflection of a deeper anguish, an unfinished American business that has lasted for decades.

I feel in my own personal life this sense of gratitude for my unique upbringing. As a young man in 1969, my parents literally had to get a white couple to pose as them to buy the house I grew up in in New Jersey. They literally had to go through the indignity of trying to break barriers of race to move into a town that was all white at the time.

I stand here to tell you I grew up in the greatest place. The citizens of Harrington Park, NJ, are why I am standing here right now. The love and caring that exists in my State is remarkable.

I am also here today because of a city that is a majority Black city, Newark, NJ, that embraced me as a young professional, and where I eventually became mayor.

Through my unique position, I have to say I am able to understand all corners of this country. In an intimate way, I see this anguish that I speak of with so many of my friends and colleagues. I heard it here in the Senate. I have had security guards pull me aside to talk to me about their anguish and frustrations about the criminal justice system. I have had the people who do the work in this body—those who clean our floors or tend to the needs of our Senators—and they feel this frustration about an American legal system that is falling short of American ideals and is not a justice system.

I saw it with my own parents who, with agony and pain, talked to me about not having a margin of error when it comes to dealing with police officers. They would coach me on how I should speak and talk and what I should do with my hands because of the fears they had of the treatment I might have that would be different than other Americans.

I stand today because this cannot simply be reduced to a racial issue. This is the larger questions of justice in our country. This calls to the consciousness of all Americans, and it is sourced by the realities we face in this country where we lead the globe in areas that no American who believes in freedom and liberty should want to lead.

We have had over the last decades of my lifetime an explosion in incarceration that belies the truth of who we are. This Nation has seen this country have an 800-percent increase in the Federal prison population over the last 30 years. Think about that—an 800-percent increase. We now have the very ignominious distinction on the globe for leading the planet Earth in a country that incarcerates its own citizens. In fact, America is just 5 percent of the globe's population, but we have 25 percent of the world's imprisoned people, and I tell you that is not because Americans have a greater proclivity for criminality, it is because our legal system is not a justice system.

This overincarceration and overcriminality anguishes this Nation, aggravates divisions, undermines freedom and liberty and costs taxpayers so much more money. It is an unnecessary burden and expense that is a self-inflicted wound in this Nation that undermines our prosperity and our success. We spend $¼ trillion a year locking people up, and the majority of those people are nonviolent offenders.

In fact, over the last decade, right now in America there are more people in prison for drug offenses than all of the people in prison in the 1970s. It is an extraordinary fact. Whether you are Black or White, if you get arrested and charged with a felony crime for doing some things that the last three Presidents of the United States admitted to doing, and then tried and convicted—I say ''tried'' with hesitancy because the majority of them are plea bargains. As the President knows, if you get convicted of that felony offense, the nondrug violent offense, the collateral consequences to your life are horrendous.

We now live in a nation where the collateral consequences are profound. We now know that time behind bars, even for these nonviolent offenders, reduces people's hourly wages by 11 percent, their annual employment by 9 weeks, their annual earnings by 40 percent. It has a powerful economic impact.

If a person is convicted for possession of controlled substances use, they become ineligible for so many benefits that we would often think we would want these very people to have. They

can't get Federal education grants such as a Pell grant. They can't get loans or work assistance. They become ineligible for business licenses, outrageously so. A person convicted of a felony will be denied public housing, even the ability to visit their family in public housing. They could be kicked out of their current housing arrangements. Former inmates can't get jobs, shelter, or loans. They often feel that no option exists other than going back to that slippery slope toward more crime. That is for all the people within the criminal system.

But what is anguishing so many is the clear and undeniable applications of this criminal justice system and the applications of this legal system in unequal ways to different portions of our population.

In my life I have seen that firsthand—how the usage of drugs in different communities where there is no difference between Blacks and Whites is treated differently based upon their race or their socioeconomic status.

Let me be clear. These issues are American issues, not simply race issues. They affect us all because we are a nation with a profound declaration of independence, but the truth of our country speaks also to an interdependence. Injustice anywhere is a threat to justice everywhere.

I point out these facts to let you understand why we have to have such an urgency. African Americans and Whites have no difference in drug usage whatsoever, but an African American who chooses to use marijuana is 3.7 times more likely to be arrested for that usage than someone who is White.

In fact, between 2007 and 2009, drug sentences for African-American men were 13.1 percent longer than those for White men. Usage has no difference, but arrest rates are dramatically higher for African-American men. In fact, for all crimes, when you start breaking the actual data down, you see patterns of discriminatory impact that are unacceptable in a nation this great.

Even for police violence, we have to understand that today nearly 2.5 times more Whites are arrested than Blacks for crimes that are violent and nonviolent—2.5 times more arrests for Whites than Blacks, but somehow African Americans are 21 more times more likely to be shot dead by a police officer.

This is data that should not shock us along racial lines but shock us along American lines. We are the Nation of liberty and justice for all. We are the country of equal protection under the law. African Americans make up just 13 percent of our population but 40 percent of the prison population.

In New Jersey, African Americans are 13.7 percent of New Jersey's population but 62 percent of New Jersey's prison population. Much of that, as clearly the data shows, has come about through the persecution of the American drug policy that is applied to different groups and different effects. The reality for minorities is punishing. By the age of 23, 44 percent of Latino youth will be arrested. We know the sad reality that 1 in 3 black males born in America today can expect, if we make no changes, to be incarcerated at some point in their lives compared to 1 in 87 White males, ages 18 to 64, incarcerated, while 1 in every 12 Blacks is.

I struggled with these issues my whole life. As a mayor of a city constantly working to fight to protect citizens, I know how complicated these problems can be. My police department, ourselves, we dug into the data. We saw that our practices had to be changed, that we had to find better ways of keeping our community safe, but we also knew something deeper. I will never forget when I sat with the head of the FBI in Newark, and I asked him about the violent crime problem: How are we going to solve this problem?

He looked at me and said: You don't understand, Mayor. We—meaning law enforcement—are not going to solve this problem. What has to be done are changes greater than this.

I watched how young kids get arrested for breaking the law, for smoking marijuana or being caught with possession. Teenagers find themselves—because they have marijuana on them of a certain amount and weight so the charges increase, to being in a school zone which is every place in many cities—now facing mandatory minimums of upwards of 5 years. These teenagers are scared, afraid, knowing they broke the law, but other folks like the last three Presidents have gotten away with it. They get offered it by the prosecutor, overworked, trying hard to serve the public and keep people safe. The prosecutor doesn't give them the mandatory minimum, they give them a deal: Just take time served or a month or 6 months, but they find themselves with a felony conviction. Now they find themselves in a world where they think they have no options. They can't get jobs. They can't get education grants. They can't get hope.

Hopelessness is a toxic state of being, and those kids then often get caught up again into the underground economy, back into the world of drugs.

What we saw in my time as mayor is that so many of the people who ultimately end up being violent criminals started as kids who felt all their options closed in on them because they got caught up in this world of drugs.

One of the worst collateral consequences of the way we are going about prosecuting our criminal legal system is the violence we are seeing from people who think they have no options but to do what they are doing.

I say this all to simply say we must find a way out. If we are America, a system that believes in elevating human potential and believes in ideas of liberty and freedom and deplores this concept that government should take people's liberty for no good means, we have to do something about this issue.

We who believe in freedom, who tell the world to look at our light and our torch and our promise, should evidence something better than leading the globe in incarcerating our own citizens. We, this country, where generation after generation has conquered discrimination against Irish, has conquered discrimination against Italians, has beat back discrimination against Catholics, has stood up to discrimination against Jews, has fought against Jim Crow and slavery; advancing not toward Black ideals or Jewish ideals or Irish ideals, but the common ideals that bind us as brothers and sisters of justice, of freedom, of equality—we have to do better than lead the globe in incarceration, to have a legal system that subjects more of its people and minorities toward search and scrutiny than seizure and arrest. This we cannot tolerate.

Why I stand so confidently with a faith in my Nation that we can do better does not just stem from this hallowed history. It also stems from the President. Right now in America there are States doing incredible things, incredible things, to change away this reality.

I am proud of my State. We have gone far but not far enough. In New Jersey, between 1999 and 2012, we reduced our prison population 26 percent. Guess what. During that same period of time, New Jersey saw a 30-percent reduction in violent crime. We showed to America that we are better than this. We can give more liberty to people, lowering our prison population, having a disproportionate effect on minorities, and actually drive down crime as well.

We are not the only State. New York's prison population is down 24 percent from the late 1990s. This is due almost entirely to reforms of the Rockefeller drug laws, policies that sent thousands of people to prison often serving sentences for low-level crimes. Over that same period, New York reduced its crime by more than half, lowering prison populations, disproportionately affecting African Americans and Latinos and lowering crimes.

Texas reduced its prison population in 2013 dramatically and has seen decreases in both crime and recidivism rates. All of these States can do more, but why has the Federal Government done little to nothing to follow suit?

I am proud of what is going on in the Senate with many of my colleagues. I came and joined this body when people pulled together to begin legislation such as the Smarter Sentencing Act or, more recently, the REDEEM Act I did in partnership with RAND PAUL.

I am so proud that this issue cuts across political sides, that we have Democrats and Republicans, red States and blue States, all beginning to say we can do better. I am here today to end my remarks with that call to the consciousness of our country. If we

have an injustice in our midst with a legal system that is so far away from the justice system to which we should aspire, we have to do better.

I was raised to believe that injustice anywhere is a threat to justice everywhere. In the words of Langston Hughes: ''There's a dream in this land with its back against the wall; to save the dream for one, we must save the dream for all.''

I know in my heart that with anguish of millions of Americans being punished by a legal system that has gone way out of control, affecting Blacks and Whites, young people of all backgrounds, a legal system that patently has a discriminatory impact on minorities, a legal system that steals the people's liberty, we can do better than this. We can save taxpayer money. We can lower our prison incarceration rates. We can elevate the promise of so many now denied their promise, and we can celebrate our American ideals. We need to lead this globe, not in incarceration, by telling the truth of who we are; that America is a land of freedom, of justice, where there truly is liberty and justice for all.

Thank you.

The PRESIDING OFFICER. The Senator from Missouri.

EPA REGULATIONS

Mr. BLUNT. Madam President, I want to talk a little bit about regulation today. We end this Congress failing once again for the Congress to take more responsibility for regulation. Items such as the REINS Act, which I have sponsored with Senator PAUL and others and which would require Members of Congress to vote on regulations that had significant economic impact did not get done.

A bill that I introduced with Senator KING from Maine that would create a regulatory review process that got great reviews in every economic and many other papers and magazines did not get done. But what I am seeing in Missouri and around the country is more and more concern that begins to focus on the Congress not doing what it needs to do to keep the regulators under control—legislation that would routinely put an end date on every regulation so that regulation has to be reviewed and regulation has to come up again and be looked at. Frankly, if you combined that with the requirement for the Senate and the House to vote on that regulation, it would be very unlikely that regulations that no longer made sense would be presented another time—having to look at this in a way that makes sense for our economy.

One of the generally used estimates is that $2 trillion is spent every year in the United States complying with regulations. Well, let's assume that maybe as much as half of that—it could be more—is either duplicative or simply unnecessary. What would happen in our economy if we had $1 trillion chasing the future rather than trying to needlessly comply with things that no longer make sense.

We have to take more responsibility for that because frankly there is no other way to get our hands on the regulators. The regulators are often out of control and almost always unaccountable. Frankly, they are more unaccountable in the second term of a President than they are in the first term because nobody in the chain of command ever has to go back and answer to the people we work for about the cost of these regulations.

I know in my State of Missouri, people are really concerned about a couple of regulations out there now that are dealing with energy policy and water policy, regulations the EPA has imposed that really do not make sense when you look at the cost of those regulations versus what would be gained by the regulations if they were even possible to comply with.

I think a clear message was sent in November to the next Congress that people want the government to be more responsive, that people want the government to—when you have a cost-benefit analysis of something the government has done, make it a realistic analysis, make it an analysis that would stand the straight-face test, when you say, oh, this is not the emotional cost of worrying about some societal problem that you really cannot quite define, this is what it really costs American families in terms of, for instance, their utility bill.

We look at these regulations that frankly go beyond the capacity of the regulators. I am not suggesting that the Congress is the right place to draft most regulations. I would say that the process of passing a law and saying that we want this agency to figure out how to implement the law is, in fact, the right way to do that. But I would also suggest that then that agency has to come back to the Congress and say: Here is the regulation that we think is the proper implementation. Now you have to vote yes or no. This regulation is the way to go forward with this law.

I think often the regulators now are well beyond what the law allows them to do. There is a case in point I am going to talk about in a minute, the water rule that is out there, where a navigable water was used as a definition of where the EPA had some jurisdiction. Well, I think their view right now is well beyond ''navigable.'' So what would we do about that? There is the ENFORCE the Law Act that I introduced in the Senate and that the House passed months ago with a bipartisan vote, where the Congress would have standing in court to be able to go to court if either House of the Congress thought the President was not enforcing the law as intended, so that the Congress—which now cannot go to court and say that we want a third party to step in right now and define this principle—could go to court and say that we want to know right now what ''navigable'' meant in 1972 when it was put into law, in the early 1970s, what it meant in 1899 when it was used for the first time, and what it means today.

There is no reason to have a couple of years of trying to comply with a regulation when eventually the Supreme Court will say, as they did a handful of times last year, that the Federal Government does not have jurisdiction to do this or that people were appointed illegally to a board or commission and that all of the actions they took had to be set aside. This is not a hypothetical case. This is what the Court decided just last year. The ENFORCE the Law Act would give us the capacity not to require a citizen to have to bear the burden of looking at a regulation that is outside the law or does not make sense and would allow the Congress to actually participate in that process at a much earlier time. So I hope in the next Congress we will do in the Senate what the House did and pass something like the ENFORCE the Law Act. I certainly intend to introduce that legislation again, put it on the President's desk, and have that discussion.

The administration recently took the opportunity to roll out a new rule on the Wednesday before Thanksgiving. This was an estimate of—this was a rule on air matter, ozone. A new ozone rule came out the Wednesday before Thanksgiving. Believe me, if you have a rule that you think people are going to like, you do not put it out the Wednesday afternoon before Thanksgiving. This is like the—we always watch late Friday afternoon what comes out because that is what whoever is announcing it did not want to announce on Monday. Even a bigger day is the Wednesday before Thanksgiving. We have an air rule now that we have not achieved. We have made great strides in the right direction, but looking at where we are now on this rule and mercury in the air and the quality of the air, we would have to have at least 75- to 85-percent attainment in counties all over America before you could then raise the bar one more time.

This would take the 75-percent standard, or the 75 standard that we have now for particulate matter—the so-called MACT Standards—and reduce it even further. We are not in attainment with the first rule yet. In fact, the EPA just recently, years after the rule, put out the guidelines you would need that were helpful to try to achieve the rule. But as soon as you get the guidelines for the last rule, the EPA wants to say: Oh, here we want to talk about the next rule, even though we just now told you how to begin to think about complying with the last rule. Even though there are nonattainment areas all over the country, we want to move right beyond that and go to the next rule.

That is the kind of thing that should not be allowed to happen. People are still looking for good-paying jobs. They are still looking at a utility bill they want to make sense of. I hope the Congress can be a part of that. The EPA has another rule they have been asking

for comment on, the so-called clean powerplant. Well now, who is opposed to that? Nobody. There is nobody who does not want clean power. In fact, the standards for utility powerplants have moved in a very positive direction in the last 10 years.

We have made great gains. The question is, are the next gains worth the economic cost, if the next gains are worth people having utility bills they cannot pay or if the next gains are worth people not having jobs they would otherwise have. That is a discussion we need to have. You know, the wrong utility policies produce an absolute lose-lose. A utility bill goes up, we lose jobs that we otherwise would have, and they go to places that care a whole lot less about what comes out of the smokestack than we do.

So the problem gets better, we lose jobs, and the country that has made the most positive strides in recent years is the country that pays the price for rules that no longer make sense. The rule that is out now—our State is largely coal dependent. We are the fifth most coal-dependent State. We are about 82-percent coal dependent. Of the 1 million comments that have been made on the rule, 305,000 of them came from Missouri families.

There are 1 million comments of people talking about why this rule does not make sense for them. We need to be sure that we do the things that not only meet the legal standard but also meet the commonsense standard as we move forward. The Wall Street Journal recently ran an op-ed—an opinion editorial piece—by Harvard Professor Laurence Tribe, who happened to be one of President Obama's law school professors and who is more often a witness for the left side of an argument than for the right side of an argument.

He joined the world's largest private coal company, Peabody Energy, to criticize the executive overreach in what the EPA is proposing as they propose to regulate carbon emissions from existing powerplants. There is a big difference if you have a rule that talks about what you do in the future for the utility companies than regulating what people have previously decided to do under the old rules.

There is a bill out there that I am a cosponsor of that really tries to use the great resource we have through coal in a most effective way. We do not produce any coal in Missouri any more, but we used to. We do not have any coal mines left in our State. But we have coal-fueled power plants. It is not really a war on coal as far as Missourians are concerned; it is a war on coal-fired plants.

If you built a plant under the old rules and, in fact, it has better air quality than any powerplant has ever had up until this time, as all of our recent plants have had, and you still have life in that plant, but the EPA comes in and says that now you have to meet a new standard with the plant you just built or you built 5 years ago, somebody has to pay that bill.

There is this mythical view that well, it is big industry or it is manufacturing. The most laughable of all is that somehow the utility companies are going to pay the bill. The utility companies do not pay the bill. People that get a utility bill pay the bill. The people that are most impacted by that are the people who are having a hard time paying their utility bill now.

These are bad policies. I am committed that as a Congress we should do more than we have been doing to accept responsibility for these agencies we fund, for some overall law, that no matter how much they are abusing it by stretching it beyond what the Congress intended, the Congress would have passed—nobody is out there issuing a rule and saying: By the way, we do not have any legal authority to do this. So defining that authority, being sure the rules make sense is important.

On the power rule, on December 2 I filed comments urging that this rule be withdrawn and we think more carefully about the impact it has on jobs that have good take-home pay and about families who have a hard time paying their utility bill now—our retired individuals, our single moms or others who have a hard time paying their utility bill now. We need to continue to look at that.

One other rule I want to talk about, as my time comes to a conclusion here, is the so-called waters of the United States rule. The EPA was given the authority under the Clean Water Act, as I said earlier, to have some authority over navigable waters. Navigable water, beginning in the 1890s, was used in Federal law as a constitutional explanation of why the Federal Government would be involved in water policy, because the Federal Government under the Constitution is involved in commerce.

Navigable and commerce come together. Navigable actually means you can navigate with some sort of vessel that can carry a commercial load. Well, the EPA has now decided, or is in the process of proposing, at least, that navigable waters means any water that can run into any water that could run into any water that can be navigable. I am confident that is not what the Congress intended.

Now, if they want to propose that, that is fine. Through the President and the administration, the EPA can come to Congress and say: We think we ought to control all the water everywhere; let's have a debate about that. And the Congress would not give the EPA that authority.

I hope the next Congress sets as a priority taking responsibility for what the Federal Government does, taking responsibility for these regulators and regulations, being sure we have regulations where we need them that make sense, and that we push back and don't have regulations where all they do is hurt families, hurt jobs, and don't solve the bigger problem. I hope we see that happen, and I hope the next Congress will be more focused on doing that job than this Congress was.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

(The remarks of Mr. UDALL of New Mexico pertaining to the submission of S. Res. 596 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. UDALL of New Mexico. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REED. Madam President, I rise today in support of the National Defense Authorization Act for Fiscal Year 2015. I commend the work of my colleagues on the Armed Services Committee—especially the chairman, Senator CARL LEVIN of Michigan—on reaching an agreement with the House to complete this important legislation.

It is also appropriate that this legislation be named in honor of both Senator CARL LEVIN and Congressman BUCK MCKEON, the chairmen of their respective committees who this year are retiring after extraordinary service and dedication to the Nation and particularly to the men and women of the armed services. It is another reason why this bill is particularly special—because it represents the culmination of the work of these two extraordinary gentlemen.

For over 50 consecutive years this Senate has passed a defense authorization bill. I hope we will be able to send the bill before us to the President for his signature. We owe it to our servicemembers to pass a law that will support them and enable the DOD to execute this year's budget efficiently and effectively.

This year, once again we have had to make very difficult decisions, especially because of the economic circumstances we face as a nation, the resources, and the threats which are challenging at this moment in our history. But this bill will allow the Department of Defense to combat these current threats, plan for future threats, and provide for the welfare of our brave servicemembers and their families.

While it is disappointing that we are not able to bring this bill to the floor for amendments in regular order because time really is running out, this is a very good bill which is based on the principle of compromise between many parties. It is critical at this moment that we pass it for the men and women in uniform for the United States.

I wish to point out a few highlights of the bill.

First, it authorizes a 1-percent across-the-board pay raise and reauthorizes over 30 types of bonuses and

special pays for our men and women in uniform.

It includes numerous provisions that build on the reforms we passed last year to further strengthen and improve sexual assault prevention and response programs. It is unacceptable and it is completely antithetical to the ethic of the military that anyone in uniform would be a predator. To be a soldier, to be a marine, to be a sailor, to be an airmen—it is about your subordinates, your comrades, helping them and sacrificing for them, not using them. So we can do more, and we must do more, but I am pleased to see that we have taken important steps and we are following through on these steps.

The legislation in general improves the ability of the Armed Forces to counter emerging and nontraditional threats, particularly cyber warfare. This is a new dimension of warfare. It is one we are coping with, but I don't think anyone should feel we have the technology, the techniques, the operations, and the insights to feel fully competent. This legislation will help us move in that direction.

The legislation also authorizes the full request of $4.1 billion for the Afghanistan Security Forces Fund to sustain the Afghan National Security Forces as the U.S. and coalition forces shift our mission to training, advising, and assisting these forces, letting them take the lead in combat operations. It is very essential.

It also authorizes several train-and-equip programs to assist foreign militaries conducting counterterrorism and counternarcotics operations. Of particular note are programs and resources that will go to Iraq and Syria, where we face serious challenges, where we have to provide the kind of support that is indicated in this legislation.

This year I once again had the honor of serving as the chairman of the Seapower Subcommittee alongside Senator JOHN MCCAIN, the ranking member. Our subcommittee focused on the needs of the Navy, Marine Corps, and strategic mobility forces. We put particular emphasis on supporting Marine and Navy forces engaged in combat operations, improving efficiencies, and applying the savings to higher priority programs. Specifically, the bill includes the required funding for two Virginia-class submarines and a moored training ship and approves other major shipbuilding programs, including funding for two DDG–51 destroyers, the aircraft carrier replacement program, and three littoral combat ship vessels, and it permits incremental funding for another amphibious transport dock ship.

I am particularly pleased about the funding for the Virginia-class submarines and the DDG–1000 destroyers. So many Rhode Islanders build them, design them, and they are an incredible part of our national security. So we are reinforcing shipbuilding programs that are not only under budget and ahead of schedule but are vitally important to the security of the United States.

Along these same lines, I am pleased to note that the bill establishes the National Sea-Based Deterrence Fund to provide resources and to manage the construction of the Ohio-class replacement ballistic missile submarine program. According to testimony provided to the Armed Services Committee, the Ohio-class replacement is the Navy's highest priority program. We are currently constructing attack submarines. These submarines are designed to go against other submarines, to deliver special operations troops, and to conduct fire missions from the sea.

The Ohio class will replace our ballistic missile submarines, which are part of our deterrence forces. These submarines have nuclear weapons and are part of our triad, our architecture to deter the use of nuclear weapons; we have to replace them. It cannot be done just with Navy resources because it is not just a Navy program, it is a national security program embracing our nuclear deterrence. This fund is a good starting point for that process, and I am very pleased to see it in the legislation.

Working together with Senator MCCAIN, particularly following Senator MCCAIN's lead, this bill increases accountability for the taxpayers' dollars spent on several major Navy programs. For example, the bill includes a provision to require the Director of Operational Test and Evaluation to submit a report of the current LCS test and evaluation master plan for seaframes and mission modules. The report would provide an assessment of whether completion of the test and evaluation master plan will demonstrate operational effectiveness and operational suitability for both seaframes and each mission module.

This is a very important program. We want to make sure we get it right. We want to make sure we build in efficiencies where we can, and the Director of Operational Test and Evaluation will help us do that.

The bill also includes language that will continue support of and advance planning for the refueling of the USS *George Washington* aircraft carrier and preclude the Navy from spending any funds to inactivate this ship. Again, this goes to the congressional mandate of having a specified number of aircraft carrier battle groups, and without refueling the *Washington*, we will not meet that legislative mandate. So we hope we will go forward this year and provide the requisite funding to complete the refueling, but at least we are moving in the right direction. I think that is important.

I particularly want to voice my thanks to Senator MCCAIN and other members of the Seapower Subcommittee for their diligence, for their leadership, for their assistance in not only giving what our Navy and Marines need, but also making sure that the taxpayers are protected as best we can. And, frankly, we have to do more with respect to efficiencies, economies, and being wise in our allocation of resources.

Before I conclude with my remarks regarding the traditional defense programs, I want to touch on two other aspects of the legislation, one in particular with respect to the Defense act. I am pleased that it includes the HAVEN Act. This is bipartisan legislation that I introduced with Senator JOHANNS to help more veterans with critical repairs and modifications for their homes so they are safer and more accessible.

This program is directed at our disabled and low income veterans. They find themselves out of the service, they have benefits, but they have needs to fix their homes and this program will help them do that. It establishes a competitive pilot program allowing nonprofit organizations throughout the country to apply for grants administrated by the Department of Housing and Urban Development to help make key improvements to the houses of veterans with disabilities, or low-income veterans.

It is fitting we take this step to give back to those who have made a personal sacrifice for our Nation, and I am particularly delighted I was able to work with Senator JOHANNS. As I noted in my remarks yesterday, he is retiring, but his decency, integrity, intelligence, and commitment to his constituents and also to the men and women of the Armed Forces will be missed here.

I am also glad that, on a topic not usually found in the defense authorization bill, we reached a bipartisan agreement on a package of public land bills, including two longstanding priorities for my State. For years, I have supported the preservation and renewed development of the Blackstone River Valley and have led the effort to designate parts of that area as a national park, which the bill before us will finally establish.

In 1793, Samuel Slater began the American industrial revolution in Rhode Island when he built his historic mill on the Blackstone River—really the first industrial-scale operation in the United States—and from that, much has ensued. Today, the mills and villages throughout what is now known as the John H. Chafee Blackstone River Valley National Heritage Corridor in Rhode Island and Massachusetts stand as witness to this important era of our history.

Much credit has to go to Senator John H. Chafee, who picked up the ball from those who preceded him. In fact, I was told last weekend that this attempt to get recognition goes back as far as a letter to Lady Bird Johnson in the 1960s, asking if she could help get land in the Blackstone Valley preserved. So it has been a long and winding road, and John Chafee was a key person in that process.

Creating a national historic park within the existing corridor would preserve the industrial, natural, and cultural heritage of the Blackstone Valley for future generations. It will improve the use and enjoyment of the natural resources, including outdoor education for young people; it will assist local communities while providing economic development opportunities; and it will increase the protection of the most important and nationally significant cultural and natural resource of the Blackstone River Valley.

I can recall last year inviting Secretary of the Interior Sally Jewell to Rhode Island, and we kayaked along the Blackstone River. When I was young, in the 1950s and 1960s, the idea of going into the Blackstone River, which was then frankly an industrial waste zone, would have been ridiculous. Today, we not only use the Blackstone River for recreation but, with this national park designation, we will be able to do so much more.

The public lands package also includes legislation to authorize the National Park Service to look at another river system in Rhode Island and adjacent Connecticut—specifically rivers within the Wood-Pawcatuck Watershed—for potential inclusion in the National Wild and Scenic Rivers System. These rivers are, again, so important to Rhode Island.

One of the things you discover as you go around Rhode Island, particularly after a storm when you can see the true power of these rivers, is that development during the industrial revolution was centered around rivers because water was a source of energy. As a result, many of our communities are clustered around the rivers and have great historic, cultural, recreational, and environmental value.

So let me thank not only my colleagues here but in the House, Congressmen DAVID CICILLINE and JIM LANGEVIN, for their great effort; also the Members of the Massachusetts delegation, because the Blackstone runs into Massachusetts; and I particularly want to thank SHELDON WHITEHOUSE, a stalwart when it comes to all these issues—anything to do with the environment, particularly Rhode Island's environment. His leadership and his support were absolutely critical in getting this measure today included in this bill. I would also like to thank the countless number of stakeholders in Rhode Island and Massachusetts who have tirelessly advocated for the preservation of the Blackstone River Valley all these years.

We have a good national defense authorization bill before the Senate, and I urge all of my colleagues to support it. I look forward to being able to witness, even remotely, the signing of the Levin-McKeon national defense authorization.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Madam President, earlier today the former Secretary of Health and Human Services, Kathleen Sebelius, said there was a way to fix ObamaCare. She said: Change the name. She said: Change the name. That was her solution.

Now that is not something she just told a friend. It is something she told many, as she was participating in Politico's ''Lessons From Leaders'' events. Well, leaders don't blame the failure of a bad product on a name. You can blame it on a lot of things, but the name is not it. After all, the President said he was fond of the name ObamaCare. Apparently, Kathleen Sebelius is taking a page from the playbook of Professor Gruber about underestimating the intelligence of the American people.

This law isn't unpopular because it was named after the President. The law is unpopular because it doesn't work. It is unpopular because it doesn't deliver what the President promised the American people it would. So Democrats can rename this health care system whatever they want and people all across the country are still going to know that the law is failing them.

People have been hit by higher costs—higher copays, higher premiums, higher deductibles. Many of them can't continue to see the doctor who treated them in the past. So no matter what the Democrats and Kathleen Sebelius want to call it, the law remains very unpopular because it is unworkable and it is unaffordable.

As we head into the middle of December, next week, December 15, is the deadline for people to sign up on Healthcare.gov if they want to have their health insurance coverage starting next January—January 1—just a few weeks from now.

That is for people living in the 37 States that use the Federal health care exchange. A lot of people still haven't signed up, and they may learn over the next few days if they do go to the Web site to sign up that their health care and their insurance premiums are actually more expensive next year than they were this year. That is what people continue to see: Health care rates going up in spite of the President's promise.

When President Obama was selling his health care law to the American people, he promised them they would save money. He actually went so far as to say people would save $2,500 per year, per family, under his plan. And NANCY PELOSI, the former Speaker of the House, actually went on ''Meet the Press'' and at one point said: Everyone's rates would go down. Everyone's rates, she said, would go down.

Well, that didn't happen. Now the Obama administration finally admits that people are paying more, not less. Americans buying health insurance through the Federal exchange will see their premiums go up and the administration finally admits it. And that is according to a new report by the Department of Health and Human Services which came out last Thursday.

Democrats said prices would go down, the President promised they would go down, and NANCY PELOSI said they would down for everyone. Instead, the prices keep going up.

Here is what one person in Syracuse, NY, wrote to his local newspaper last week. Lawrence Petty wrote to the Syracuse Post-Standard last Monday, December 1. He wrote that he has a plan he bought through the State ObamaCare exchange. This year, the cost was about $664 a month for the couple. Next year, going on the exchange, the rate for the same plan—the same plan, because the President said if you like your plan you can keep it—the same plan is going up from $664 a month to $773 a month. That is over $1,300 extra per year. Mr. Petty asked the newspaper in Syracuse, NY: ''So what gives?''

The average increase across the country is less than that, but this man in Syracuse, NY, is looking at a price hike of more than 17 percent. Every Democrat in the Senate voted for the President's health care law—every one of them. The Democratic Senator from New York voted for the health care law—the very State where this man is writing to his newspaper in Syracuse, NY. What do they have to say to this man in Syracuse whose insurance premiums are going up 17 percent next year? How do they respond to this man who is writing to the paper in New York asking ''what gives''?

Maybe his question has something to do with what the senior Senator from New York said a couple of weeks ago at the National Press Club, when he admitted that the health care law, in his words, ''wasn't the change we were hired to make.''

It is not just premiums. They are not the only problem here. The health care law has added so many Washington mandates, so many things people didn't want, can't afford, aren't interested in, don't need, that other costs have gone up as well. That includes the money people have to pay out of pocket for things such as copays, their deductibles. Some people have actually had to delay their medical care because of all these additional expenses. According to a new Gallup poll last month, 33 percent of Americans say that over the past year they have put off getting medical treatment because of the cost.

Gallup has been asking this same question all the way since 2001, well before the health care law was passed. And this year it is the highest number ever. This is after the President's health care law has been signed into law and has taken effect and the exchanges are in effect—the highest number ever of people not getting care because of the cost.

Two-thirds of these people say they have put off treatment for a serious condition. One of them is a woman

named Patricia Wanderlich. She is 61 years old, and she works part time at a landscaping company outside of Chicago, in the President's home State. She told the New York Times that she has a small brain aneurysm that needs monitoring.

She tells her story in an article the New York Times published on October 17 under the headline ''Unable to Meet the Deductible Or the Doctor.'' Patricia has a health insurance plan through ObamaCare that has an annual deductible of $6,000, so she has to pay for most of her medical expenses up to that amount. Because of that, she says she is skipping this year's brain scan and hoping for the best. She says: ''A $6,000 deductible—that's just staggering.''

This is the kind of person ObamaCare was supposed to help. And changing the name of ObamaCare, as Kathleen Sebelius has recommended today, isn't going to solve the problems for this patient with the $6,000 deductible. She got the insurance, she got the coverage, but she still cannot get care, and that is a fundamental problem with this health care law.

The other thing this New York Times article points out is that people can't meet their deductibles, and they also can't meet their doctor. Patricia told the newspaper that if she switches to a policy with a lower deductible next year, she will get a smaller network of doctors, which means she will lose access to the specialists taking care of her.

A lot of people are finding that they are in the same situation—losing access to their doctors. Sometimes it is because the insurance has these narrow networks of health care providers. Sometimes it is just because the doctors are so overburdened that you can't get an appointment.

There was an Associated Press report that came out over the weekend, the title was: ''Health Law Impacts Primary Care Doc Shortage.'' We already knew there was a shortage of primary care doctors in the country, also a shortage of specialists, also a shortage of nurses. The President's health care law has made it worse.

The Associated Press article quoted an insurance agent in California named Anthony Halby, who says he has clients tell him that their ObamaCare plan made it extremely difficult for them to find primary care doctors. As he says, ''Coverage does not equal access.''

He is advising his clients to skip ObamaCare next year and pay more for insurance with a broader network so they can at least see the doctors they want, the doctors they choose, the doctors they need.

He tells people:

> The premiums are going to be higher because there's no subsidy. However, I'm going to guarantee you can [actually] keep your doctor.

So people are finding they are paying more, when they were promised by President Obama, by the Speaker of the House NANCY PELOSI that they would pay less. But she is the same one who said: First you have to pass it before you get to find out what is in it.

So people are having to put off care they need because Washington says they have to pay for things they don't want, they don't need, and they can't afford. People are finding out that coverage isn't the same as care, and millions of people are finding out they can't meet their deductible or their doctor.

That is not what the American people wanted from health care reform. People wanted access to the care they need, from a doctor they choose, at lower cost. That is what they wanted. Instead, what they got are all these new Washington mandates, all these new expenses, all these new problems.

What was the President's solution to that? He said: Put more people on Medicaid. He told Governors around the country to expand the Medicaid Program—make sure people have gotten on Medicaid.

We know that is a system that has been broken for a long time. The question we continue to ask is: Can somebody who has gotten a Medicaid card printed up and given to them or sent to them, can they actually see a doctor?

The Department of Health and Human Services says: Don't worry about that. What did the inspector general say this week? Yesterday in the New York Times: ''Half of Doctors Listed as Serving Medicaid Patients Are Unavailable, Investigation Finds.''

Who did the investigation? The inspector general of the Department of Health and Human Services.

So even though Health and Human Services says all of these doctors are available to take care of Medicaid patients, their own inspector general of the Department says not true—not true. Only half of the doctors listed as serving Medicaid patients are available.

This is what we are dealing with. That is why Republicans are going to vote to repeal the entire health care law. Meanwhile, we will also vote to strip away the worst and most destructive parts of the law: things such as the arbitrary 30-hour workweek which has been damaging to part-time workers across the country; things such as the unfair medical device tax that sends American jobs overseas, threatens life-saving innovation.

The Republicans are going to talk about finally giving people choices. That is what people want with health care. They want choices. They want availability. They want affordability. That is what they are looking for—available, affordable care and choices, not more Washington mandates—and, finally, giving access to the health care people wanted all along.

Kathleen Sebelius may come out and give a lecture on lessons of leadership. Changing the name of this health care law from ObamaCare to anything else isn't going to make it any better for the people across this country who are finding out that the President's promises were empty promises; that they have been intentionally deceived as to the way this health care law was presented and passed, and now they find out their insurance is less affordable, their costs of care are going up, the availability of that care is going down, and they have lost their choices.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEE. Madam President, the bill before the Senate today at once represents the best of our Nation and some of the worst of Washington. On the one hand, the primary purpose of the National Defense Authorization Act, or NDAA, represents the best of America. In past years it has been one of the few very consistently bipartisan pieces of legislation considered by the Senate, and it usually has been afforded lengthy debate and open and transparent amendment process on the floor. That is because it is one of the most important and solemn duties of Congress to provide for our national defense.

The United States of America has the best armed services the world has ever seen, not just because of what they do, but because of who they are: honest, courageous, selfless patriots who love our country and have dedicated themselves to protecting and defending our way of life.

Of all the bills that come before Congress, the NDAA deserves to be treated with the kind of integrity and respect with which our military personnel approach their jobs. And yet the process that has unfolded this year in connection with the NDAA has fallen fall short of the standard that our armed personnel have set forth. Congress has waited until the last minute to conduct our most important business, using the holidays to fabricate a false sense of urgency. The Senate majority leader has refused to allow an open and transparent debate, shutting down our ability to offer amendments on the Senate floor to this important piece of legislation.

Finally, only a privileged few Members of Congress have a hand in drafting this bill, which was cobbled together with numerous extraneous provisions behind closed doors.

What used to be an exception to the typical legislative process, the typical legislative sausage making for which Washington has become famous, has been subsumed by the status quo, and it is exactly what is wrong with Washington today.

Each one of us as Members of Congress is here for just one reason: We

have been elected to represent and serve the American people. Unfortunately, the twisted, tainted process that has produced this bill prevents all of us from carrying out this responsibility, and it threatens our obligation to do what is right for our men and women in uniform.

As the title suggests, the National Defense Authorization Act is supposed to be a relatively straightforward, largely noncontroversial bill. It is the primary legislative instrument for Congress to exercise its constitutional power granted in article 1, section 8 of the Constitution which is to provide for the common defense. But that is not what we are voting on today; that is not what we are considering in connection with this bill.

This bill, the NDAA for fiscal year 2015, is a legislative hodgepodge that includes those straightforward noncontroversial items that almost all of us support, but also numerous other provisions that are entirely unrelated to national defense.

Most egregiously, the drafters secretly added 68 unrelated bills pertaining to the use of Federal lands—the so-called lands package portion of this bill. They put that into this bill without any opportunity for debate or for a vote on any of those 68 independent bills. None of these bills were included in the version of the NDAA that the Senate Armed Services Committee debated and voted on in May of this year, because had any Member tried to include them in the normal process of our committee, they clearly would have been ruled out of the committee's jurisdiction.

Another outlier in this legislative grab bag is a provision reauthorizing a Defense Department program to train and equip ''moderate'' Syrian rebels for the next 2 years.

Now we have testimony from some of America's top military leaders warning us of the immense risks involved in this program. They have told us there is no way to guarantee these efforts won't backfire, further embroiling the U.S. military in volatile and unpredictable parts of the world—in the Middle East, in conflicts in that part of the world. Yet here we are, forced to reauthorize this risky program in order to provide for our troops and the Defense Department.

The authority for this program was first added to the NDAA in the closed committee markup process in May and then later attached to the must-pass spending bill in September, giving Senators the all-or-nothing choice of either approving this controversial program or voting against all other government spending. This is not how Congress is supposed to work.

Congress is supposed to evaluate, debate, and amend individual pieces of legislation based on their own merits, with enough time to inform and educate the American people about what their representatives are doing. Instead, it is politics as usual in Washington. Rather than an open, transparent, and inclusive process, several extraneous and sometimes controversial provisions were added to the NDAA at the last minute by a select few operating entirely behind closed doors.

As we have come to expect from the outgoing majority in the Senate, once the bill appears from behind those closed doors, the American people are denied any real debate or even a chance to read, let alone understand, the bill.

This is a shame, because there are good bipartisan amendments out there, such as the Due Process Guarantee Act, an amendment that Senator FEINSTEIN and I attempted to offer for the Senate's consideration, which would improve the 2015 NDAA by prohibiting the indefinite detention of U.S. persons. Even though the Due Process Guarantee Act received 67 votes of support in the last Congress, it continues to be blocked by these privileged few who cobbled together this bill.

Now at the eleventh hour we are told we have to vote for everything in this legislative medley or vote for none of it. After deliberately allowing time to expire, up to the final moments before the holiday, the Senate majority leader has told the American people that the only way to support our soldiers is to support a distorted legislative process and controversial items that have never been debated in public. Our soldiers, sailors, airmen, and marines, and others who serve us in the pursuit of our national security interests deserve better.

Many of my colleagues have said that this is a ''must-pass'' bill. I would put it slightly differently. I would say we must pass legislation without political gimmicks or procedural games that enable men and women serving our Defense Department to fulfill their missions. We absolutely must pay our soldiers, sailors, airmen, and marines, and authorize our national defense budget as a matter of constitutional responsibility, national security, and moral duty. We must do these things. But not like this. I fear that we in the Senate have perhaps become far too comfortable with the idea that the most important issues such as paying our troops, funding our Defense Department, sending our sons and daughters halfway around the world into harm's way—that it is somehow OK to bend the rules to a breaking point and we allow our colleagues to hijack funding for our men and women in uniform to pass their unrelated political priorities.

There is no doubt that it is easier this way—easier, that is, for Senators. It is easier to outsource our representative duties to a select few and to avoid debate on the tough topics that come up along the way. But that doesn't make it right. As our courageous servicemembers and their families know, easier is rarely best.

The rules governing how a bill becomes a law are not optional. They are not arbitrary, either. They exist for a good reason: to ensure that the will of the American people is heard and followed. If we fail to adhere to the rules, then we fail in the duties we were elected to carry out, and we fail to be a truly representative democracy. But these rules are not self-enforcing. Writing them down doesn't make them so. Unless we hold them true in our hearts and in our minds and in our actions, they will be nothing more than words on paper, mere parchment barriers, as James Madison put it.

If we as an institution can accept a legislative process driven by backroom deals rather than fair and inclusive debate when we are dealing with the most important issues, then when are we ever going to do things the right way?

We can do better. The American people and especially those serving in uniform deserve better; and as we saw in the recent elections, the American people demand we do better. I think we can and we must.

I thank the Presiding Officer.

The PRESIDING OFFICER (Mr. BENNET). The majority whip.

SSCI STUDY OF THE CIA'S DETENTION AND INTERROGATION PROGRAM

Mr. DURBIN. Madam President, many people think that Congress is irrelevant, unimportant, and wastes time with the floor speeches that go nowhere. Yesterday on the floor of the Senate something historic occurred. Standing right back here, the senior Senator from California, Senator DIANNE FEINSTEIN, delivered to Congress and to the Nation a report on the use of torture by the United States of America. Seated on this side was Senator JAY ROCKEFELLER who, as the predecessor and chairman of the Senate Intelligence Committee, initiated this investigation into the use of torture. Her speech, which lasted about an hour, was followed by Senator JOHN MCCAIN, who stood up and applauded her for releasing this report.

It is worthy of note that what happened on the floor of this Senate yesterday was an assertion of constitutional principles that goes back to the founding of this country. It was an assertion of the three branches of government and their authority, and the authority of Congress to oversee the executive branch of government, and it got down to basics. Let's remember how we reached the point where this report was put together and delivered to the American people.

I will say at the outset that before I came to this job, I used to practice law and occasionally I would go into a courtroom. I really waited for that moment when I could turn to the jury and say: I want to let you know that my opponent in this case destroyed evidence, and I want to let you know why my opponent destroyed evidence—because what was in that evidence was so terrible they would rather leave it to your speculation of how bad it was than actually to let you read it. That is what started this debate which led to

the report. What happened was the Central Intelligence Agency destroyed videotapes of the interrogation of prisoners. After it was discovered that they destroyed them, the Senate Intelligence Committee asked: Why did you destroy those videotapes? They said: Because Congress never asked for them. The Intelligence Committee said: We didn't know they existed.

At that point the Central Intelligence Agency said to the Senate Intelligence Committee: We did nothing wrong, and we invite you, through your staff and members of the committee, to review the cables and emails within the Central Intelligence Agency which prove our case. It proves we did nothing wrong.

I think the CIA was surprised and shocked when the Senate Intelligence Committee took up their invitation. It meant, I understand, 5 years of work. They reviewed some 6 million pages of information. Two staffers from the Senate Intelligence Committee sat in what they call the cave day after day after day, poring through emails and cables to try to reconstruct what happened after 9/11 when the Central Intelligence Agency was interrogating prisoners. It wasn't an easy task. It was made even more difficult when we came to learn that the Central Intelligence Agency hacked into the computers of the Senate Intelligence Committee. It was a tough confrontation between two branches of government, and it is one that resulted, I think, in the right ending when Senator FEINSTEIN, and the Senate Intelligence Committee, following the lead of Senator ROCKEFELLER, stepped forward and produced this report.

I will reflect for a minute on how we reached this point, but first I will tell you that this report concluded that the CIA repeatedly misled senior officials in the Bush and Obama White Houses about detention and interrogation programs. The report said the CIA falsely told the Justice Department that techniques such as waterboarding helped to obtain lifesaving information that kept our country safe.

The report said the CIA detained more individuals and subjected more individuals to abusive interrogation techniques than it ever disclosed to Congress or the President. The CIA did not disclose the use of brutal interrogation techniques that went way beyond what even the torture memo of the previous administration had authorized.

It is worth noting what brought us to this point, and of course, it was the tragic, horrible events of September 11. After that occurrence, the Bush administration unilaterally decided to set aside treaties and laws that have served us in the past. President Bush's then-White House counsel, Alberto Gonzales, recommended to President Bush that the President ignore the requirements of the Geneva Conventions. The Geneva Conventions were treaties that grew out of World War II and established rules of warfare to protect soldiers and civilians. These treaties were ratified by the United States of America. They are and were the law of the land.

Colin Powell, who was Secretary of State under President Bush, objected to Alberto Gonzales's recommendation. He argued that we could comply with the Geneva Conventions, fight terrorism, and still keep America safe.

Here is what Secretary Powell said at the time about setting aside the Geneva Conventions. This ''will reverse over a century of U.S. policy and practice . . . undermine the protections of the law of war for our own troops. . . . It will undermine public support among critical allies, making military cooperation more difficult to maintain.''

Today, Secretary Powell's words seem prophetic. Unfortunately, President Bush rejected Secretary Powell's advice and instead followed Alberto Gonzales's recommendations to set aside the Geneva Conventions.

Then in August 2002, the Department of Justice issued the infamous torture memo. The memo said abuse only rises to the level of torture if it causes pain equivalent to organ failure or death. The memo also concluded the President has the authority to order the use of torture even though that torture would be a crime under U.S. law.

The Justice Department of the United States also signed off on the use of torture techniques such as waterboarding. This was in August of 2002. Thanks to the Intelligence Committee report, we now know that the Justice Department's legal advice was based on false information given to them by the CIA.

I have a long history with this issue. It was almost 10 years ago that I stood at this very desk and read into the RECORD a graphic description of an FBI agent's record of abuse of interrogation that she witnessed at Guantanamo Bay. At the time I was criticized by members of the Bush-Cheney administration, but we now know that the description by this FBI agent was accurate, and what she described was authorized by the Bush administration based on false information provided by the CIA.

It was 10 years ago when I first authored legislation to ban cruel, inhuman, and degrading treatment of detainees. In June of 2004 America was shocked by the revelations about what had occurred at Abu Ghraib prison. The Bush administration told us these were rogue actions of a few bad players. I introduced my torture legislation in 2004. I wanted to make it clear that America condemned the abuses at Abu Ghraib and stood by our commitment to the humane treatment of prisoners. But what we didn't know was that the administration had approved the use of abusive interrogation techniques in CIA facilities and at Guantanamo Bay. A Defense Department investigation later concluded that these techniques migrated to Abu Ghraib.

I offered my legislation as an amendment to the defense authorization bill. I expected it to be noncontroversial. It was adopted unanimously here in the Senate; however, the Bush administration had it removed in conference.

In the fall of 2004, I tried again. I offered the same amendment to the 9/11 commission intelligence reform legislation. Again, my amendment was adopted unanimously by the Senate, and again in conference negotiations the Bush administration removed it. I didn't understand their opposition to my amendment because the United States ratified the torture convention, a treaty that prohibits cruel, inhuman, and degrading treatment, the same thing my amendment said.

A few months later, I had an opportunity to get to the bottom of this. Alberto Gonzales, President Bush's White House counsel, was nominated to be Attorney General. During his confirmation hearings in January 2005, Mr. Gonzales told me the administration believed they had legal authority to subject detainees to cruel, inhuman, and degrading treatment. That was the first time that a Bush administration official had acknowledged this legal loophole. The Washington Post called that testimony ''a gross distortion of the law'' and cited it as a key reason for opposing the Gonzales nomination to be Attorney General.

After this revelation, Senator MCCAIN asked me if he could take the lead on legislation that I had written to ban cruel, inhuman, and degrading treatment. I agreed. There was no better person than JOHN MCCAIN, who in service to the United States of America was a prisoner of war in Vietnam for more than 5 years. He had been subjected to torture because of his service on behalf of our Nation. It became known as the McCain torture amendment. Despite a veto threat from President Bush, the Senate passed the McCain torture amendment in December of 2005 by an overwhelming bipartisan 90-to-9 vote. When the President signed the amendment into law, he issued a signing statement reserving the right to ignore it if he chose.

In June 2006, in the Hamdan decision, the Supreme Court held that the administration was required to follow the Geneva Conventions in its treatment of detainees. The Court took the same position as Secretary Colin Powell had argued years before when President Bush had first decided to disregard the Geneva Conventions.

In September 2006 President Bush publicly acknowledged the CIA detention and interrogation program for the very first time.

In July 2007 President Bush signed an Executive order stating the CIA's detention and interrogation program ''fully complies with the obligations of the United States'' under the Geneva Conventions and authorizing the use of certain interrogation techniques. Again, the administration twisted the law to justify the use of abusive tactics

based on false information provided by the CIA.

In October 2007 the Senate Judiciary Committee held hearings on the nomination of Michael Mukasey to be Attorney General. The hearings were going smoothly until I asked Mr. Mukasey to condemn waterboarding as torture. He refused. That became the focal point of the debate on his confirmation.

On December 6, 2007, the New York Times reported that in November 2005 the CIA had destroyed videotapes showing the CIA's use of abusive interrogation techniques. The next day I sent a letter to Attorney General Mukasey asking the Justice Department to open a criminal investigation into the destruction of CIA interrogation video evidence. I was the only Member of Congress to call for that investigation. In January the Attorney General opened the investigation. The CIA's destruction of these videotapes is what led to this Intelligence Committee report.

Then-CIA Director Hayden suggested that the Intelligence Committee staff review the operational cables and emails. The Intelligence Committee study was authorized by an overwhelming 14-to-1 bipartisan vote after the SSCI, the Select Committee on Intelligence, found that the cables detailed detention conditions and interrogations far worse than what the CIA had previously described to the committee.

The investigation led to the production of a report that is more than 6,700 pages long, including nearly 38,000 footnotes. It is based on a review of more than 6 million pages of CIA records.

In December 2012 the Intelligence Committee approved this report with a 9-to-6 bipartisan vote. Two months later, in February 2013, I received a briefing on this report before it was redacted. I was so disturbed by what I heard that I personally spoke with the President, then-Secretary of Defense Panetta, and John Brennan, to urge each of them to do everything possible to be briefed on its findings and support its declassification.

In March 2014 I sent a letter to CIA Director Brennan raising serious concerns about the CIA's hacking of Senate Select Committee on Intelligence computers and again urging declassification of the report.

In April 2014 the Intelligence Committee approved the declassification and the public release by an 11-to-3 bipartisan vote.

It is critically important that this has been declassified so the American people can understand what has been done in their name. It was inconsistent with American values. It didn't make us safer, and it must never be repeated again.

Yesterday Senator MCCAIN came to the floor to support Senator FEINSTEIN's disclosure. During the course of his statement on the floor, he said: Our enemies are acting without conscience. America cannot act without conscience. We are called to a higher standard than some because we believe in basic human values and in basic principles, and it may mean that some of the tactics used by our worst enemies are out of bounds for us, as they should be.

What happened with this disclosure is an important reaffirmation of our separation of powers and our constitutional responsibility.

I wish to congratulate Senator FEINSTEIN, Senator ROCKEFELLER, and every member of the Senate Select Committee on Intelligence, but particularly those who voted to go forward time and time again. They were under immense pressure not to do so.

The fact they have held the CIA accountable to the American people, to Congress, and to the President is part of our constitutional responsibility. It reminds people that in a democracy the people govern and the people have a right to know what this government is doing in their name.

There has been a lot of debate since the release of this report, and I assume it will continue. But if it ends with the report in the press, we have not done enough. We have to reform our processes, and let me start with Congress.

I served on the Senate Intelligence Committee for 4 years. It was a daunting assignment. Virtually every hearing is behind closed doors and classified. No one knows here even at the Select Committee on Intelligence unless you tell them afterwards. Testimony before us isn't available to the public. Most of the time, the professionals from the intelligence agencies come before us and speak in the acronyms of their agencies to the point you can't even follow what they are saying. It took me 2 years of sitting there puzzling over what they were saying to finally get an insight into what the committee and its responsibility were all about. That is not right.

We need to make sure that congressional oversight of our intelligence function is up to the job and up to the Constitution. That means more resources put in the Senate Select Committee on Intelligence. When I served, members of the committee shared a staffer. We each shared a staffer. We didn't even have one staff person working for each of us on these subjects. The amount of money that is being spent, tens of millions of dollars in covert activities and the like, needs to be carefully monitored. As the chairman of the Appropriations Subcommittee on Defense, I have that responsibility to look at the overall budget on intelligence. There is not enough oversight. We need to make certain that our branch of government is up to that challenge so we can guarantee to the American people that we are doing our job, so that we can be held accountable as we hold the intelligence agencies accountable as well.

I think what happened yesterday is going to be part of the history of the Senate, an important, positive part. I hope it is just the beginning where both political parties come together and accept their constitutional responsibility.

TRIBUTES TO DEPARTING SENATORS

Mr. DURBIN. I have some tributes here for my colleagues who are retiring, leaving the Senate. It is a lengthy list of tributes.

TOM HARKIN

To Senator TOM HARKIN, neighboring State of Iowa, whom I worked with over many years on so many important topics, I want to salute him for his service. The highlights of his service include the Americans With Disabilities Act and, of course, the Affordable Care Act. His work on education and medical research is legendary. There was a time when TOM HARKIN and Arlen Specter, Republican of Pennsylvania at that time, set out to double the medical research budget at the National Institutes of Health and they did it. Lives have been saved, people have been spared suffering because they had the political determination and courage to achieve it. I am going to miss TOM HARKIN.

I have served in Congress for a number of years and I have heard an awful lot of speeches. One of the most powerful speeches I ever witnessed in this Senate was delivered by TOM HARKIN in 1990. He gave his speech without uttering a single word. He delivered it entirely in American Sign Language—a language he knows from years of communicating with his brother Frank, who was deaf. In that historic speech in sign language—a first for this body—TOM HARKIN was urging the United States Senate to pass the Americans with Disabilities Act.

The ADA is one of the great civil rights laws of the 20th century. It is often called ''the Emancipation Proclamation for Americans with disabilities.'' It is a landmark achievement in America's ongoing efforts to create a more perfect union. No one worked harder for its passage than the senior Senator from Iowa, TOM HARKIN. He is often and rightly referred to as ''the father of the ADA.''

That speech in 1990 was unique in its use of sign language. In another way, however, it was like nearly every speech TOM HARKIN has given because he was speaking for people whose voices too often are not heard in Congress.

In his 40 years in Congress, TOM HARKIN has been a passionate, often fiery and relentless voice for good people who have often been dealt a bad hand by life. He has been a champion for men like his father, a coal miner with black lung disease, and others who desperately need health care. He has been a champion for people with disabilities—in America and around the world. He has been a champion of children in foreign lands who are trapped in the worst forms of forced labor.

TOM HARKIN has been a champion of working men and women in this country—and of their constitutionally protected right to organize and bargain for decent pay and safe working conditions.

TOM HARKIN has been a leader in safeguarding Medicare and Social Security, and moving people from welfare to work.

The senior Senator from Iowa and I were both very lucky. We are first-generation Americans. Senator HARKIN's mother came to this country from Slovenia; my mother came from Lithuania.

He knows from his own family's experience the love and gratitude that so many immigrants feel for the freedoms and opportunities America has given them and their children. So he has fought for immigration laws that protect America's security at the same time they honor our heritage as a nation of immigrants.

I want him to know that we will continue our efforts to pass such laws until we succeed—just as we will continue to push for adoption by this Senate of the Convention on the Rights of Persons with Disabilities until we pass that important treaty.

As are so many others, TOM HARKIN was inspired to public service by the example of President John Kennedy. After working his way through college, Senator HARKIN spent 5 years as a Navy pilot in the 1960s. He had applied to become a pilot for a commercial airline when he received a more compelling offer. In 1969, an Iowa Congressman invited TOM HARKIN to join his Washington, DC staff. He said yes. He also used his GI Bill benefits to earn a law degree from Catholic University.

TOM went back home to Iowa—and then he returned to Washington in 1974, not as a staffer, but as a Member of the House of Representatives. A decade later, Iowa voters elected him to the U.S. Senate. And in 1990 he became the first Democrat ever to be re-elected to the U.S. Senate by Iowa voters. They must have thought that was a good idea because they re-elected him three more times after that.

Today, 40 years after his first election, TOM HARKIN is grayer and wiser. But he has never forgotten where he came from. He is a proud Midwestern progressive who has never forgotten the hope and dignity that smart, compassionate government gave his family when they needed it. And he has never tired of working to make sure that other families have the same chances his family had.

I wish TOM and Ruth, their daughters and grandchildren all the best.

TOM HARKIN leaves a legacy of achievement and compassion. I will miss his presence in this Senate but he and Ruth will always be a part of our Senate family.

KAY HAGAN

KAY HAGAN, my colleague from North Carolina, has done an amazing job. In her one term in the Senate, she really made a name for herself when it came to public service. She stepped up time and again and took tough votes. I know it because as whip I asked her to take on some important issues that would made this a better and stronger nation.

When KAY entered the Senate in those perilous days, America was in crisis. The economy was in freefall. Millions had lost their homes to foreclosure. America was fighting two wars—and though our military is the finest in the world, many of its members were exhausted from multiple deployments.

Six years later, we have made progress in all of these areas. Historians will record that Senator KAY HAGAN helped to make America stronger and better.

Senator KAY HAGAN comes from a family that knows a great deal about serving and sacrificing for America. Her maternal uncle, Lawton Chiles, was a Korean War veteran who represented Florida in the U.S. House and Senate and served as Florida's governor. Her father-in-law was a two-star Marine general, her brother and father both served in the Navy, and her husband is a Vietnam veteran who used the GI Bill to help pay for law school.

Senator HAGAN first learned the ups-and-downs of Congress—literally—by operating the Senators-only elevator while interning for her uncle.

Senator HAGAN is a former ballet dancer—a discipline that demands great discipline and hard work. As a Senator, she has used those same qualities to benefit her State and our Nation.

She served 10 years in the North Carolina State Senate and in those 10 years, she earned a reputation as a commonsense hard-worker interested in results, not partisan fighting. As co-chair of the State Budget Committee, she increased the State's ''Rainy Day'' fund and balanced five straight budgets. You heard that right—five straight budgets. She also helped make record investments in education, raised teacher pay, and increased the minimum wage.

Here in the U.S. Senate, she has continued to be a leader on education issues, most notably helping to lead a group of Senators to start fixing No Child Left Behind. With her family's military background, it is no surprise that Senator HAGAN has fought hard for military families and veterans. She introduced another bill that is close to my heart and that I will continue to work for. It would prohibit for-profit colleges from using the phrase ''GI Bill'' in aggressive marketing efforts aimed at separating veterans and servicemembers from their hard-earned education benefits. And she led the successful effort to provide health care to those affected by water contamination at Camp Lejeune in North Carolina, the largest Marine Corps base on the East Coast.

KAY HAGAN will leave this Senate with a proud record of dauntless accomplishment and I am proud to have had the privilege to call her colleague. I thank her for her friendship and service, and I wish her the best in all her future endeavors.

MARK BEGICH

I can't imagine how the Senator from Alaska handles that commute back and forth, but he did it. I said the other day when we spoke about his service that many people don't realize his father was a Congressman before him and he died in a plane crash with Hale Boggs when they were flying back to Alaska to appear at an event. That plane was lost and never recovered. When MARK BEGICH came from Alaska to serve the United States, he completed the journey his father never could complete. His 6 years of service to Alaska have been extraordinary.

Before he got into politics, though, MARK was a whiz kid entrepreneur. When he was just 16 years old, he got a business license and he and his brother opened two businesses: a nightclub for teens and a vending-machine operation. The business world's loss was our gain.

Senator BEGICH started his political career working as an aide to then-Anchorage Mayor Tony Knowles. At 26, he was elected to the Anchorage Assembly, or city council. And in 2003, he became the first native-born Alaskan to serve as mayor of Anchorage.

In 2008, he dared to take on an Alaska legend: Senator Ted Stevens. When the votes were counted, MARK had become the first Democrat since Mike Gravel in 1981 to represent Alaska in the U.S. Senate.

As a Senator, MARK BEGICH has been a voice for working families in Alaska and across America. He has diligently and doggedly pursued common-sense, bipartisan solutions to big challenges. In all things, MARK's heart is always with Alaska. He has helped to protect Alaska fisheries, promoted renewable energy development in the State, and made sure Joint Base Elmendorf-Richardson remains strong and active.

Here is something about MARK my colleagues may not know. In 2011 he was part of a four-man team in the Hotline's live annual trivia contest. His teammates were three House members: DENNIS ROSS, Tom Davis, and Martin Frost. They were up against a formidable team that included Chuck Todd and Amy Walters. No one gave MARK's team a prayer of winning. But once again, MARK BEGICH scored an upset victory. He is to DC political trivia what Ken Jennings is to Jeopardy: A memorable champion.

But the actions for which he will be remembered are very far from trivial. When MARK BEGICH and others in the Class of 2008 arrived in the Senate America's economy was in freefall. Millions of families had lost their homes to foreclosure—the worst foreclosure crisis in America since the Great Depression. America was fighting two wars. Our military is the finest in the world. Many of its members were

exhausted from multiple deployments. On top of that, an outdated policy of ''don't ask, don't tell'' forced some servicemembers to lie about who they were in order to serve the Nation they love. Time after time, Senator MARK BEGICH took brave and principled votes that have made America better and stronger—militarily, economically, and socially.

This son of one of Alaska's great families has well earned—and will always hold—a place in our Senate family.

TIM JOHNSON

TIM JOHNSON and I came to the Senate together, TIM from South Dakota. He eventually became chairman of the banking committee after he faced one of the toughest physical challenges any Senator has ever faced, a debilitating brain injury that left him physically limited but never limited in spirit and intelligence. Thank God, with Barb at his side, he continued in public service to serve the State of South Dakota.

I am going to miss my great friend TIM JOHNSON.

He and I go back quite a ways. We served together in the House—and we came to the Senate together in 1996. That year, TIM JOHNSON was the only Senate candidate to defeat an incumbent U.S. Senator in a general election.

He won that first Senate election the old-fashioned way—with dedication, hard work, and a lot of shoe leather. I think he knocked on every door in South Dakota—twice. Dedication, humility, and unbelievable hard work—those are the values TIM learned as a fourth-generation South Dakotan. And they are the values that have exemplified his entire career.

In 1986, TIM JOHNSON was a semi-obscure state legislator from Vermillion, SD when he decided to run for his State's only seat in the U.S. House of Representatives. TIM might have been the only person who thought he had a chance of winning that race, but he surprised people. He did win—and he has never lost an election since. Eight consecutive statewide victories and zero losses. That is quite an accomplishment.

Here is another interesting fact about TIM JOHNSON: During his first term in the House, he was responsible for passing more legislation than any of the other 50 first-term Members.

In his 36 years of public service, TIM JOHNSON has been a strong voice for family farmers and ranchers in South Dakota and across America. He is a longtime advocate of Federal support for renewable energy—especially ethanol and wind energy. He helped lead the effort to pass the Country of Origin Label Act—the COOL Act, for short—to let consumers know if the meat they feed their families was raised in America.

Senator JOHNSON has been a leading advocate for Native Americans. He has fought especially hard for the members of the Lakota and Dakota tribes—descendants of the legendary Indian leaders Sitting Bull and Crazy Horse—who call South Dakota home.

TIM JOHNSON has fought for a livable minimum wage. He helped strengthen America's health safety net by voting to create the Children's Health Insurance Program and to expand Medicaid to those who need it. He voted for the Affordable Care Act, which passed this Senate without a vote to spare. That was a difficult vote for many but I believe that history will show it was the right vote for America, and TIM JOHNSON was on the right side of history.

As chairman of the Senate Banking Committee these last 3 years, TIM JOHNSON has played an historic role in helping to implement the Dodd-Frank Wall Street reform law and prevent a repeat of the kinds of abuses that nearly crashed our economy in 2008. He has moved forward despite intense opposition to reform from both inside and outside of Congress.

One of the most important of the Dodd-Frank reforms was the creation of a new Consumer Financial Protection Bureau. Chairman JOHNSON pressed successfully for Senate confirmation of Richard Cordray to head that new bureau so it would have a strong leader at the helm.

While he is justifiably proud of the legislative victories that bear his imprint, TIM JOHNSON may be even more proud of the constituent services he and his staff have given the people of South Dakota. Helping a veteran secure a proper disability rating or helping a senior citizen receive the Social Security and Medicare coverage he or she is due may not make headlines, but it makes a huge difference in the lives of individuals. TIM JOHNSON and his staff understand that.

I will never forget seeing TIM JOHNSON walk onto the Senate floor on September 5, 2007—less than a year after a brain hemorrhage nearly killed him. The courage and strength it took to come back from such a trauma is hard to imagine. Senator MARK KIRK, my partner from Illinois, told me that during his own recovery from a stroke, if he ever felt like giving up, he would ask himself: ''What would TIM JOHNSON do?''

Dedication to public service is a family trait in the Johnson Family. Barb's work on behalf of children and families has made life better for so many. Kelsey is an advocate for breast cancer awareness and research. Brendan is the U.S. Attorney for the District of South Dakota. And Brooks is in the National Guard following Army service in Bosnia, Kosovo, South Korea, Afghanistan, and Iraq.

Some time ago, the chief and people of the Cheyenne River Sioux Tribe honored Senator JOHNSON by bestowing on him a Lakota name. His Lakota name is Wacante Ognake. In English, it means ''holds the people in his heart.''

That is the spirit that has guided TIM JOHNSON throughout his public life.

I wish TIM and Barb the very best in all their future endeavors.

SAXBY CHAMBLISS, TOM COBURN, AND MIKE JOHANNS

I want to say a word about three others on the other side of the aisle who are retiring: SAXBY CHAMBLISS of Georgia, TOM COBURN of Oklahoma, and MIKE JOHANNS of Nebraska. I got to know them when I gathered with one of these gangs, as they call them around here, to talk about deficit reduction. We spent more time together trying to explore the Federal budget in ways to reduce our deficit in a thoughtful manner so that we really got to know one another and respect one another.

There is a world of difference in our political values and philosophies, but each of them in their own way made a positive contribution toward making this a stronger nation.

I remember well the day Senator CHAMBLISS announced that he would not let Grover Norquist and Grover's ''no tax increases ever'' demand dictate the terms of a deficit-reduction plan. That needed to be said, and it took political courage. Although Senator CHAMBLISS will not be with us when the Senate convenes in January, I hope his example will be with us. And I wish him the best in his future endeavors.

Senator TOM COBURN and I come from different parts of the country and different ends of the political spectrum, but we found there is a lot we agree on. I have always believed, as Senators Paul Douglas and Paul Simon said, that being a liberal doesn't mean you have to be a ''wastrel.'' Senator COBURN knows that being a conservative and protecting America's economy demands more than blind budget-cutting. His nickname is ''Doctor No,'' but when it comes to wishing him well as he steps down from the Senate, my colleagues join me in a resounding ''yes.''

Finally, here is a suggestion for when you have watched all of the ''shouting head'' political TV talk shows you can take: Listen to Senator MIKE JOHANNS. MIKE's quiet, reasonable approach was a real asset not only to the Gang of Eight negotiations, but to the entire Senate. We will miss his calm demeanor and his good-faith efforts to find smart, fair solutions to tough challenges.

None of them is running for re-election so I can't hurt them politically by saying that I regard each of these Senators as friends. They showed political courage when partisanship would have been easier.

I wish them the best in all their future endeavors.

CARL LEVIN

Last night it was my honor to salute CARL LEVIN of Michigan for his 36 years of service in the U.S. Senate. He has done so many things so well. As chairman of the Armed Services Committee, he has produced this contentious and challenging bill year after year, both as ranking member and as chairman. As chairman of the Permanent Subcommittee on Investigations, he really raised that subcommittee to a new

level. He tackled some of the most complex issues of our day, particularly when it came to corporate abuse. He spent the time to get the facts right. When he had a hearing, he made an extraordinary contribution to the public dialogue about reforming our law and making this a better nation.

When I was first elected to the Senate, people back home said to me: Well, now that you have been in the Senate a year or two, which Senators do you respect the most?

I said then, and I will repeat it today, if I had a tough, important decision, one I was wrestling over, an issue or a vote, and I could only reach out to a couple of Senators at the time, one would be Paul Sarbanes of Maryland, now retired, and the other is CARL LEVIN. That is still a fact.

Long before CARL LEVIN was elected to the U.S. Senate it was clear that he had a gift for politics. Picture this—true story: At Central High School in Detroit, CARL LEVIN was elected class president. He won that race after, as he tells it, ''running around with a piece of matzoh telling other students: 'This is what happens to bread without LEVIN.' ''How's that for a slogan?

As much as I hate to think about it, soon we will have a United States Senate without LEVIN—for the first time in 36 years. Our only consolation is that CARL LEVIN leaves a legacy of good and important laws. He also leaves a powerful example of what can be achieved when we choose integrity over ideology . . . and our common good over confrontation.

A Jewish publication in Detroit wrote a while back that CARL LEVIN and his brother, Congressman Sandy Levin, both deserve ''honorable menschen awards''—with the accent on ''mensch''—for their historic service to our Nation. I agree wholeheartedly. Senator LEVIN's keen intellect, honesty and fair-mindedness—his decency and unfailing civility—have earned him the respect of Senators on both sides of the aisle.

Many years ago I was an intern for a great Senator, Senator Paul Douglas of Illinois. Every year now, the University of Illinois presents a ''Paul Douglas Ethics in Government Award'' to an elected leader who shares Senator Douglas' deep commitment to social and economic justice, and efficient government. The recipient of the Paul Douglas Ethics in Government Award in 2006 was Senator CARL LEVIN. Paul Douglas would have approved that choice heartily.

As was Paul Douglas, CARL LEVIN has been a foot soldier for justice. Paul Douglas was a leader in the effort to pass a strong Federal Civil Rights Act. In 1964, the year that law finally passed, CARL LEVIN was appointed the first general counsel for the Michigan Civil Rights Commission.

Paul Douglas believed in government and he hated government waste. He used to say: ''You don't have to be a wastrel to be a liberal.'' CARL LEVIN reminds us that: ''There are some things that only government can do, so we need government. But we don't need an inefficient, wasteful, arrogant government.''

CARL LEVIN was elected to the U.S. Senate in 1978. Before that, he was active for 15 years in Detroit and Michigan State politics. He taught law before he entered politics. He also held some other interesting jobs—including driving a cab in Detroit and working on a DeSoto assembly line.

He showed up in Washington in 1979 driving a 1974 Dodge Dart with a hole in the floorboard. He was still driving that same car to the Capitol 10 years later. That tells us something about CARL LEVIN's devotion to the US auto industry, its workers and unions.

When General Motors and Chrysler faced potential collapse in 2008, he pressed Congress and a new president to support the companies with billions of dollars in loans.

Those loans have since been repaid and Chrysler and GM are not only solvent, they are making a profit. The U.S. auto industry is in the midst of its fastest expansion since 1950.

CARL LEVIN is a champion as well of America's military, military families and veterans. He has served on the Armed Services Committee since coming to the Senate 36 years ago. He is one of Congress's most respected voices on national security and military issues.

Some years back he used his power on the Armed Services Committee to question the procurement practices of the military. He asked: Why was the Pentagon spending thousands of dollars apiece for things like toilet seats and hammers? He said: We need more money for soldiers and less wasteful spending for contractors. With the world growing more volatile and complex and increasing pressure to reduce defense budgets, those are questions we must all be willing to ask.

As a ranking member and then chair of the Senate's Permanent Subcommittee on Investigations, Senator LEVIN's piercing intellect and his patient mastery of complex issues helped, over and over, to expose and correct serious wrongdoing.

As PSI chairman in 2002, he led a probe of the activities of Enron Corp; the investigation resulted in legislation to improve the accuracy and reliability of corporate disclosures.

From white collar crime, to money laundering, abusive tax shelters, and gasoline and crude oil price-gouging, he has pursued the subjects of every investigation with nonpartisan vigor, seeking results, not spotlights.

The list of laws bearing his imprint is long and historic: The Competition in Contracting Act of 1984; Social Security Disability Benefits Reform, 1984; The Anti-Kickback Enforcement Act, 1986; The Whistleblower Protection Act, 1989; The Ethics Reform Act in 1989; The Lobbying Disclosure Act in 1995—the first major lobbying reform in 50 years.

The list goes on and on. Senator LEVIN voted: To repeal ''Don't Ask, Don't Tell''; to protect voting rights; and to limit the influence of private-interest money in elections.

He has voted to support American manufacturing—and stop giving tax breaks to corporations to ship American jobs overseas.

He supported my efforts to change bankruptcy laws to allow deserving homeowners to save their homes in foreclosures.

He voted to regulate tobacco as a drug—another issue that is personal for me.

I will always remember Senator LEVIN's vote on the Iraq war resolution. For years before 9/11, he warned anyone who would listen that America was threatened by terrorism. When the horrific attacks came, he supported pursuing the attackers in Afghanistan.

A year later, he and I were among just 23 Senators to vote against the Iraq War. He voted no, even though he was then chair of the Armed Services Committee. That took extraordinary moral and political courage, and history has shown he was right.

CARL LEVIN is the longest-serving Senator in Michigan history, surpassing another Senate legend, Arthur Vandenberg. As he proved long ago when he was elected president of his high school council, he is a natural-born politician. But like Senator Vandenberg, he is more than a politician; he is a statesman.

I will miss his presence in this Senate and I wish him, and his wife Barbara, all the best in the future.

MARK UDALL

MARK UDALL, my friend from Colorado and the Presiding Officer's colleague. As I said last night, I served with his dad. His dad may have been the funniest public servant I ever served with. What a wit, what a sense of humor. He once said: If you have politics in your bloodstream, only embalming fluid will replace it.

Thank goodness the Udalls have politics in their bloodstream. Mo Udall served in the House of Representatives, candidate for President; MARK UDALL's uncle, Stewart Udall, who was Secretary of Interior under President John Kennedy; TOM UDALL, MARK's cousin, the son of Stewart Udall, serves as Senator of New Mexico; MARK UDALL himself, what a great person.

I can remember so many things about his public service, but I remembered, especially last night, when he lost his brother and came before our caucus lunch and talked about the love he had for that man and what that loss meant to him. It touched the heart of everyone in the room. It gave us an insight into the heart of MARK UDALL as a person.

He was committed to a number of causes. His wife Maggie and he have given so much time to the environment and preserving our national heritage, but he also showed great courage when it came to his service on the Senate Intelligence Committee. Even as a new

member of that committee, he stepped up for principles and values, and I am glad he did, preserving our rights and liberties as American citizens and fully supporting the disclosure that Senator FEINSTEIN made yesterday with her report.

MARK has fought to protect Americans' privacy rights with thoughtful reforms of the NSA and the PATRIOT Act.

In keeping with his family's tradition, he has made protecting our environment and our precious natural resources a top priority. He has been a leader in addressing climate change as a growing threat to our national security. He organized support in the Senate for legislation that would require 15 percent of electricity to be generated from renewable sources by 2021.

And in the 2013 Defense Authorization Act, MARK UDALL led the effort to allow the Pentagon to continue to develop and use renewable energy

During his one term, MARK UDALL made more dauntless decisions and achieved more good for America than many Senators who have served far longer.

He supported a recovery act that helped turn the tide against the worst economic downturn since the Great Depression. He voted for the most far-reaching financial reform since the Great Depression and he supported one of the biggest investments in college affordability since the GI Bill. Millions of Americans are back at work and millions of Americans know the security that comes with affordable health care, in part, because of his courage.

The famed explorer Edmund Hillary once said, ''Human life is far more important than just getting to the top of a mountain.''

For MARK UDALL, being a U.S. Senator has been about something more important than acquiring power. It has been about using that power to preserve our precious natural treasures and make life better for others.

Mo Udall would be proud of the U.S. Senator his son has become, and I am certainly proud to have worked with him.

I have been in the Senate now for 18 years, and I have seen many come and go. But we have lost, sadly, in this departure of these Members some of our best.

MARY LANDRIEU

I will close by mentioning the one whose fate was determined the last, and that was MARY LANDRIEU of Louisiana. She has been a great Senator for Louisiana. She worked harder and achieved more for that State than, obviously, the people of that State realized. There wasn't an issue that came before us that MARY didn't stand up and say: Now let me tell you how that affects Louisiana, and usually make an ask which was fulfilled.

Let me add one other grace note when it comes to her personal and public life. MARY and her husband have adopted two children. They are the light of their lives. Her dedication to the cause of adopted children has really made a difference not just to the United States but in the world. I am sure she didn't get a lot of political reward for it, but thank goodness she put a big part of her life and her public life into standing up for the rights of adopted children and adoptive parents, encouraging more and more, so the kids would have a loving home as part of their lives. It was just one of the things that MARY worked on, but it was one of the things I will remember. I am going to miss her and her service to the U.S. Senate.

MARY bleeds Louisiana. Her father is the legendary statesmen Moon Landrieu, former New Orleans mayor, HUD Secretary under President Jimmy Carter, and Judge of Louisiana's 4th Circuit Court. Her brother, Mitch, is the current Mayor of New Orleans.

MARY—the eldest of the eight siblings—learned important political lessons early. She was taunted in early grade school about her father's pro civil rights stands in the 1960s. Those experiences taught her that taking the right position sometimes makes you unpopular—but you do it anyway.

MARY was only 23 when she entered the Louisiana House of Representatives in 1980. She went on to serve as a member of her State's senate.

MARY is a formidable fighter for Louisiana. In her State's darkest hours, during Hurricane Katrina and in the aftermath of that terrible catastrophe, she stood strong. She was exactly the right person for Louisiana. More than any other single official, she deserves the credit for directing billions of dollars in relief and rebuilding money to her hometown and home State.

Governor Bobby Jindal's Secretary of Administration had this to say about MARY LANDRIEU: ''She's relentless; once she starts, she will not stop. And once she's on your side, she's on your side.''

This is what St. Tammany Parish Sheriff Jack Strain remembers about Katrina: ''The very first federal representative we had on the ground after Katrina was MARY LANDRIEU . . . when water was still in our houses and neighborhoods. . . . She spoke to my deputies and offered assistance to them.''

Perhaps the best description of MARY LANDRIEU was offered by her mentor, former Senator John Breaux, who calls her ''a pit bull with Louisiana charm.''

In 2009, when Hurricane Katrina was just a dim, bad memory for some, Senator LANDRIEU made sure the stimulus bill included a provision that ended up allowing the state to rebuild Charity Hospital, the cornerstone of health care for many low-income New Orleans families.

Senator LANDRIEU has been a champion of the energy industry—so crucial to the economy of her State and her Nation. She has fought to preserve Social Security and Medicare and other safety net programs that provide dignity and security for so many. She has fought to defend voting rights, women's right, and children's right. She has earned a spot in heaven with her work to promote adoption. She provided a crucial vote to pass the Affordable Care Act, knowing full well that it would cost her politically. If that doesn't earn her a spot in heaven, it will at least earn her a place in history as a profile in courage.

With her political genes and determination, I know that MARY LANDRIEU will continue to be a force in Louisiana and American politics for years to come. And while I will miss seeing her every day in this Senate, I look forward to seeing her fight for what is right for many, many more years. It has been an honor to serve with her.

I yield the floor.

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

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

TAX EXTENDERS AND OMNIBUS

Mr. COONS. Mr. President, as we come to the close of the 113th Congress, I wish to speak for a few minutes about why I think we should be optimistic about the future and what we can and must do to take advantage of the opportunities that lie ahead.

Despite economic slowdowns throughout much of the world among developing and developed Nations alike, America's economy continues to steadily grow. Just last Friday we got great news that our economy created more than 300,000 jobs in the month of November. That marks 57 straight months, or nearly 5 years, of positive job growth numbers. For the first time since Bill Clinton was President of this Nation, we have averaged more than 200,000 new jobs per month for 10 straight months.

Particularly in the economy is an area of growth and opportunity that I have focused on in my time before coming into public service and in my 4 years here. That is American manufacturing, an industry about which I have spoken at length here on the Senate floor and have worked with my colleagues to craft and assemble a group of bipartisan bills that can help move American manufacturing forward.

The news this last month was good, as it has been for months, for years now, about American manufacturing, which continues to grow as well. There were 28,000 new American manufacturing jobs last month, which continued this steady climb. It has now created more than 750,000 new jobs over the last 4 years. Manufacturing jobs are great jobs. They typically are higher wage and higher skill and have higher benefits than jobs in any other sector. They are good, middle-class jobs

you can raise a family on. They deal with one of the biggest ongoing remnants of the great recession, which is the lack of real wage growth in our economy. So I am excited to see that manufacturing jobs continue to grow in our economy and to talk about the things we can and should do to help sustain this growth in manufacturing.

We have reason to be optimistic, but we cannot be complacent. As much as we built momentum over the last year since the recession, and especially this year, there is, of course, no natural law, no economic fundamental principle that says it will not turn back around. We need to sustain our positive direction, particularly in this sector, particularly as we move toward the 114th Congress.

I am proud that Congress last year passed a 2-year budget to create some stability and some certainty for our country and economy. We have gotten out of the way and allowed our businesses and workers to do what they do best, to move our economy forward. In the next few days we will have chances to do the same when we vote on a number of bills, one that, most importantly, will keep our government running, not for a few days or weeks or months, but the overwhelming majority of this government will be authorized and funded through next September.

The funding bills that are included in this omnibus continue investments in innovation and continue to move our country forward. There is a whole rash of bills that I have been interested in and engaged in as a member of the Appropriations Committee that are valuable programs, that will strengthen manufacturing—for example, the Manufacturing Extension Partnership, which has done amazing work on the ground in Delaware, helping small and medium manufacturers to be competitive, to train their workforce in current skills, to grow into the spaces of the world economy where we have real opportunity. This bill will help sustain the funding for the Manufacturing Extension Partnership nationally.

There are several other programs related to innovation in the Department of Energy. For example, sustained funding for the ARPA–E, for an innovative model that helps fund cutting-edge, category-redefining research and investment in energy and in clean energy manufacturing and in technology deployment.

There are also opportunities for us to continue to put Americans to work through investments in infrastructure. As someone who lives on Amtrak 16 hours a week, I am thrilled with the outcomes for both the Amtrak budget and for the TIGER grant programs, a tool used by the Department of Transportation to help incentivize innovative transportation projects that break through bottlenecks and help put Americans back to work.

There are so many different ways that the work of this bipartisan committee, the Appropriations Committee, helped move our economy forward that at times are not focused on here on the floor or in the general press coverage. It is such a large and comprehensive bill, the omnibus. But I wanted to take a moment and highlight a few ways in which the omnibus invests in innovation, in competitiveness, and in moving our economy forward. I am also grateful, in some ways most importantly, that it includes emergency funding to respond to Ebola, both at home and abroad, which will be critical to helping stamp out this deadly virus at its origin in West Africa and in protecting Americans here at home and others around the world.

The appropriations bills that were shepherded through the dozen subcommittees give us reason to be optimistic about the future because the Chair, Senator MIKULSKI, and the Vice Chair, Senator SHELBY, have done a laudable job of listening to each other, of working together, and of crafting a bipartisan bill here in the Senate, which I hope the Members of this body will study, consider, and move forward and adopt.

As we move to complete the business of funding the government, we would be remiss if we did not also take stock of the opportunities in front of us we have not yet grasped. There is unfinished work to be done. This week we will also almost certainly pass a 1-year tax extenders bill, which will carry forward certain temporary tax credits and deductions, but for just the 1 year.

Although the extension for many businesses and many sectors is better than nothing, it signifies a missed opportunity on our part. Much of what has made me optimistic over the last year is how much our economy has begun to thrive in a stable fiscal environment, in a more predictable regulatory environment. Yet, this 1-year extension does not do much to give businesses the certainty they need to predict and plan for the future.

I have worked hard with Democrats and Republicans alike to expand and make permanent the research and development tax credit, which is particularly relevant to manufacturing, because manufacturing is the most R&D-intensive sector in the American economy. Manufacturers invest more in R&D than any other part of the American landscape. This 1-year extension misses an opportunity to either make the R&D tax credit permanent, or to make it more accessible.

I was excited to have the opportunity early on here to team up with two Republican Senators, MIKE ENZI of Wyoming and PAT ROBERTS of Kansas, to find ways to make the R&D tax credit more accessible to early-stage and startup companies, companies with high growth potential, but because of the way the R&D tax credit has been structured and used for decades, do not have the opportunity to access it.

The Startup Innovation Credit Act, which I introduced with Senator ENZI, would have further expanded the access to the R&D credit for startups. The bipartisan Innovators Job Creation Act, which I introduced with Senator ROBERTS, would have expanded the credit to innovative small businesses as well. Both of those bills passed on a bipartisan basis out of the Finance Committee and were part of a package being advanced here in the Senate but will not be part of the ultimate 1-year extenders considered later this week.

I wanted to highlight that as we look forward there are opportunities still in front of us for us to tackle the challenges and to seize the opportunities, to take things that are important to manufacturing and to move them forward. There are lots of other bills in the mix that will be adopted this week, either by unanimous consent or as part of larger packages, and a number of them relate to manufacturing. I am optimistic that we will adopt a national manufacturing strategy bill that I have worked hard on with Republican Senator MARK KIRK of Illinois. I am optimistic that a bipartisan manufacturing hubs bill that Senator SHERROD BROWN of Ohio and Senator ROY BLUNT of Missouri have worked hard together to craft and to hone and to get to a place where it is ready to be passed—that they both will make it across the finish line to the President's desk.

But just this past week, I stood on this floor with Senator KELLY AYOTTE of New Hampshire and we spoke about a bill that is not yet ready for adoption, but we will take up next year, the Manufacturing Skills Act, which helps to focus and prioritize the investments in manufacturing skills training at the State and municipal level all over the country in partnership with the Federal Government.

What I wanted to do today was to simply highlight a few perhaps underappreciated, underrecognized areas of legislative action on a bipartisan basis in this Chamber that helped put some lift under the steady forward progress of the manufacturing sector in our country and to express my hope that we can find ways to continue to work together on a bipartisan basis to keep our economic momentum going in the year and the Congress ahead.

TRIBUTE TO DEPARTING SENATORS

As I close, I would also like to thank those of our colleagues who will be leaving the Senate after the New Year.

It is an incredible privilege to work in this Chamber and to represent the people. Every day I am awed by the dedication and talent of many of my colleagues, public servants who come to work to fight for their States and their government.

To those who are ending their service in the Senate, know that I value your friendship and partnership. It has been an honor to work with you, and I thank you for all you have done for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise to speak in support of some of the public lands provisions that were included in this year's National Defense Authorization Act. Before I do so, I wish to recognize the work Senators LEVIN and INHOFE have put into this bill and their dedication to reach an agreement with the House so that this bill could move forward on time, as it has done over the past 50 years.

As a member of the Veterans' Affairs Committee, I hear every day about the sacrifice our servicemembers make to protect our country. Passing the authorization bill that helps ensure they have the equipment they need and the resources required to meet the mission they are tasked with is very important.

While I am pleased the Senate will be moving forward on this bill, I wish to note that the bill's reduction in servicemembers' benefits concerns me. I do believe Members should have had the chance and the right to debate and amend it, and I hope the Senate will have the opportunity to do so in the future.

This year the final Defense bill includes several Nevada public land priorities that will spur economic development and job creation in our State while enhancing U.S. national security. I have been working on many of those proposals since I was first elected to Congress in 2006.

I thank incoming Senate Energy and Natural Resources Committee chair LISA MURKOWSKI for her leadership and work on this public lands package. We have been working together for many years on many of the bills included in the package, and I am pleased to see they are finally getting across the finish line.

Let me first clarify that just because some of these bills are related to public lands does not mean they have a direct relationship to defense and protecting our national security. My Nevada Copper bill will protect domestic production of copper—the second most used mineral at the Department of Defense—as well as directly benefit two bases that are located in the State of Nevada.

As the Presiding Officer knows, roughly 85 percent of the land in Nevada is controlled by the Federal Government. This presents our local and State governments with many unique challenges. Our communities' economies are directly tied to the way the Federal Government manages those lands. They often work closely with me to develop legislative solutions to their problems.

Whereas out East local governments can acquire land on their own to build public works projects, out West, unfortunately, we have to get the permission of Congress. That is why reducing the Federal estate and increasing access to our public lands has been one of my top priorities in Congress, and this package goes a long way toward accomplishing these goals. It resolves over 60 of these types of issues throughout the West. In total, over 110,000 acres of land will be removed from Federal ownership and utilized for mineral production, timber production, infrastructure projects, and other community development. In addition, it releases approximately 26,000 acres of current wilderness study areas, which unlocks lands to be used for multiple use.

It is very important to discuss the eight Nevada provisions today to show my colleagues in the Senate the many hoops our western communities have to go through to take the same steps many eastern communities can accomplish in a single day.

The Lyon County Economic Development and Conservation Act is a jobs bill I first introduced while in the House, but it has been held up by the Senate for many years because of gridlock.

This bill allows the city of Erring to partner with Nevada Copper to develop roughly 12,500 acres of land surrounding the Nevada Copper Pumpkin Hollow Project site to be used for mining activities, industrial and renewable energy development, and recreation.

Senate passage is the final hurdle to more than 1,000 new jobs at an average wage of over $85,000 per year. The mine will contribute nearly $25 million in property and net proceeds taxes per year that would be distributed to the State, to Lyon County, their schools, the hospital district, and the Mason Valley Fire Protection District.

In addition, Nevada Copper plans to invest $80 million in infrastructure for the mine and processing facilities that can be utilized to support other land uses and economic development.

This bill will transform the local economy of one of the counties in our Nation that are struggling most during this recent economic downturn.

As I said before, copper is the second most used mineral at the Department of Defense and is considered an essential mineral for weapons production. Copper is also the primary mineral from which other strategic and critical metals, such as rhenium, are derived. A domestic supply of this important resource greatly benefits our national security.

Second, there is a provision in this package that will allow Naval Air Station Fallon to acquire over 400 acres of BLM land for a safety arc for an explosive ordnance-handling facility and to construct much needed family housing at the station. Both of these plans will greatly benefit mission operations and the quality of life for our brave servicemembers serving there. The station first asked for these lands over 20 years ago. I am pleased their wait can finally come to an end.

Third, the package includes the Pine Forest Recreation Enhancement Act—a proposal that has been in the works in Humboldt County for nearly a decade. Just north of the Black Rock Desert, the Pine Forest offers a diverse landscape of sagebrush, aspen, and rock formations. Scenic lakes and reservoirs offer world-class trout fisheries. From the ranchers who make their livelihood on grazing allotments to conservationists intent on preserving a rugged landscape, anyone familiar with the place agrees it is special.

In addition to conserving these areas, the bill releases areas from wilderness that needs watershed restoration and treatment due to a high wildfire threat. It also provides for the construction of additional campsites and accommodations for motorized camping.

The initial work on the Pine Forest bill was grassroots-driven, transparent, and ultimately supported unanimously by all stakeholders and local governments in this county.

Fourth, the package includes the Elko Motocross and Tribal Conveyance Act—another bill I first introduced in the 111th Congress as a Member of the House. The commonsense bill conveys 275 acres of BLM lands to Elko County for a public motocross park. Additionally, it provides 373 acres to the Elko Band of Te-Moak Tribe for housing and tribal economic development.

Outdoor recreation and tourism are such important parts of life in Nevada. Opening up this land will benefit the residents of northern Nevada for years to come.

Fifth, this land package also includes the Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act, which is the culmination of several years of effort to conserve the ancient Tule Springs fossil beds while providing job-creation opportunities and critical civilian and military infrastructure that will be necessary to meet the needs of the Las Vegas Valley.

After working with stakeholders at every level, I am pleased that we can navigate a path forward for southern Nevada.

While serving in the House, I also introduced legislation in both the 110th and 111th Congresses to convey parcels of BLM land to the Nellis Air Force Base to create an off-highway vehicle park in the Nellis Dunes and to convey land to the Nevada System of Higher Education to expand educational opportunities for southern Nevadans.

Those smaller bills were ultimately included in S. 973 in this Congress, so I am pleased that 6 years of work on this Tule Springs legislation will finally become a reality.

The final three Nevada bills included in the lands package are newer proposals but achieve long-term economic development objectives that the affected communities have long asked for.

The Fernley Economic Self-Determination Act provides Fernley the opportunity to purchase up to 9,114 acres of Federal land within the city boundaries for the purpose of economic development.

Fernley was incorporated in 2001. Since incorporation, the city has been

working with private business partners and State and Federal regional agencies to develop a long-term economic development plan. These parcels have significant potential for commercial and industrial development, agricultural activities, and the expansion of community events.

Similarly, the Carlin Economic Self-Determination Act allows Carlin to purchase up to 1,329 acres of BLM lands. This city, located in Elko County, is completely landlocked by the Federal Government. Without this legislation, it would be impossible for their leaders to meet the demands for the expansion of their growing population needs.

Finally, the Storey County provision conveys over 1,700 acres of BLM lands to Virginia City. These properties have been occupied for decades by individuals who purchased them or acquired them legally; yet their continued residency is trespass, according to the Federal Government.

It is a very burdensome oversight by the Federal Government that must be resolved for the sake of my constituents. They have struggled for years, haunted by this error that is the result through no fault of their own.

These small public lands proposals are going to make a major impact on Nevada's economy. They have been developed at the local level and signed off on by the local communities.

I understand my colleagues' concerns that they would have liked the opportunity to debate and vote on more amendments to this bill. I, too, filed a number of amendments that I wished to see considered, and I will continue pushing those priorities next year. But right now Congress has a rare opportunity to pass this public lands package that enables important mining, energy development, ranching, and timber work to go forward, generating economic and employment opportunities for my State, other States, and local residents.

Let's get the government off these Nevadans' backs and allow them to do what they do best; that is, create jobs.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Maryland.

APPROPRIATIONS

Ms. MIKULSKI. Mr. President, I come to the floor today during the consideration of the national defense authorization to bring my colleagues up to date on the appropriations bill.

As we know, the continuing resolution expires on Thursday at midnight, but I am here to talk about some good news. The Appropriations Committee on both sides of the dome—the House Appropriations Committee and the Senate, working in a conference committee—has completed its work. This legislation is now as we speak heading to the Rules Committee and to the House. Hopefully it will head to the House for tomorrow, on to the Senate tomorrow night and into Friday. This means no government shutdown, no government on auto pilot, and we fund the government through the rest of the fiscal year for 2015, except Homeland Security, which will be a continuing resolution.

What we are talking about here is a monumental achievement. It is a monumental achievement showing how we can work together, we can govern, and we can get the job done.

Working on a bipartisan basis in the Senate, we worked in our subcommittees, and we held our hearings. We held 60 hearings in 60 days and did a good bit of our markups. We were able to work on our Senate appropriations. Over in the House, they did the same thing. But then, alas, when we got to September, we had to go on a continuing resolution until December 11.

I, as a rule, don't like continuing resolutions. We have 12 subcommittees, and I had hoped, under the time I chaired the committee and held the gavel, that we could consider one bill at a time and bring it to the Senate floor. Alas, partisan politics, gridlock, deadlock, gamesmanship, and showmanship prevented all of that.

But you know what, we on the Appropriations Committee, working with our vice chair, Senator SHELBY of Alabama, kept ourselves on track. Then we met in the conference committee, first our subcommittee chairs and then Chairman ROGERS, Senator SHELBY, Congresswoman LOWEY, and myself. We worked together on a $1 trillion spending bill. That number is breathtaking, but we need to remember that over $550 billion is in national defense. The rest is in domestic discretionary. That means everything from veterans, to foreign aid, to school aid, and also funding innovation.

I will talk more explicitly about the bill when it comes to the Senate floor. But for today I wanted everyone to know we are keeping the process going. We actually made the process work. We showed that we could govern. We worked across the aisle. We worked across the dome. We practiced civility. We argued. We debated. We fought. You know, sometimes you give a little, you take a little, but you stand for them all. And I want everyone to know we were able to concentrate and compromise what I call capitulation on principle.

So I wanted to say to my colleagues: Stay steady, stay strong. We expect that the House will pass its rule sometime after 3 o'clock today. That is the framework that enables them to go to the floor tomorrow. They will follow their own rule and hopefully that bill will pass. If it does pass, it will come to the Senate, and we will immediately take it up under the rules the two leaders will have worked on and established. So we look forward to completing the job on the Appropriations Committee within the next 72 hours.

I hope this update is of value to my colleagues as they plan their schedule and wish to participate in the debate and in the discussion. But it is not whether it is of value to us, it is whether it is of value to the Nation. I think what the voters in the last election said was: We have lost confidence in your ability to govern.

I hope over the next 72 hours, by the way we will bring this bill to the floor, we will take a significant step in regaining that confidence and getting out of this whole game of government by crisis, government by artificially imposed deadlines, where all it is, is more drama than debate.

We would like to get back to the regular order. Hopefully, though, we now can move forward on our bill.

I thank the Chair for his attention, and I yield the floor. I note the Senator from Arizona is on the floor so I will not ask for a quorum.

The PRESIDING OFFICER. The Senator from Arizona.

TRIBUTE TO TOM COBURN

Mr. MCCAIN. Today, I would like to offer words of tribute to my departing colleague, Senator TOM COBURN, whose service exemplifies standards of purposefulness, integrity, and decency, to which we should all aspire and whose example ought to inspire the service of new and returning Senators alike.

I am going to miss an awful lot our colleague from Oklahoma. I have always admired TOM for the strength of his convictions and the courage and candor with which he expresses them day after day. ''The No. 1 thing people should do in Congress,'' TOM once said, ''is stay true to their heart.'' No one in the history of this institution has ever followed that injunction more faithfully than TOM COBURN has.

TOM COBURN has an unshakable faith in the goodness of America, and he has worked diligently with others when he could and alone, if necessary, to make sure government respects the people we serve—respects their hopes and aspirations, their concerns and sacrifices. He has never forgotten he is the people's servant first and last, and they have never had a more genuine and determined champion.

I think TOM has often acted as the conscience of the Senate. He can be unmovable on matters of principle when to do otherwise would harm or do no good for the country. TOM COBURN is sometimes called ''Dr. No,'' affectionately most, if not all, of the time. He has held up more legislation that he thought ill served the public interest than any other Member of this body. He even placed a hold on one of his own bills that he thought no longer met his high standard of accountability after it was reported out of committee. I don't think the American taxpayer has ever had a greater defender than TOM COBURN.

I like to think I have taken a few principled stands when the situation has warranted it, and I have made myself an occasional nuisance in service to what I thought was a good cause. But I have never been so conscientious that I felt obliged to defeat my own legislation. That is a pretty high

standard of personal responsibility to meet and a character test of the first order. I am not sure many of us would pass it. I wouldn't. But then, as all his colleagues can attest, TOM COBURN is a person of the very highest character. He possesses the highest virtues—courage, humility, compassion—in an abundance. It has been an honor to serve with him.

As principled as he is, as unwavering as he can be when he believes it necessary, he has also been a brave and determined proponent of compromise when he believed it served the public interest, when it would help build a more prosperous and secure society with more opportunities for more people and brighter futures for our children.

We always have detractors. It comes with the job. Whether TOM was standing on principle or seeking a principled compromise, he stood up to criticism. He stood up to pressure. He stood up to threats and insults and whatever negative personal consequences he might suffer. He stood up to whatever came his way to do what was right for his country. He stood up for the American people, no matter how difficult it was. What better can you say about a public servant?

TOM and I worked together on a lot of things. We fought together to end earmarks and opposed other forms of wasteful spending. We worked together on oversight projects for the stimulus bill and highway trust fund spending. We also fought for a long time to let veterans decide where they could best receive health care. We made good progress on some issues and not enough on others, but TOM COBURN was always an example and an inspiration to me.

If I could speak more personally, TOM has been more than a paragon to me and to other Members of the Senate. He is first and foremost a kind, considerate, and loyal friend—a friend in good times and bad, a friend who brings out the best in you because he believes in the best part of you. I said earlier TOM COBURN sees the innate goodness in the American people. He also sees it in his colleagues, even when it isn't apparent to other observers.

We have shared happy times together, TOM and I, but TOM has the instinct and the kindness to be the kind of friend who is there when you need him—when you need him most, in moments that aren't so happy.

We all lead pretty good lives here. We get the chance to serve the greatest country in the world and, on occasion, to make history. We are honored and feted and praised more than we deserve. But as all human beings do, we have moments of worry and doubt and disappointment. TOM always has the knack for showing up when I need cheering up. He has made the point over the years of being company when you most need it.

Friendship is a virtue to TOM, and he means to live a virtuous life. You could be working on something with him or opposing each other on an issue, it doesn't matter. If you need him, he will be there for you with a kind word, a piece of advice, a little encouragement or just good company. There are too few people like that in anyone's life not to cherish the hell out of those who are. I cherish my friendship with TOM COBURN, and I always will.

The Senate will be a poorer place without TOM COBURN to set an example of public service for the rest of us. But in gratitude to him for his leadership and friendship, I will try a little harder to live up to his standards, and I hope he will let me know when I fall short.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE TAX CODE

Ms. STABENOW. Mr. President, there was an opportunity this session to work together in a bipartisan way to provide certainty around the Tax Code for families and farmers and businesses, at least for 2014 and 2015. There may still be a small window of opportunity to get things done. I certainly support doing that, if we can. But I want to speak to the importance of having some certainty, at least through the end of 2015, as it relates to our tax policy for investing, for the economy, and for homeowners to make decisions.

Back in April, thanks to the leadership of Chairman WYDEN and Ranking Member HATCH, those of us on the Senate Finance Committee worked together closely and passed the EXPIRE Act, a bipartisan bill that would renew tax provisions for 2014 and 2015 so that again people could plan, businesses, and farmers, at least through that 2-year period. It would give businesses and families across the country the certainty they desperately need.

Unbelievably, back at the time when we brought it to the floor, after a bipartisan effort, Republicans in the Senate filibustered it and we could not move it forward. So we have been trying to get this 2-year bill done as the first year has been ticking away. We are now at the end of the first year of the tax bill, and, unfortunately, instead of having a 2-year bill, we now have a bill from the House that contains what we call tax extenders—extending tax policy for the economy, from research and development to homeowners to depreciation for investments and jobs. We have something that is only extended to the end of this year. As our chairman has said, it is a 3-week bill. By the time we get done, it will probably be a 2-week bill.

We need to do more. The chairman, ranking member, and many of us are still trying to do everything we can to get the House to agree to something with more certainty than 2 or 3 weeks. I think it is an embarrassment for the Congress that we are not able to come together and pass the EXPIRE Act to be able to give more certainty.

There is a glimmer of hope though on a piece of tax reform I wish to mention. Frankly, there is disagreement on this on our side of the aisle, and I respectfully disagree with those in the White House on this as well. But there is a bill I hope will move on the suspension calendar in the House around charitable giving.

I can't imagine at this time of year of charitable giving, as we come up to the end of the year and people are making decisions about where to place their dollars, what kinds of causes and so on, that we couldn't come together on a bipartisan bill to deal with donations to food banks and conservation easements that protect our land for the future, that make sure we are not plowing up our land and putting more CO_2 into the air right at the time we are trying to deal with climate issues—land protection, forestry protection for the future; dealing with investments in our research institutions, dealing with investments in important areas near and dear to my heart—such as the city of Detroit, where our foundations are playing such a critical role in making the investments, whether it is in transportation infrastructure, whether it is job training, whether it is rebuilding the neighborhoods to be able to turn Detroit around. I believe we are going to be able to do that. I know we are going to be able to do that. But a major reason has been the foundations—the Kresge Foundation, the Keller Foundation. There are so many that have been there.

So we have an opportunity prior to going into a larger debate on tax reform to actually take a piece of this, which normally would be, on its substance, very bipartisan, and actually be able to get that done. I am hopeful we will be able to do that before the end of the year because of the important provisions in it.

I go back to though the broader tax bill being sent as a 1-year renewal from the House of Representatives and, as I said, at most is a 3-week bill. By the time it is done, it may end up being a 2-week bill at this point in time. I can't believe people honestly, with a straight face, are calling this tax policy to be able to do this.

There are homeowners who lost their job during the recession and can no longer afford their mortgage payments. They have had their homes foreclosed on or maybe they have been able to do a short sale with their mortgage lender or the bank. For the past year—11 months and 10 days—these families have had no way to know whether we were going to renew the mortgage forgiveness tax relief bill, which I was proud to author as a bipartisan bill back in 2007, which we have continued to renew because we still have families

struggling from the recession in terms of their loan.

If we can renew this bill, it will spare families from having to pay income tax on the difference between their mortgage and the value of their home. So if in fact they get loan forgiveness or can work something out with the bank—and if in fact $20,000 is forgiven on the mortgage or $30,000 or $40,000—they don't end up paying taxes on that as income, which is what will happen if we don't get something done.

But we are looking at the fact that these folks, going into 2015, at a time when they are trying to decide what to do on their homes—whether they can keep their mortgage—will be right back in the same situation of not knowing whether they are going to owe thousands of dollars' worth of tax going into next year.

We are seeing a lot of folks trying to keep their homes who had to cut corners in every which way—parents stopped paying toward their kids' college fund or they put off buying new clothes or they canceled vacations or plans to visit their relatives while they are trying to figure out how to keep a roof over their head. Obviously there are many things that need to be done to support families, but one piece of tax policy that has given them some ability to plan has been this mortgage tax forgiveness bill.

What we are saying is: OK. For 2 weeks you can know that you can refinance with the bank—not next year. We kept you hanging for all of 2014, but for 2 weeks or 3 weeks we will give you some certainty.

So next year more families are going to be stuck with the same wrenching decisions they have this year if we can't at least get a 2-year bill.

When we look at other areas where folks will be left hanging, we have a very important area of the economy creating jobs every day in wind energy. There is a huge supply chain—as the Presiding Officer knows, as someone who cares deeply about manufacturing—from the making of turbines to the installation in the field, to the operations, to the maintenance, all of these are connected to American jobs, good-paying jobs. In fact, one of the big turbines has 8,000 parts in it. Somebody is making those parts. I would suggest to everyone that we can make every one of those in Michigan. I am sure we can make them in other places as well, although we would love to make them in Michigan. But what the industry doesn't know is whether the production tax credit which they depend on will be renewed for more than 3 weeks at the end of the year.

In fact, what the House did say is: You have 3 weeks to make business decisions about hiring new people, growing your business, building more parts for the winter. You have 3 weeks. Go get them—in 3 weeks. So they can't make business decisions, and they are going to have to cut.

In the meantime, that means layoffs, similar to the 30,000 workers who were laid off when Congress waited to the very last minute in 2012; 30,000 people were laid off when the same thing happened in 2012 when the production tax credit renewed at the last minute. Even if this bill passes, extending the production tax credit this week through the end of the year may be too late for 30,000 people, right before the holidays. Merry Christmas. Thirty thousand people not being able to have their job extended, people who could help us lead the world in clean energy production, who could help us develop energy here to be less dependent on foreign oil, but because we don't have the fortitude to extend this even after we had a bipartisan bill—the EXPIRE Act—come out of the Finance Committee last spring, they are looking at job losses.

So 30,000 families are putting holiday gifts on their credit card not knowing whether they are going to be able to make payments when the bills arrive.

Businesses in the wind power industry make investment decisions on what their taxes will be, similar to any other business, 5 years, 10 years, 15 years into the future.

There have been, by the way, tax breaks for Big Oil for almost 100 years; the first one in 1916 embedded in the Tax Code, never having to be renewed so long-term business decisions can be made. But for their competitors to create jobs and bring prices down through things such as wind or solar or biofuel, it is a slog every year, every 2 years to try to keep these industries going.

Is that fair? It is absolutely not fair. We ought to have the same kind of tax policy. If we are embedding the Tax Code provisions to support oil production, we should be doing the same for wind, the same for solar, the same for biofuels.

What Republicans are doing when they force us into a situation where it is only a 3-week extension is they are basically telling Americans businesses: Don't invest. Don't hire people. We don't want competition to bring prices down on gasoline or prices in electricity. We don't want you to do that. We are unwilling to commit to something that will create jobs beyond somebody we have been fighting to protect for almost 100 years.

So this is a great concern to me. In the process, Americans deserve better. Our businesses and our innovators deserve better. We go out and say we want new innovation to create new kinds of jobs. That is happening. Then the doors are shut over and over again or it takes forever to pry open the door: You have 3 weeks, the door is open, and then it shuts.

Let me talk about another area I am deeply concerned about where people will be hurt if we do not pass the 2-year EXPIRE Act that we put together in the Finance Committee in a bipartisan way; that is, salaried workers such as those at Delphi auto parts manufacturer—which used to be a part of General Motors. During the 2008 rescue of the auto industry, somehow the salaried workers slipped through the cracks in terms of losing portions of their pensions, their health care coverage, and their insurance, and it is not fair.

One woman who worked at Delphi for over 30 years lost nearly half her pension and all of her health care coverage, which she needed for her husband who suffers from chronic pain.

A manager who worked at a Delphi facility in Michigan was so devoted to the people he supervised that he volunteered to retire rather than lay off some workers. Then 4 months after his retirement, he found out he was losing 40 percent of his pension and all of his health care coverage. Most of what was left out of his pension will go toward paying the cost of his health care, and it was devastating to him and his family.

So we have in this extenders bill, this EXPIRE Act, the health coverage tax credit which was created for people such as these people. I am proud to be a coauthor with Senator BROWN, who has been a real leader on this for people who have lost their benefits that were supposedly guaranteed to them. It does not restore their pension, but this credit pays 72.5 percent of their health care premiums, making it possible for retirees to afford coverage similar to what they could have earned when they were working. It frankly helps people who can't get help in other ways, who fell through the cracks.

The credit expired at the end of 2013, and the bipartisan bill we passed in the spring, in April, renewed that credit. I was very pleased we were able to put this in the bill and thought we were on our way again to help people throughout this year who have been waiting and waiting.

Again, when we passed this in April it was filibustered on the floor by the Republicans. Now we are at 3 weeks left before the end of the year and what we get from the House is a bill that is retroactive for 2014, but it does not even include the health coverage tax credit. So even though this is retroactive for 2014, the people involved—the salaried workers who lost pensions who have been getting some help for their health care at least—will not even get that for this year. There are 20,000 Delphi retirees not only in Michigan and Ohio, but Pennsylvania, Indiana, Wisconsin and Illinois, all who are watching right now this process in the Senate and the House to see what will happen, and are reaching out to their House Members and Senate Members—Michigan, Ohio, Pennsylvania, Indiana, Wisconsin, and Illinois.

To renew all the other tax provisions but cancel the HCTC is a cruel trick to play on families and certainly is underscored in terms of the holiday season we are getting into now. It is time for our colleagues across the aisle to stop forcing Americans to play a guessing game about their future taxes or their health care.

I regret that the clock has been ticking and running out and left us with no time at this point to get the fairness in the Tax Code that we need. There is still time if we wanted to to pass this EXPIRE Act and send it back to the House, and I am all for it, and I know our chairman, Senator WYDEN, has been working night and day with colleagues across the aisle to try to make that happen. If it is too late for this year, if the clock runs out, shamefully, and we return next year with our Republican colleagues in the majority, I would suggest a New Year's resolution to stop doing retroactive extensions—stop doing retroactive extensions when it involves investments that people have to make that they are not going to be able to do retroactively or decisions about health care or decisions about a home. Start getting serious about making long-term economic decisions.

I know the Presiding Officer agrees with me on this and has spoken with me frequently on this.

Whether it is tax policy, health care policy, infrastructure policy, we need to make long-term decisions and support policies so that businesses can make long-term decisions.

Finally, we need to deliver certainty for families, for small businesses, for manufacturers, for those in alternative energy, for all who are working hard to invest in America across this country. Stop doing retroactive extensions, start working seriously on long-term tax policy and deliver certainty for families and businesses across the country. I think there is still time, if we wanted, to at least give the certainty of next year. Shame on the Congress if that does not happen. But I hope that we will at least commit ourselves that this is the last time this is done this way.

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

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

DECLINE OF THE MIDDLE CLASS

Mr. SANDERS. Mr. President, the American people must make some very fundamental decisions in the coming years, and the most important of them is whether we continue the status quo of American society, and that is in terms of our economics and our politics which includes a 40-year decline of our middle class. Let me repeat that.

We are not just talking about what is happening today. We are not talking about the Wall Street crash of 2008. We are talking about a 40-year decline of the American middle class and an ongoing and growing gap between the very wealthy and everybody else. That is the reality of America now.

We can continue the same old, same old, or we can develop a bold economic agenda that begins the process of creating the millions of jobs we desperately need, an agenda which raises wages so that most of the new jobs being created are not low wage or part time, an agenda which protects our environment, and an agenda which enables us to join the rest of the industrialized world and guarantee health care to all people as a right. That is the issue of our time. Do we continue the status quo, continue the disappearance of the middle class, continue the growing gap between the very rich and everybody else, or do we have the courage to come up with an agenda that stands for working families and raises wages and provides for our kids and our seniors?

As part of that decision in my view is the reality that we cannot go forward unless we deal with another very important question, and that is, do we as a nation have the courage to take on the enormous economic and political power of the billionaire class? I know many of my colleagues don't like to talk about it. We talk about this and we talk about that, but most Americans in their gut understand that our economic and political life are controlled by a small number of very wealthy people and institutions, including but not limited to Wall Street, the oil companies, the insurance companies, the drug companies, the military-industrial complex, et cetera, and all of their lobbyists who flood Capitol Hill—trying to get this or that provision in tax bills and everyplace else—and, of course, their power in terms of campaign contributions, and especially since this disastrous Supreme Court Citizens United decision. It means the billionaire class can put unlimited sums of money into electing candidates who represent their interests.

Those are the most important questions of our time. Do we have the courage to take on the handful of billionaire special interests who wield so much economic and political power? Do we have the will to push forward an economic agenda that works for working families and not just for the very wealthy?

The long-term deterioration of the middle class, accelerated by the Wall Street crash of 2008, has not been a pretty sight. Today we have more wealth and income inequality than any major country on Earth and the gap between the very rich and everybody else is growing wider. The top 1 percent now owns about 41 percent of the financial wealth of our country, while the bottom 60 percent owns all of 1.7 percent. The top 1 percent owns 41 percent of the financial wealth, the bottom 60 percent owns 1.7 percent. In fact, amazingly enough, the top one-tenth of 1 percent now owns almost as much wealth as the bottom 90 percent of the American people. Does anyone believe that is what America is supposed to be about, where the top one-tenth of 1 percent owns as much wealth as the bottom 90 percent?

Today we have the absurd situation, the obscene situation, where one family, the Walton family, the owners of Walmart, are worth about $148 billion. That is more wealth in that one family than the bottom 40 percent of the American people.

Today in the United States we have the highest rate of childhood poverty of any major country on Earth. About one-quarter of our kids get nutrition through food stamps, and we are the only industrialized country—major country—that does not guarantee health care to all people as a right.

We once led the world in terms of the percentage of our people who graduated college, but today in a highly competitive global economy we are now in 12th place.

In terms of infrastructure, the United States used to have the finest, most envied infrastructure in the world. Today, as I think every citizen of this country knows, our infrastructure, our roads, our bridges, rail, water systems, airports, dams are virtually collapsing. The American Society of Civil Engineers tells us that we need to spend $3 trillion just to bring our infrastructure up to par. But with infrastructure spending now at its lowest level since 1947, we rank 16th in the world in terms of infrastructure according to the World Economic Forum.

So once we led the world in terms of the numbers of percentages of people graduating college; today we are 12th. Once we led the world in terms of the strength of our infrastructure; today we are the 16th. But we do have the dubious distinction of being first in terms of childhood poverty of any major country.

Real unemployment today is not what the official unemployment states of 5.8 percent; it is over 11 percent when you include those people who have given up looking for work or are working part time. Youth unemployment is over 18 percent.

We hear a lot about Ferguson, MO, and that is a very important issue, but we don't hear enough about the reality that African-American youth unemployment is over 30 percent.

Today in this country millions of Americans are working longer hours for lower wages. In inflation-adjusted-for dollars, the median male worker—listen to this; this is really quite unbelievable and it tells us a little bit as to why the American people are angry. The median male worker—that worker right in the middle of the economy—last year earned $783 less than he made 41 years ago—$783 less than he made 41 years ago in inflation-accounted-for dollars. In the explosion of technology, the great global economy, all of the great free trade agreements, and that male worker today is earning over $700 less than he made in real dollars 41 years ago. The median female worker made $1337 less last year than she earned in 2007.

Since 1999, the median middle-class family has seen its income go down by

almost $5,000 after adjusting for inflation, now earning less this year than a family earned 25 years ago. Are we better off today than we were 6 years ago when Bush left office and we were hemorrhaging 700,000 jobs a month and the financial system was on the verge of collapse with a $1.3 trillion deficit? Of course we are. But if you look at the trends over the last 40 years, the reality is, the middle class in this country is disappearing and almost all new income and wealth is going to the people on top.

The American people must demand that Congress and the White House start protecting the interests of working families, not just wealthy campaign contributors. We need Federal legislation to put the unemployed back to work, raise wages, and make certain that all Americans have health care and education in order to live healthy and productive lives.

We can spend hours dissecting and analyzing the problems of American society, and in my view, they are worse today than at any time since the Great Depression, and if you throw in the planetary crisis of climate change, we may have more problems today facing our Nation than at any time in a very long period.

But what I wish to do today is very briefly throw out and discuss 12 initiatives that I believe, if enacted by the Congress, could begin to address the collapse of the middle class and rebuild our economy. I will just touch on them briefly.

No. 1, as I mentioned earlier, our infrastructure is collapsing—our roads, bridges, water systems, wastewater plants, airports, railroads, and older schools. We spent $3 trillion—or when we take care of the last veteran, we have spent $3 trillion fighting a war in Iraq that we never should have fought in the first place.

If over a period of years we were to invest $1 trillion in rebuilding our infrastructure, we could create 13 million decent-paying jobs, and that is exactly what we have to do. Think of what America would look like if you went around the country and saw work being done on roads, bridges, and cutting-edge technology for our water plants and wastewater plants. We would become more productive and efficient. We would put people back to work.

No. 2, in my view—and I know many of my Republican colleagues don't agree, but the scientific community is united when they say climate change is real, it is caused by human activity, and if we do not reverse and substantially cut back carbon emissions, this planet will become increasingly uninhabitable for our kids and our grandchildren. In my view, we must transform our energy system away from fossil fuels and into energy efficiency and sustainable energy, such as wind, solar, geothermal, et cetera.

When we address energy efficiency and sustainable energy, not only do we lead the world in transforming our energy system and reversing climate change, but we also create a significant number of meaningful and important jobs.

No. 3, in my view, instead of giving tax breaks to large corporations which shut down in America and go to China, we want to invest in new economic models to increase job creation and productivity, and that is giving workers the opportunity to own their own businesses. We have some of that in Vermont, and I know in Ohio there are worker-owned businesses where workers are more productive and feel better about their jobs. I would rather invest in that than in corporations that will shut down in this country and move abroad.

No. 4, I think most people understand that when you have a union to negotiate and engage in collective bargaining, wages are higher and working conditions are better. Today corporate opposition to union organizing makes it extremely difficult for workers to join a union. We need legislation which makes it clear that when a majority of workers signs cards in support of a union, they can have that union.

No. 5, the Federal minimum wage today is a starvation wage of $7.25 an hour. We need to raise the minimum wage to a living wage. People who work 40 hours a week should not live in poverty.

No. 6, women workers today earn about 78 cents on the dollar to what their male counterparts earn doing the same work. That is not acceptable. We need equal pay for equal work. We need pay equity in our country, and we have to pass that legislation.

No. 7, an issue that we don't talk about enough, and, in fact, has had bipartisan support for many decades, is our disastrous trade policy, NAFTA, CAFTA, and permanent normal trade relations with China. The simple fact is these trade policies have been a disaster for the American worker. Since 2001, we have lost more than 60,000 factories in this country and more than 4.9 million decent-paying manufacturing jobs. Not all of that is attributable to bad trade policies, but a lot of it is. We need to rethink our trade policies and demand that corporate America invest in the United States of America and not in China.

I know that is a radical idea. Imagine going shopping in a department store where we can actually purchase products made in America and not in China, but I think we should be doing that.

No. 8, we are not going to be a successful economy unless our young people have the ability to get the college education they need regardless of the income of their families. Right now it is increasingly difficult for working families to afford college. Many of our young people are coming out of college deeply in debt. In this area we are moving in exactly the wrong direction. Forty, fifty years ago, tuition was virtually free at some of the great public universities in America, such as the University of California, New York City, and State colleges around country. Today it is unaffordable.

We need to radically rethink higher education in this country. Our goal is that everyone, regardless of income, should be able to get a quality college education and not come out in debt.

No. 9, I think everybody understands the enormous stranglehold that Wall Street has on our economy. Banking is supposed to be the facilitator to get money out in the productive economy where companies are producing products and services and not see Wall Street or financial institutions as an end in itself, but that is exactly what we have right now. We have six financial institutions in this country that have assets equivalent to over 60 percent of the GDP of the United States of America. That is too big, and it gives them too much economic and political power. In my view, they must be broken up and we must bring about a more competitive financial system where money is getting out to the real economy so businesses can create real jobs.

No. 10, and many people don't know this, but the United States is the only major country on Earth that doesn't guarantee health care to all people as a right. Yet we end up spending almost twice as much per capita on health care as any other Nation. In my strong opinion, if we want health care for all and we want to do it in a cost-effective way, we need to move toward a Medicare for all, single-payer system.

No. 11, today in this great Nation, millions of seniors are living in poverty, and that number is growing, and we have the highest rate of childhood poverty of any major country. We must strengthen the social safety net, not weaken it. Instead of talking about cutting Social Security or cutting Medicare or cutting Medicaid or cutting nutrition programs, we should be expanding those programs. This is a great country, and we should not have millions of people wondering how they are going to be able to buy medicine for their illness or heat their homes in the wintertime. We have to expand the social safety net for our kids, our seniors, and our vulnerable populations.

Last, but certainly not least, at a time of massive wealth and income inequality, we need a progressive tax system in this country which is based on ability to pay. It is not acceptable that major profitable corporations have paid nothing in recent years in Federal income taxes and that corporate CEOs in this country often enjoy an effective tax rate which is lower than their secretaries'.

We are losing about $100 billion a year from companies that stash their profits in the Cayman Islands, Bermuda, and other tax havens. We need real tax reform. We need to end all of these corporate tax loopholes so we have the revenue we need to do the important tasks in front of us to rebuild this country.

With that, I think the American people have some fundamental choices to make. Do we continue the status quo from an economic perspective and political perspective or do we demand that Congress start listening to the pain of the middle class and working families of this country and start producing legislation which rebuilds our crumbling middle class?

With that, I yield the floor.

Mr. BROWN. Mr. President, I appreciate the comments of the Senator from Vermont.

I ask unanimous consent that at the conclusion of my remarks, of up to 10 minutes, that Senator MANCHIN be recognized for his remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FINANCIAL INSTITUTIONS

Mr. BROWN. Mr. President, every year about this time—actually every few months, or maybe every month—there are attempts by Wall Street to again change the rules, cut back consumer protection laws, and change the regulations that protect the American public against Wall Street greed.

It happens almost weekly, it seems, in the Financial Services Committee in the House of Representatives. There are attempts in the Agriculture Committee, beaten back by Senator STABENOW, to her credit, and attempts in the banking committee, beaten back by Chairman JOHNSON, to his credit.

Almost every week, it seems, there are efforts by Wall Street to undermine the protections that we were able to build in under the Dodd-Frank bill to stop Wall Street from doing to the economy what it did in 2005, 2006, 2007, and 2008. September of 2008 had been preceded by a decade of deregulation of the financial industry, decades of lobbying by very effective lobbyists for the six biggest Wall Street banks. Risky behavior was rewarded with gargantuan profits for the firms and multimillion-dollar bonuses for the executives.

The CEO of one of the largest megabanks in the history of the world—not just in our country—said: As long as the music is playing, you have got to get up and dance. There is a lot of money to be made on Wall Street, and they have to take advantage of every loophole, particularly those loopholes that their lobbyists create.

This unmitigated greed led to 8 million people losing their jobs, 7 million losing their homes after being foreclosed on because the financial system lacked the necessary safeguards to protect Wall Street. Dodd-Frank was supposed to end all of that. It has made progress by preventing taxpayer bailouts for banks. Risky derivatives trading was one of the central goals of Dodd-Frank. An amendment by Senator Lincoln, then the Chair of the Agriculture Committee, brought forward an amendment in 2009. Dodd-Frank went through the process.

The day that President Obama signed the Dodd-Frank bill to protect Americans from Wall Street greed, the chief lobbyists for the chief financial trade association in this town said: Now it is half-time. What does ''now it is half-time'' mean? Well, the bill passed, and Wall Street financiers and lobbyists said, we don't like that, but now we can go to the regulatory agencies and weaken the rules, delay their implementation, sometimes stop some of the rulemaking, and we can go back to Congress and continue to lobby and weaken these rules.

To give you an example of what has happened, in 1995, the 6 largest banks in the United States had assets equal to 18 percent of the GDP. I don't want to bore people with numbers, but in 1995, the 6 largest banks had assets equal to 18 percent of GDP. Today they make up 64 percent of GDP. The largest six Wall Street banks—everybody knows their names—are getting larger and larger, increasing their economic power, and as we see almost every day in this Congress and especially in the House of Representatives dominated by tea party Republicans and people at the beck and call of Wall Street, we see their political power growing.

Under the accounting rules applied by the rest of the world, the derivatives holdings of the 6 largest banks—basically insurance policy on top of insurance policy on top of insurance policy as financial instruments—are 39 percent larger than we think they are, which is a difference of about $4 trillion.

Derivatives were described by Warren Buffett as timebombs—financial weapons of mass destruction carrying dangers that are potentially lethal. Senator LEVIN, who is about to retire from the Senate after 36 years, calls these derivatives nuclear weapons.

According to the New York Times, bank lobbyists wrote provisions dealing with derivatives that will repeal—not to get too technical—the Lincoln language. And here is what the language in section 716 says: Notwithstanding any other provision of law, no Federal assistance may be provided to any swaps entity with respect to any swaps, security-based swap, or other activity of the swaps entity.

This is the language that is now Federal law. This language says no more bailouts.

However, the legislation likely to be in front of us, the omnibus we will be facing, because of Wall Street lobbyists, because of Republican financial services members caving to special interests, this provision that says ''no more bailouts'' is done with. We will see language now stripped out of Federal law that says ''no more bailouts.''

The public needs to understand that if this language passes to strip this language out, if this bill passes, that again bailouts can be imminent—bailouts brought on by Wall Street greed, bailouts brought on by risky trading, now protected by taxpayers. So, in other words, it is heads I win, tails you lose. If I make big bets on derivatives and I am a Wall Street banker, I make tens of millions of dollars. However, if I make big bets and something bad happens, taxpayers get to pay for it. That is the problem with stripping out section 716.

I am not the only one who thinks this. Tom Hoenig, Leader MCCONNELL's selection to the FDIC board, supports keeping 716 in the law. Sheila Bair—once Senator Bob Dole's chief of staff, President Bush's appointment, and then President Obama kept her on as a major Federal regulator—she is opposed to repeal, as has the White House opposed the repeal.

Mark Stefanski, a friend of mine from Third Federal in my neighborhood in Cleveland, in Slovak Village, which is about an $11 billion bank on the southeast side of Cleveland. That is a bank which makes mortgages. It does not trade in exotic derivatives. He told me: You know, banking should be boring. It is not about taking excessive risks, especially when those excessive risks are underwritten by taxpayers.

That is what abolishing 716—that is what the repeal of the 716 language does. It puts taxpayers on the hook in the form of a future bailout. It is a subsidy today for the six largest banks. It puts taxpayers on the hook in the future, gives all kinds of additional incentives for Wall Street bankers to engage in more risky derivatives trading, and puts us all again under the possibility of a bank bailout.

It simply does not make sense. We have the opportunity to reject this part of this legislation. We owe it to the families in my State, to families in Virginia, to families in Delaware, to families in Georgia, and all over this country. That is why we cannot support a measure that values corporate greed over working America.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first I thank my colleague for giving me this time, and I acknowledge the hard work he has done.

WEISS NOMINATION

I represent the great State of West Virginia. It is a rural State where we believe in commonsense solutions and values. In the Mountain State, we understand the importance of leveling the playing field for community institutions and helping small businesses create and keep jobs. As a Senator from West Virginia, I was sent here to represent the people of Main Street. For those reasons, I rise today to explain why I must oppose the nomination of Wall Street investment banker Antonio Weiss to be Under Secretary for Domestic Finance at the Department of the Treasury.

I cannot and will not support his nomination because I do not believe he possesses the characteristics and the background we need in an Under Secretary to push for strong Wall Street oversight and to protect our small

businesses and financial institutions on Main Streets all across America.

The position to which Mr. Weiss has been nominated is one that would put him at the head of the Treasury's decisionmaking on issues of domestic finance, fiscal policy, government liability, and other related domestic matters. He would oversee critical issues such as Wall Street reform, financing the national debt, housing finance reform, and small business credit. I have serious doubts that Mr. Weiss has the right experience to take on such a role.

It is clear that as the global head of investment banking at Lazard, Mr. Weiss is very talented and experienced in working in financial markets and economic institutions, but as an investment banker on Wall Street, he does not have the experience for this particular oversight position. He has dealt almost entirely with European investment banking, not domestic finance or community banking or regulatory issues of any kind, all of which fall under the jurisdiction of this important position.

Besides not having the right background for the job, the fact that Mr. Weiss is a top corporate dealmaker with a specialization in international financing is in itself troubling to me. He has spent a good deal of his professional career working on mergers and acquisitions for the world's largest corporations. He has spent time in Paris running the firm's European division. There is not a thing wrong with that, but this fits the administration's pattern of choosing Wall Street insiders for senior policy positions instead of those with strong consumer protection or community bank and credit union experience, plain-spoken people who have worked on Main Street.

To make matters worse, the substantial compensation Lazard plans to offer Mr. Weiss upon his confirmation is another reason to be very skeptical. The financial giant is planning to pay him $20 million if he can win confirmation and come into government service. This kind of arrangement and human nature suggests he will be especially sympathetic to Lazard's lobbying efforts. Public service is a noble cause. A $20 million golden parachute makes it very hard to gain the public's trust.

With that being said, I do not believe Mr. Weiss can fulfill the duties of Under Secretary of the Treasury Department.

Since joining the Senate banking committee, I have tried to make our banking and financial system work better for small businesses, banks, and middle-class West Virginians and Americans. I will continue to do so. That is why I cannot support this nomination. Mr. Weiss does not have the experience for this particular job.

It is important to send a message that we will no longer allow Wall Street to exclusively make our fiscal policy decisions, especially when they affect so many around this country on Main Street. Economic and banking policies have too often been made without the input of our Nation's midsized banks, community banks, and credit unions. We must strive to have a balanced view of engaging voices on all sides of these important issues. By confirming Mr. Weiss as the Under Secretary, we are putting Wall Street before Main Street. We have already seen from the 2008 crisis how that harmed the Nation as a whole. We do not need to repeat that picture again.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Virginia is recognized.

TRIBUTE TO SAXBY CHAMBLISS

Mr. WARNER. Mr. President, I wanted to rise very briefly because I know Senator CHAMBLISS is about to give his farewell speech. I commend my dear good friend the Senator from Georgia for his service. I am going to stay through his speech, but I know there will be others who will probably rise afterwards to give accolades, and I wanted to be first in line to salute him for his service, his friendship to so many of us in this body, and my personal good wishes for his future. I know there will be others later; I thought for a change I would get a word in first.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

FAREWELL TO THE SENATE

Mr. CHAMBLISS. Mr. President, as my service in the Senate comes to an end, I rise today to say thank you to some of the wonderful people who have been part of a great ride for over 20 years.

We as Americans are fortunate to live in the greatest country in the world; a country where the American dream is still alive and well; a country where, in spite of all of our problems, we are the envy of the free world; a country where a preacher's kid from rural southern Georgia can rise to be elected to the House of Representatives and then to the Senate.

We as Members of the Senate are fortunate to have the opportunity to serve. We are blessed to be able to work in such a historic venue as we are in this afternoon. As we come into our offices and into this building every day, there are some things we take for granted. So to the entire Capitol Hill workforce, from those who clean our offices, to those who change the lightbulbs, provide our food, maintain our subways, keep us safe and secure, and to all of those in between, I say thank you. You are very professional in what you do, and you always do it with a smile.

To the floor staff and the cloakroom staff for both the majority and the minority, thanks for putting in the long hours, listening to often boring speeches, reminding us when we have not voted, scheduling floor time, reminding us of the rules, and making sure our mistakes are at a minimum.

I am fortunate to have been surrounded by great staff during all of my 20 years in the House and Senate, mostly young people from varied backgrounds who are the brightest minds my State and my country have to offer. They are committed patriots and loyal to the core. To those current and former members of my staff, thank you for your service to me and to the State of Georgia.

I have been served by four chiefs of staff: Rob Leebern, Krister Holladay, Charlie Harman, and Camila Knowles. Every office plan that each one of them put together starts with providing better constituent service than any other Member of the House or the Senate. I am extremely proud that our record shows we achieve the goal of doing just that. I have even had government agency personnel call my office asking for guidance on cases from other offices.

I have often said that my greatest satisfaction from this job comes not from negotiating major pieces of legislation but from being able to help Georgians with difficulties they are experiencing and having a positive impact on their lives.

I am particularly blessed to have three members of my staff who have been with me for all 20 years. My deputy chief Teresa Ervin, Debbie Cannon, and Bill Stembridge have walked every mile with me and have been so valuable. Thanks, guys.

My greatest support comes from my family. My wife Julianne, my daughter Lia and her husband Joe, my son Bo and his wife Bess, along with our grandchildren—John, Parker, Jay, Kimbrough, Anderson, and Ellie—have all been somehow involved on the campaign trial.

Come the 28th day of this month, Julianne and I will have been married for 48 years, having met at the University of Georgia a couple of years before that. For tolerating a husband who had a 24/7 job for 20 years, for being a single mom part of that time, and for understanding why I could not get home until Christmas Eve some years, I say thank you, sweetheart.

I am privileged today to represent almost 10 million Georgians who are the most wonderful people God ever put on this earth. I lost my first primary election and went on to win each of my next seven races. I won every one of those seven races because I shared the values of my constituents, I outworked each of my opponents, and I had better ideas and the best advisers and staff. Thanks, Tom and Paige.

Thanks to Senators Nunn and Miller for their regular advice and counsel. Thanks to my three leaders, Senator Lott, Senator Frist, and Senator MCCONNELL, each of whom provided me with strong leadership and always listened to me even when I had ideas that might have been different from their ideas.

I am often asked what I will miss most about the Senate. The answer is very easy. I will miss my friends and the relationships we have developed over the years. Senator ISAKSON and I

entered the University of Georgia 52 years ago in September and became friends immediately. We have been the dearest of friends ever since. He is without question the most trusted friend and adviser I have. I will miss our daily conversations.

My three best buddies from my House days, Speaker JOHN BOEHNER, Congressman TOM LATHAM, and Senator RICHARD BURR, along with Senator TOM COBURN, have been the legislative collaborators, dinner partners, golfing buddies, confidants, and numerous other things that should not be mentioned on the floor of the Senate.

Senator LINDSEY GRAHAM is like a member of my family. We have traveled the world together many times, hearing a lot. I have no plans to write a book, but if I did, LINDSEY GRAHAM's anecdotes would fill a chapter.

Senator FEINSTEIN has been a great chairman and partner on the Intelligence Committee. I will miss her leadership, her wisdom, her friendship, and those late-afternoon glasses of California wine.

My most productive time in the Senate has been spent with my dear friend Senator MARK WARNER. Our work with the Gang of 6, which included Senators DURBIN, CONRAD, COBURN, CRAPO, and then later Senators JOHANNS and BENNET, represents the very best of everything about the Senate. We spent, literally, hundreds of hours together debating ideas and trying to solve major problems, and we came very close. Senator WARNER's insight, his wanting to solve problems, and his political inspiration are lessons that I will carry with me forever.

As the Senate now goes forward under new leadership, I have two comments. First, the Senate should return to regular order. Senator MCCONNELL has indicated that will be the case, and it should be.

The rule change by the current majority changed the institution of the Senate in a negative way. I hope the rule is changed back to require 60 votes on all issues, including judges and nominees. Some of those most vocal favoring the rules change lost their elections, and while the rules change did not cost them their election, it is very clear that the American people wanted a change in the leadership that changed the rule. Regular order will help in restoring trust and confidence to the world's most deliberative body.

Second, it is imperative that the issue of the debt of this country be addressed. Just last week our total debt surpassed $18 trillion. We cannot leave the astronomical debt our policies have generated for our children and grandchildren to fix. It is not rocket science; it is what must be done.

Cutting spending alone—for example, sequestration—is not the solution. Raising taxes is not the solution. As Simpson-Bowles, Domenici-Rivlin and the Gang of 6 all agreed, it will take a combination of spending reduction, entitlement reform, and tax reform to stimulate more revenue. Hard and tough votes will have to be taken, but that is why we get elected to the Senate. The world is waiting for America to lead on this issue. If we do, the U.S. economy will respond in a very robust way. The Gang of 6 laid the foundation for this problem to be solved, and it is my hope that we do not leave the solution for the next generation.

I close with what I have enjoyed most about Congress, and that is the opportunity that I have had to spend with the men and women in uniform and those in the intelligence world, all of whom are willing to put their lives in harm's way for the sake of our freedom.

Whether it was Robins Air Force Base, Kabul, Ramadi, Jalalabad, Khowst or Dubai, I always get emotional telling the men and women how proud I am of them and how blessed we as Americans are to have them protecting us. They are special people who sacrificed much for the sake of all 300 million Americans.

Let us also remember and be thankful for the families of those military and civilian personnel who likewise make a commitment to America. As we head into another Christmas season, many of those families will not have at home their spouse, their parent, their son or their daughter.

May God bless them. May God bless this great institution, and may God continue to bless our great country.

I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER. The senior Senator from California is recognized.

TRIBUTES TO SAXBY CHAMBLISS

Mrs. FEINSTEIN. Senator CHAMBLISS, my remarks are personal. We worked together for the past 8 years on the Senate Select Committee on Intelligence. For 4 years we have worked as chair and cochair. We have exchanged views, we have negotiated bills, and we have shared information. We have been there through very tough times and some very pleasant times. It is very hard for me to see you go.

I have learned to trust you. I respect you. We have worked together. The committee put together a Benghazi report. We worked very hard. We found areas of agreement.

Senator COLLINS of the committee is here, and Senator WARNER is here. Am I missing anyone else from the committee? There is Senator BURR, who will be the new chairman, and Senator COATS, Senator COBURN. We were able to come together and put together a report unanimously, and it was really because of your leadership.

As I watched, what became very apparent is that maybe your side isn't as fractious as my side is. You were able to say yes, we can do this or no, we can't do that, and you reflected your Members. That made it very easy for me, and I am very grateful.

Yesterday we disagreed. You have never taken a cheap shot. We worked together at the same time to move our intelligence authorization bill. There was one last glitch which you worked out, and that bill passed unanimously last night.

Together we have worked to put together an information-sharing bill for what is probably our No. 1 defensive issue, which is cyber and the attacks that have taken 97 percent of our businesses into difficulties.

You have compromised, and I have compromised. Unfortunately, on our side, we have some unsolved issues. So, hopefully, I will be able to pick up with Senator BURR where we left off, and we will be able to get that job done next year.

What I want you to know—and I said this to you in another way—that it was such a wonderful experience for me to work with you. This is the hard part. We are only here for an instant in eternity, and the only thing that matters is what we do with that instant.

What I want you to know is you have really done yeoman's work in that instant, and I am very grateful to have the pleasure of working with you. I have learned from you, and I wish you all good things.

Thank you very much, Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. I rise to pay tribute to my friend, SAXBY CHAMBLISS.

I will admit to you this is a speech I never wanted to make. I never wanted to make it because we have had a wonderful relationship in this body for the past 10 years. We have done everything together.

He has had my back, and I have had his back. He is a great friend, and I will miss him. But I am not a selfish guy. He married one of the finest women I have ever known, Julianne Chambliss, who is one of the best friends my wife has.

Although he is leaving us and I will miss the crutch I have used for so long, Julianne is getting her SAXBY back. For Julianne, her family, and those grandkids he loves so much, that is exactly what SAXBY wants to do.

Georgia has had some great Senators: Richard Russell, who was really the master of the Senate; Zell Miller, a former Governor of Georgia, a great friend of mine and a great mentor of our State; and Sam Nunn, one of the finest in national defense and foreign policy our State ever offered. SAXBY will be the fourth on the Mount Rushmore of Georgia Senators who have served Georgia with distinction and with class.

I want to tell SAXBY this in person. For 10 years we have done joint conferences. We have messed up twice. When I messed up he covered my back and when he messed up I covered his.

In 2008 when he almost lost a race and got into a runoff in December in Georgia, I rode a bus for 21 straight days introducing him three times a day and eating barbecue every single day

for dinner and for lunch. That is a price to pay that only friendship will bring out.

He is a dear friend, a trusted person. I love him very much and I love his family very much.

I could talk all day, but I wanted to open and close by saying, SAXBY, I love you. The State is going to love having you back. This country is going to miss you, but my grandchildren are safer, my State is better, and our relationship has never been stronger.

May God bless you and your family in every endeavor you undertake, and may God bless the United States of America.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. MANCHIN. First, I would say I have only been in the Senate for 4 years. When I came, let's just say it was not what I expected. For that, you look for a little bit of respite, if you will.

I looked at my colleagues and my friends on the Republican side. I didn't come to the Senate looking at what side you were on. I looked at basically the person I was dealing with.

There was a person who befriended me almost from my first day, knowing that the transition was a challenge. He stepped up to the plate with a few of my other friends over there—I see Senator COBURN behind him—and basically took me under the wing and said: Listen, we can all work together and get along. What we do here is bigger and for the greater good than what we do for ourself.

SAXBY not only showed me, but basically I was able to follow and watch what he did. This Chamber should be filled right now—it really should be from all sides—but the bottom line is the Senator is loved by everybody. I never heard an ill word said about SAXBY CHAMBLISS, the distinction he carries as far as the Senate and as a human being.

I say to the Senator, your family and your priorities are correct. Your moral compass is working and working well. I can only tell you thank you. As someone from the other side of the aisle and as a fellow colleague and a fellow American, you are an inspiration to us all.

SAXBY, there will not be another SAXBY, but I am glad they gave you to me for this short period of time of 4 years. Some of you—I look at JOHNNY, and I envy JOHNNY. For 52 years he has been your close friend.

There is your partner in crime back there, Senator BURR. We hope he doesn't tell it all when he gets up.

But with that being said, there are so many people who have a relationship that is unmatched and that is because of you.

I say, my dear friend, my hat is off to you. Thank you, and God bless you for what you have done for the United States of America, for Georgia, but most importantly for all of us. Thank you.

The PRESIDING OFFICER. The senior Senator from North Carolina is recognized.

Mr. BURR. Mr. President, this moment is bittersweet for me.

I spent more time with SAXBY than I have with my own wife for the past 20 years. We have done everything together. Those vacation spots he mentioned—Kabul, Baghdad—I was right beside him.

We traveled to areas of the world that others wouldn't venture to, and there was a reason he was there. He was concerned about America's future, he was concerned about his children's future, and he was in a position to have an impact on it to make it better for them in the future. That is why he served. It is obvious to all of our colleagues that he is a lot older than I am, but he has worked just as hard as the youngest Member of this institution.

Even though we have seen each other's children grow up, and now we have seen them all married off, he deserves the time to go home and spend some time with his grandchildren and, more importantly, to get to know his wife again.

I want to say, Senator FEINSTEIN, I like red wine just as much as SAXBY does. I probably can't be bought as cheaply as he could, but I do look forward to continuing to work with you and, more importantly, to continue to do the work on the Intelligence Committee that really does build on what SAXBY started in the year 2000 as we went on the House Intelligence Committee together.

There is only one way to sum up SAXBY CHAMBLISS. He is a true southern gentleman. He is absolutely a statesman, but what everybody who meets SAXBY understands is this. He is a great American, he loves this country, he loves this institution, and some piece of him will remain here when he leaves at the end of this year. He will have an impact on what happens even though his presence may not be here.

We wish him Godspeed in life after.

The PRESIDING OFFICER. The senior Senator from Indiana.

Mr. COATS. Mr. President, I am a bit out of order here. I was waiting for some of my colleagues who have spent a bit more time here than I to speak, but I wanted to take this opportunity to add my sincere thanks to SAXBY CHAMBLISS for the kind of person he is and the kind of leadership he has provided and the kind of example he has set during his time in Congress and in the Senate.

I was privileged to be able to come back to the Senate and join the group of people who shared the same deep concerns I had shared. The reason I did come back was due to the threats to our country from abroad and the fiscal plunge into debt that is going to affect our country dramatically in the future if we don't deal with it. But having the privilege of being with the people who have set such an example has been a great privilege for me.

If I were a producer and director of a movie I was going to have come out about the Senate, I would want SAXBY to be the leading man. First of all, he looks like a Senator, and he has that southern calm presence that most of us envy and he just seems to fit the profile. The next choice would have to be for the leading lady, and you couldn't find a more gracious, beautiful, supportive leading lady than Julianne Chambliss. Together, they just make a stunning couple.

I have had the privilege of traveling with them and seeing them in different places and in different situations, and what a tremendous gift it is to be with the both of them. So the Senate and many of us here will dearly miss SAXBY CHAMBLISS. He comes from a line of distinguished Senators representing the State of Georgia, and as Senator BURR said, he fits right into that long list of people whose tenure here has been remembered for decades and will continue to be remembered for decades.

His commitment to our men and women in uniform, his service to the agriculture community but particularly, in my experience, his leadership of the Intelligence Committee has been leadership this country has needed in a time of dire circumstances. His work with Chairman FEINSTEIN in dealing with the daily pressures and weight of responsibility that falls on the leadership—and all of us who serve on the committee but particularly the leadership of the Intelligence Committee—has probably been as great in the last several years as any time in our history. Very difficult decisions have had to be made.

I know I sometimes stagger out of that committee thinking, this is more than I can get my mind around. This is more than I can get my arms around in terms of how do we deal with some of these threats and some of these challenges that have popped up all over the world in various manifestations. Yet the solid leadership on the Republican side with SAXBY CHAMBLISS has united us in a way that has forged a real bond and a desire to work in a nonpartisan basis to live up to our responsibility to provide oversight for the intelligence community and to be a part of helping make those decisions that are so important and so formative in terms of how we deal with these particular issues.

So I thank SAXBY for the person he has been, the person he is, and the person he will continue to be, for the example he has set, for his friendship, and for his extraordinary leadership. I know the refrigerator will be stocked with Coca Cola, there will be Georgia peanuts in his pocket, maybe a little bit of bourbon in a drawer somewhere, and he will have a tee time at Augusta just about any time he wants. I wish him the very best as he and Julianne go forward with their life. He has left his mark here and certainly he has left his mark on me.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, a lot has been said about SAXBY already, but I have an observation I have noticed over the last 10 years since I have been here, and it is about leadership. We see elected leadership on both sides, but then we see real leadership. We see the person people go to for advice. We see the person people go to for counsel. We see the person whom people go to for wisdom and judgment. That is what I have noticed the last 10 years.

More than anybody in this body, whether it is from the other side of the aisle or this side of the aisle, the person whose counsel is most sought is that of SAXBY CHAMBLISS. That is real leadership that is earned, and it needs to be recognized and honored for what it is. Because what it says is his leadership comes without judgment on the person asking the question, without condemnation of a position that may be different than his. It is giving of himself for the benefit of the rest of us.

Hear, hear, my friend from Georgia.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, it is an honor for me to stand and pay tribute to SAXBY CHAMBLISS. I think the first time I got to work around SAXBY was when I was nominated as the Secretary of Agriculture, and I think the first hearing SAXBY chaired as chairman of the Senate ag committee might have been that hearing.

I arrived in Washington, and I was scared to death. I had no idea what to expect. But I met with SAXBY, and I knew immediately that when I was in that hearing I was going to be treated with dignity and with respect because he wouldn't have it any other way. That is the way he did business.

Fortunately, I was confirmed, and that started our working relationship. In those years, I would not try to argue that we agreed on every nuance of farm policy. I am positive there were times when SAXBY was convinced I didn't understand a thing about southern agriculture. But he was patient and he was determined to represent all of agriculture, whether it was the South, the Midwest or the West. His goal was to be a chairman of the ag committee for all of agriculture. It was during that time the farm bill was written, and he was a tough negotiator. He had a mind in terms of where he was headed and he was going to stand up for his people and I came to respect him so much.

It was in the Senate though where I truly began to understand his talent. I can't tell you how many times we have been in a caucus meeting and somebody would ask the most intricate, difficult question relating to intelligence and national security, and invariably we would turn to SAXBY. SAXBY would stand and, in that quiet but forceful way he has, he would walk us through the intricacies of the issues. On whatever the topic was, he would explain it in a way that literally everybody in the room understood. They got it. Watch out. You had better be prepared to be Senators with the information he had given us.

What has impressed me so much, and I know I speak for my colleagues when I say this, is he could do the same thing with the most intricate issues relative to farm policy or ag policy or finance or the Federal budget. The breadth of his knowledge is absolutely unbelievable.

I thank you, SAXBY, for the many times you probably disagreed with me immensely but treated me thoughtfully and respectfully and listened to my opinion. I saw you do that with other Members in this body. I thank you for your service. As one of the retiring Members, I will look forward to the opportunity to spend more time with you. I hope our paths cross many times in the future because I know I will be the better for it.

God bless you, my friend, and best wishes.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. The junior Senator from Ohio.

The PRESIDING OFFICER. Your words.

Mr. PORTMAN. Look. I am so proud to be here to say a couple of words about my friend SAXBY. As you have heard from my colleagues, he is beloved. By the way, two of those who spoke are Senators who are also choosing to leave us. TOM COBURN talked about leadership. I will tell you, they are leaving a huge void.

I got to know SAXBY when he came to the House of Representatives. I was there in the early 1990s, and we became friends. Although I am from Ohio and he is a son of the South, he and Julianne embraced me and Jane, and I got to know his son Bo—such a great family.

But I didn't truly get to know him until I was the U.S. Trade Representative and my job was to try to open markets for U.S. agricultural products around the world. That required looking at something called subsidies—agriculture subsidies. This is a dangerous area in terms of politics, and MIKE JOHANNS is very well aware of this as an ex-Secretary of Agriculture, having been at my side during some of these negotiations.

My job was to come to the Senate ag committee and talk about what we were up to and try to find out how much flexibility there was for us to get these markets open that were so important for our farmers and ranchers but entailed considerable political risk. I learned a new SAXBY CHAMBLISS there. That is when I saw the leadership that was talked about earlier.

SAXBY was willing to not just be constructive but to take that risk and to be totally discreet and confidential in dealing with very sensitive issues. I came away with a whole new level of understanding about SAXBY and therefore a new respect for him, his character, and his willingness to do what was right.

More recently, of course, we have seen his leadership on other issues: standing up for our men and women in uniform. My colleagues, to me, he has been the guardian at the gate, giving us all comfort as ranking member of the Intelligence Committee. We live in a dangerous, volatile world, and knowing SAXBY was there, clear-eyed, disciplined, discreet, and able to tell it like it was and tell it like it is today, I think has given not just us but our families and all Americans considerable comfort. So I appreciate his service there.

Finally, I admire his willingness to step up on this issue of our national debt. This is again not an easy issue, and he joined with some colleagues to promote some proposals. Again, my colleagues who are leaving know this, TOM COBURN, in particular; MIKE JOHANNS, whom I will always have a great deal of respect for the way he has handled that issue as well.

Despite everything we have heard about him today though, perhaps his greatest accomplishment has yet to be mentioned; that is, the fact that he played golf with the President of the United States and managed to get a hole in one. The press report from that day says two things that are very interesting. First, it says he hit the hole in one on the south course. The son of the South chose to use the south course, of course, for his hole in one, but, second, it says ''he was choking up on a 5-iron.''

Taking nothing away from his hole in one—and it sounds like it wasn't as long a shot as he explained to me it might have been—but choking up on a 5-iron makes no sense to me. There is nobody more poised, more smooth. I have never seen him choke on anything.

SAXBY, we are sad to see you leave but happy to see you spend more time with Julianne, the kids, and the beloved Bulldogs. Godspeed, my friend.

I yield back.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise to thank my friend SAXBY CHAMBLISS. Senator COBURN spoke about leadership. We are very much going to miss Senator COBURN, Senator JOHANNS, and Senator CHAMBLISS in this body.

But what he said is very true; because as someone who has only served here for 4 years, one of the people who has been most welcoming to me and a mentor and role model and someone from whom I have sought advice is SAXBY CHAMBLISS.

As we look at this body and people whom we can emulate as role models, SAXBY CHAMBLISS is one of those role models. Not only is he incredibly knowledgeable on the issues that are so important to this Nation—and I can say, having served with him on the Armed Services Committee, he is one of the most knowledgeable people in this country, not only on what we need to do to keep the country safe because

of his role on the Intelligence Committee, but also what we need to ensure that our men and women in uniform have the very best to keep our country safe. SAXBY has a deep understanding and very much loves our men and women in uniform, and has stood up for them in ensuring that they have gotten what they need to keep this country safe.

From my perspective, he is someone who is going to be so missed in this body, because he has understood that you can stand on principle, as he has, for the important challenges facing this Nation—whether it is keeping us safe, or addressing the national debt that threatens not only our security but the prosperity of America; but he has also done it in a way that he has been able to build relationships—relationships within our own conference in the Republican Caucus, where he is a go-to leader, where people like me seek his advice on how to get things done—but also, as we can see here, relationships across the aisle.

As we go into the new Congress, I hope as SAXBY goes on to do other important things with his lovely family and Julianne and his children and grandchildren, that we will follow the example of SAXBY CHAMBLISS of what it means to work together, of what it means to be respectful of each other to get things done for this country, and to address the great challenges that SAXBY has done so much important work on—including keeping our Nation safe and making sure that America remains strong.

SAXBY, I want to thank you for being so welcoming to me, for being a role model, and for being someone who I think is an example of what it means to serve this country with distinction.

The PRESIDING OFFICER. The senior Senator from North Dakota is recognized.

TRIBUTE TO DEPARTING SENATORS SAXBY CHAMBLISS, TOM COBURN, AND MIKE JOHANNS

Mr. HOEVEN. Mr. President, in the new Congress we will welcome 12 new Republican Senators, and that is wonderful. They are great people. They are excited. They are enthusiastic. I think they are going to do wonderful things. So there are 12 new Republican Members coming into the new Senate, and I am looking and we are going to lose 3 of our Republican colleagues. I am thinking, maybe that is about the right ratio; it is about 4 to 1.

But these are three individuals who are unbelievable in what they have been able to do in the relationships they built, the friendships, and the work they have done on behalf of the American people. So I am looking at that statistic and I am thinking: Wow, these are three great people who have done the work of many, and I think they have laid the foundation in many ways for us to get to a majority: Senator JOHANNS, Senator COBURN, and Senator CHAMBLISS. I think they have done a lot of that work required for us to get to majority.

We have heard about the great Senator from Georgia. But I think the things I am going to talk about for a minute in regard to SAXBY CHAMBLISS apply to the two individuals sitting here with him. They are cut from the same cloth: Senator COBURN, Senator JOHANNS, true public servants. People who ran for the right reason; people who serve for the right reason. I think we could ask anybody in this body on either side of the aisle, and they would tell us that these three individuals served for the right reasons, and served to the very best of their ability the American people—not just the people of their State, but the American people. They will be remembered long after they are gone. They will be remembered because of the great, wonderful people they are, for the relationships they have built, and for that service. So I echo Senator AYOTTE's comments.

Senator COBURN touched on it, too. One of the first people I looked to as a mentor when I came here 4 years ago was SAXBY CHAMBLISS. Now, that doesn't seem intuitively like something I would do—I am from North Dakota, he is from Georgia. MIKE JOHANNS has been a mentor of mine since Governor days, so for more than a decade. But one of the first people I looked to as a mentor was SAXBY CHAMBLISS, and I don't even know why. It was one of those things that immediately you like the guy. But as you listened to him a little bit, you respected the guy. You thought: This guy has something to say. He knows what he is doing. But then, it is that relationship thing—that thing where he goes out of his way to work with you, to help you, to understand what you are trying to do in a friendly way, with great humor, and he does it naturally. It is just who he is. It is automatic. I think Senator ISAKSON really put his finger on it: It is just the way he is. You are naturally drawn to him.

I think we could talk to any of our colleagues on the other side of the aisle and they would tell you the same thing: integrity, honesty, intelligence; somebody you can work with, somebody who cares, somebody who always has the best interests of the American people at heart.

I had the opportunity to work with him on the farm bill, and I was counting on Senator COBURN to kind of jump in there and do it with him, but that didn't happen right away. I am kidding a little bit. But we couldn't have had a farm bill without Senator CHAMBLISS.

When I think how difficult it is to move legislation like that, particularly over the course of the past year, and realize that a farm bill really isn't so much Republican/Democratic—it really isn't. If you look at how a farm bill works, that is not the makeup. It comes down to people who know and understand agriculture, who understand the importance of a good farm bill for our farmers and ranchers, but understand also that our farmers and ranchers across the country create the highest quality, lowest cost food supply in the world. It is not perfect, but every American benefits every day from the highest quality, lowest cost food supply in the world.

So when I think of my State of North Dakota, or Senator COBURN's great State of Oklahoma, or Senator JOHANNS' State of Nebraska—we all produce all of these different ag products. We raise all these crops, we raise all these animals. And there are so many people out there, so many farmers and ranchers—they don't know SAXBY CHAMBLISS. But I will tell you what: They owe him a great big thank you. They really do, because without him we wouldn't have a good farm plan for this country.

The reality is it is not just the farmers and ranchers. It is true for so many people across this country: They may not know SAXBY CHAMBLISS, but they owe him a lot. He is somebody who epitomizes the very best of this institution.

I know his wife Julianne is here. I have to admit, when I first met her I thought it was his daughter because she is so young and beautiful. I am teasing him a little. But she is fantastic. And the same thing—she was immediately a friend and a mentor to my wife Mikey.

When we talk about SAXBY CHAMBLISS, TOM COBURN, MIKE JOHANNS, it doesn't get any better than that. We will miss them a lot.

I wish all three of them Godspeed, and may God bless you in your next career.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

SECOND ANNIVERSARY OF SANDY HOOK

Mr. MURPHY. Mr. President, I add my congratulations to Senator CHAMBLISS. It is strange, coming here in the last 2 years and getting to serve only 2 years with giants in the Senate like SAXBY, like TOM HARKIN, and like Senator ROCKEFELLER, whose legacies will live on.

Knowing what a good soul Senator CHAMBLISS is, I bet he would enjoy the Newtown Labor Day parade. I have a picture of it here.

We had the 53rd annual Newtown Labor Day parade this last year. This is the biggest event that happens in Connecticut on Labor Day. It is a celebration of the town. There are 120 different groups that make up the parade. There is the Newtown High School marching band. This year Grand Marshall Sydney Eddison was proudly marching at the front. The Litchfield Hills Pipe Band and newer groups such as the Marching Cobras of New York were there this year. It is a must-stop if you are a Senator, Governor, or Congressperson. We all march together at the front of the parade regardless of party. It is a really fantastic and wonderful place.

This year there were marchers from the Avielle Foundation; a truck decorated in pink promoting a culture of

kindness. Sandy Hook Elementary School had a float called ''The Magic School Bus to Sandy Hook School.'' It had a positive message of ''Think You Can, Work Hard, Get Smart, Be Kind,'' and the judges selected Sandy Hook School's float as the winner in the best school category.

It is a reminder that Sandy Hook is a positive place; Newtown is a positive place—a place that is rebounding as we come upon the 2-year anniversary, the 2-year memorial of the tragic shooting in that town that took the lives of 20 6- and 7-year-olds, and 6 of their teachers who were sworn to protect them.

Senator BLUMENTHAL and I have come to the floor today to mark that 2-year anniversary and to talk for a brief few moments about what has happened over the last 2 years—what has happened that has been positive, and the work that is left to still be done.

There are a lot of positive things that have happened. It is impossible to try to find any good that comes out of this, but the foundational work that has happened in the memory of these children is remarkable.

The Jessica Rekos Foundation was formed in an effort to pay homage to Jessica's love of horses and her love of whales. They opened up a summer camp where kids ages 6 to 10, the age that Jessica was when she passed, could be able to enjoy horses, learn how to ride and take care of them. They raise money to sponsor the Orca Fellowship, which is dedicated to conservation initiatives for the orca whale.

I mentioned the Avielle Foundation. Avielle's brilliant parents started a foundation seeking to do new research into brain activity. They have a new PSA video to highlight the need to understand the aspects of the brain that can lead to aggression and violence.

Ana Grace Marquez-Greene. Her family is a musical family. They started a foundation which tries to identify ways to build stronger communities. Her father is a wonderful jazz musician, and he recently released an album called ''Beautiful Life.'' The proceeds all go to this effort.

Sandy Hook Promise, a group of families, is asking schools and communities to take a simple first step to ending violence. That first step is to talk to children and teens about how to be a good bystander—to look out for those first signs of trouble, and to report anything that may seem out of the ordinary.

We frankly have seen how that small act can make a big difference. Just last week a young man was arrested in Utah after he admitted he had brought a gun to school with the intent to shoot a girl he had a falling out with and then his plans were to open fire on the rest of his classmates, but a student heard about it and tipped off authorities so he could be stopped before he carried out his plan. That is what Sandy Hook Promise is trying to do in the wake of this tragedy, to spread the word that those small acts can make a difference.

I will talk for a few minutes about what hasn't been done when it comes to policy changes, but there is a lot that has happened when it comes to policy as well. In Connecticut we passed the strongest antigun violence measure in the country. It cracks down on illegal guns and invests more resources into identifying trouble spots before they happen. Washington State just passed a new referendum with 60 percent of the vote that extends their background check systems to private sales and to transfers. In Colorado they passed a strong new law as well. On the private sector side retailers are stepping up. Big retailers from Starbucks to Chipotle, to Target have taken proactive steps, separate and aside from anything government has done, to keep firearms out of their stores. So there are a lot of positives that have happened in the private sector and in the public sector, and hopefully we can build on that work. Hopefully Congress can recognize that our silence, our inability to pass anything in the 2-year period of time since Sandy Hook passed, effectively makes us complicit in the continuing assault on students all across this country.

Here is the map. In the 2 years since Newtown, there have been 95 different school shootings all across the country. Ninety-five different school shootings have occurred. During the last 3 months alone, there were 17 school shootings, including a single week where there was one every day, five events over the course of 5 days. This is an absolute epidemic that is happening all across this country since Sandy Hook. Why I say we are complicit is that when there is no response from Congress, when there is not a single legislative act passed to try to do something about this, it sends a message of quiet endorsement of what is happening. I know that is not our intent. I know that is not in the hearts or minds of any of our Members, but people notice when every week there is a new story of a school shooting all across the country and Congress does absolutely nothing about it while the private sector and State legislatures step up to do something about it. So this is a day when we remember what happened 2 years ago, but it is also a day in which we should feel ashamed that we haven't done a single thing to try to stem this tide.

I get it that we are not going to get a background check bill passed in the next 2 years, but why not work on mental health funding? Why not have everybody in this Chamber spend 5 minutes of your time reading the report that was just released by the Connecticut child advocate detailing the history of Adam Lanza's intersection with the mental health system during his early years and adolescence and how it failed step after step, year after year, month after month—a lack of followup, a lack of coordination, a lack of diagnosis. We have a mental health system in this country that is broken and can be fixed—yes, with some more resources but just with better coordination. That is something we can work on together over the next 2 years. So we can say when this chart gets peppered with another 50 dots by this time next year that we didn't just stand silent.

Nobody is more articulate than Senator BLUMENTHAL in talking about that day, and I don't want to relive it on this floor, except to share the most powerful testimony I have heard about what happened that day.

This is a community that is recovering, but it is still a community in crisis. We don't lose 20 little boys and girls and just come back to life in 2 years. It is a resilient community, but it is a community that still hurts, and it hurts in part because they don't see us doing anything about it.

So before I yield the floor to Senator BLUMENTHAL to say a few words, I wish to close with somebody else's words. I have shared these words on the floor before, but they are just as powerful now as they were the last time I read them.

This is Neil Heslin testifying before Congress in February of 2013. He is still Jesse Lewis's father, one of the little boys who was killed that day. So as we think about what happened 2 years ago in Sandy Hook and we think about the charge we have before us and we think about the fact that there are those of us such as myself and Senator BLUMENTHAL and others who will not rest until we honor their memories by our actions, let me give you these words:

On December 14, Jesse got up and got ready for school. He was always excited to go to school. I remember on that day we stopped by Misty Vale Deli. It's funny the things you remember.

I remember Jesse got the sausage, egg and cheese he always gets, with some hot chocolate. And I remember the hug he gave me when I dropped him off. He just held me, and he rubbed my back. I can still feel that hug.

And Jesse said, ''It's going to be alright. Everything's going to be okay, Dad.'' Looking back it makes me wonder. What did he know? Did he have some idea about what was going to happen? But at the time I didn't think much of it. I just thought he was being sweet.

Jesse had this idea that you never leave people hurt. If you can help somebody, you do it. If you can make somebody feel better, you do it. If you can leave somebody a little better off, you do it.

They tell me that's how he died. I guess we still don't know exactly what happened at that school. Maybe we'll never know. But what people tell me is that Jesse did something different.

When he heard the shooting, he didn't run and hide. He started yelling. People disagree on the last thing he said. One person who was there said he yelled ''run.'' Another person said he told everybody to ''run now.'' Ten kids from my son's class made it to safety. I hope to God something Jesse did helped them survive that day.

What I know is that Jesse wasn't shot in the back. He took two bullets. The first one grazed the side of his head. . . . The other hit

him in the forehead. Both bullets were fired from the front. That means that the last thing my son did was look Adam Lanza straight in the face and scream to his classmates to run. The last thing he saw was that coward's eyes.

Before he died, Jesse and I used to talk about maybe coming to Washington someday. He wanted to go up to the Washington monument. When we talked about it last year Jesse asked if we could come and meet the President.

. . . Jesse believed in you.

This is Neil Heslin, his father talking.

. . . Jesse believed in you. He learned about you in school and he believed in you. I want to believe in you, too. I know you can't give me Jesse back. Believe me, if I thought you could, I'd be asking you for that.

But I want to believe that you will think about what I told you here today. I want to believe you'll think about it and then you'll do something about it, whatever you can do to make sure no other father has to see what I've seen.

That is a pretty powerful message, a message that on the 2-year anniversary mark of that horrible tragedy we would be wise to listen to.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, on December 14, 2012, we saw evil, but we also saw good. We saw tragedy, but we also saw actions that should continue to inspire us.

The evil was in a deranged young man who committed unspeakable and unimaginable horrific acts, but the good was exemplified by the police, the emergency responders, and the teachers who not only risked their lives but saved other ones. The good was something that came forward in the days and months and in the past 2 years.

Often I visit the playgrounds that have been built throughout the State of Connecticut in memory of those children, in memory of Charlotte Bacon in West Haven and Ana Grace Marquez-Greene in Hartford, Jessica Rekos in Fairfield, and Dylon Hockley in Westfork, and Victoria Soto in Stratford. I visit them to watch children playing, children often the same age as the wonderful, beautiful children who perished on that day, and parents about the same age as the teachers who lost their lives, sixth-grade educators.

On that day parents in Newtown took their children to school, kissed them goodbye and went about their days, went to work to plan play dates and snack breaks and holiday parties, and just hours into that morning many parents were standing at the Sandy Hook Volunteer Fire Station where I also went that day. What I saw was through the eyes of a parent, not just a public official, the cries of grief, the faces, and voices filled with tears and longing. Those images I will never forget, and they have redoubled my own determination to try to make America safer and better, to keep faith with those 26 wonderful people whose lives were lost that day, and more than 30,000 people who perished in the United States as a result of violence simply because many of them were in the wrong place at the wrong time—on the street or in neighborhoods or in their own home.

The good that is done every day by our police and firemen and emergency responders to try to stem and stop this epidemic of violence cannot overcome the flood of guns in our Nation and cannot compensate for the lack of effective measures to make America safer and better by making our laws against gun violence more effective.

I will never forget that day or any of the victims or their families, and I hope America never forgets them as well. We are memorializing now their wonderful lives by acts of kindness, but the best and truest way to memorialize them in history is to approve effective, commonsense, sensible measures against gun violence.

In the aftermath of those horrific events of December 14, all of Connecticut, certainly in Newtown, and our State came together to lift those who were so devastatingly impacted, and those families have shown incredible strength. They sat in the gallery, they came to visit us and our colleagues urging action. Congress's failure to act is contemptible and unconscionable and a betrayal of those individuals. The action that is ultimately truest and best as a memorial to them will be for this Congress to act.

In Newtown and around the Nation, every community in some way was affected in those days and in some way came together with Newtown. So my hope is still that that spirit will be an inspiration to action, that it will be an impetus to the Congress for effective, commonsense measures that will protect countless others who are in danger and who will die if Congress does not act.

More than 60,000 firearm deaths have occurred since December 14, 2012. There are 32,000 firearm deaths per year. Those families have demonstrated unrelenting resolve, and so should we, and we will. It took more than 10 years for the Brady law to be approved, even after a President of the United States was almost assassinated and his Press Secretary, Jim Brady, was severely injured and paralyzed.

I hope it will not take 10 years for action to be taken by Congress, but we need the persistence and perseverance that will carry us through whatever it takes to achieve lasting reform.

I have been proud to serve as a member of the Judiciary Committee and to have worked hard for this measure, helping to lead the effort to approve the ban on high-capacity magazines as well as assault weapons and background checks. But a mental health initiative and school safety initiative have also been part of what we need do. I will continue my work on those efforts—mental health and school safety bills I have introduced, including the Lori Jackson Domestic Violence Survivor Protection Act.

Lori Jackson was estranged from her husband. She obtained a court order against him because of the real evidence of danger from him. Unfortunately, that court order failed to save her life because it was only temporary, and it failed to take away the guns her husband had. The Lori Jackson Domestic Violence Survivor Protection Act will fill that gap in our laws now.

Women are five times as likely to die as a result of domestic violence when there is a gun in the home. One in five women are victims of domestic violence at some point in their lives. That is the reason we need to continue this fight on many fronts. Since that day or about then, on December 14, I have worn a bracelet and I still do. The writing has faded and is no longer visible, but the one thing it said was, ''Love wins.'' I truly believe that love won in Newtown, that love won when Connecticut's legislature passed a strong and effective measure. It was the next step. It is not the end of the work, but the next step. I believe that love won through the grace and courage and strength of the families of those children and the loved ones of the teachers who lost their lives.

I believe love wins every day in our classrooms around the Nation when teachers work hard—and they work hard—and resolve to keep their children safe. Love wins every day when someone stands up and speaks out against gun violence. Love will win, eventually. Honor will win. We will honor those children, and we will celebrate the love they felt so deeply and unconditionally—as only children can—unqualifiedly for their parents and their community. I believe that love will win eventually as long as we keep working.

I thank the Presiding Officer and yield the floor.

FAA MODERNIZATION AND REFORM ACT OF 2012

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 2614 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2614) to amend certain provisions of the FAA Modernization and Reform Act of 2012.

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

Mr. BROWN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2614) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY.

(a) EXTENSION OF TIME TO FILE CLAIM FOR REFUND.—Section 1106(a)(3) of the FAA Modernization and Reform Act of 2012 (26 U.S.C. 408 note) is amended by striking ''2013'' and inserting ''2015''.

(b) DEFINITIONS AND SPECIAL RULES.—Section 1106(c) of such Act is amended—

(1) in paragraph (1)(A)(i), by inserting ''or filed on November 29, 2011,'' after ''2007,''; and

(2) in paragraph (2)(B)—

(A) by striking ''terminated or'' and inserting ''terminated,''; and

(B) by inserting '', or was frozen effective November 1, 2012'' after ''Pension Protection Act of 2006''.

Mr. BROWN. I thank the Presiding Officer.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. COBURN. Mr. President, I wish to spend a few minutes to talk as in morning business. I am not going to offer a unanimous consent request, but I am putting the majority leader on notice that I will do that before we leave today or tomorrow or whenever we leave.

Yesterday the chairman of the Homeland Security and Governmental Affairs Committee, Senator CARPER, and I, thought we cleared all holds on the Taxpayers Right-To-Know Act. I wish to give a little history about that because for 2 years the House and Senate, in conjunction with the committees, have been working on this bill. The history goes back to a bill that was passed with President Obama, myself, Senator MCCAIN, and Senator CARPER, and it was the Federal Financial Transparency and Accountability Act, usaspending.gov. It was the first start towards transparency in terms of how and where we spend our money.

Quite frankly, as we got that bill through Congress, with we heard the same thing from OMB that Senator REID is representing today. President Bush and his OMB Director didn't want that bill. They didn't think the American people ought to know where their spending was going. They didn't think the American taxpayer ought to have the right to hold us accountable to know where we spent the money, on which programs, and how.

Interestingly, under Republican leadership, we passed that bill against the wishes of the OMB Director of the Bush administration, and that bill became law. The President has touted that bill as the first in a long line of transparency which his administration has embraced—the idea that the American people ought to know where their money is being spent.

Since that time, we passed the DATA Act, which will move us towards better quality in terms of usaspending.gov, and then we have the Taxpayers Right-To-Know Act, which the majority leader objected to yesterday.

Here is what the Taxpayers-Right-To-Know Act says. It says the taxpayer has the right to know how many programs we have in each department, how much spending is going on in each program, and where the money is being spent. It is pretty simple, straightforward stuff that we ought to know about our government.

The question that I am asking is, Why would anybody in this body object to us knowing where our money is being spent? Why would anybody in this body object to knowing how many programs each agency has? Why would anybody in this body object to coordinating with all the transparency things that we have done thus far and make it so that 2 years from now the American people can actually see where their money is being spent, how much is being spent on each program in each State and at what location.

If somebody can give me an honest explanation and a logical reason for why we wouldn't want to do that, I will take that, and I will not offer another unanimous consent request. But the answer from OMB is that it is too hard to work. It is not too hard to work. That is exactly what the Bush administration said when we said we are going to have the transparency act and usaspending.gov. They said it was too hard, and we can't do it. We can do it.

The American people are owed that explanation, they are owed that transparency, and this administration, through its claims of being the most transparent administration should step forward and release this hold.

So before we leave here, I will offer the unanimous consent request again. If it is objected to, we will know that it has nothing to do with reality. It has nothing to do with honesty, it has nothing to do with integrity, it has nothing to do with truth, it has nothing to do with being transparent with the American people, and it has everything to do with the Federal Government saying that it is just too hard to be honest with the American people to allow them to see where we are spending the money.

I find that is really unacceptable for us, as Members of the Senate. For a Member of the Senate to stand up and say, I object to doing that, tells us that we have a long way to go on much, much bigger problems if we are going to play the game just because something is a little bit tough to do, and we are going to fall for complaining that we just can't get it done.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

SSCI STUDY OF THE CIA'S DETENTION AND INTERROGATION PROGRAM

Mr. SCHUMER. Mr. President, first, I wish to salute my friend and colleague from Oklahoma. I don't agree with probably 80 to 90 percent of what he says, but I really respect him. He is a person of integrity who really cares. When you shake his hand and make a deal, a deal is done, which is a rarity around here, and we wish him the best.

Today I rise to discuss the recently released report by the Senate Intelligence Committee. As a representative of one of the most targeted cities in the world, I feel compelled to speak about this report. I want to say clearly that I am troubled by many of its findings.

First, the many members of the CIA and the intelligence community selflessly serve this Nation and put their lives on the line. They are patriots who are committed to protecting and serving America, keeping her safe from those very real enemies who are actively seeking to do the unspeakable in terms of harm. We owe the members of the CIA and the Intelligence Committee their due recognition and gratitude. We salute them for protecting us. In many cases, they risk their lives to protect us and our freedom.

But as with many institutions in our society, be it part of the government or part of the private sector, transparency and accountability for mistakes are an essential part of the process that preserves the balance in our democracy. The fact of the matter is this report lays bare some very troubling activities on the part of the CIA. It warrants a close examination. When we find the conduct of the CIA to be grossly counter to the Nation's ideals, we must reckon with that and make sure we never go back to the days when our government sanctioned torture.

Here, I agree with my colleague and friend from across the aisle, Senator MCCAIN. He has been an unimpeachable voice on this topic, and has said time and again that these actions were torture, and that torture besmirches the honor of this great Nation.

I also agree with the remarks made by Vice President JOE BIDEN, that only a great Nation and only an open and free society can forthrightly take ownership of their mistakes, find ways to change those policies, and move positively forward on both the domestic and international levels.

It is doubtless this report contains lessons that our intelligence community must take to heart—for their goal must be to protect our Nation without sacrificing what it stands for.

Before I go any further, I wish to recognize the many years of hard work, diligence, and courage—yes, courage—on the part of my colleagues on the Intelligence Committee and their staffs for putting this report together.

I particularly wish to recognize my dear friend and colleague, the chair of the Senate Intelligence Committee, DIANNE FEINSTEIN, for her work with

this report. She has been a fearless, yet level-headed chair of the committee for many years now. She is just what you would envision as an ideal chair.

I thank her for her excellent report, where once again, she has been both fearless and level-headed.

An extensive report like this one deserves careful review, but at first reading, two things have been made very clear. First, the CIA undoubtedly went too far in its pursuit of intelligence from captured sources abroad.

As I have said in formal proceedings in this legislature before, I am absolutely opposed to waterboarding and deplore some of the tactics depicted in this report.

I believe our intelligence community can obtain information using methods that are not anathema to our Nation's values.

Second, the report makes it clear that there was a breakdown of communication between the CIA and the administration at the time of these events.

There is no doubt we live in a dangerous world. There are threats abroad and threats here in the homeland. We cannot expect to counteract these threats and protect our people and to do so in a responsible way if the CIA and the executive branch are not effectively communicating with one another.

I was astounded to learn that the report asserts that over 4 years went by without the President having full knowledge of some of the CIA's actions detailed in this report. That simply cannot be the modus operandi for the CIA. They are accountable to the government and to the people and cannot behave without proper oversight. There is so much to unpack in this report. I urge my colleagues patience and a careful examination of the work produced by my colleagues on the Intelligence Committee. It should be out in front of the American people, and now it is. We must take a very, very close look at it.

The United States, its government, and its people must take stock of this account and reckon with the conclusions of the study. We have hundreds of thousands of brave men and women posted around the world, tasked with the difficult job of keeping us safe. We should always be mindful of their dedication and thankful for their sacrifice. Their mission is demanding. It is never-ending and nearly all of them perform with a level of professionalism beyond reproach.

However, from time to time, it is important for us to review those actions to make sure they meet the hard scrutiny of our Nation's ideals while still protecting its people.

In that light the Senate Intelligence Committee report is an extremely important document for us all to examine.

Again, I thank my colleagues, especially my friend Senator FEINSTEIN, for their exhaustive and exemplary work on this report.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

ISIS AND AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. CASEY. I rise today to discuss the fight against ISIS and the debate we are having here in the Senate and across the country about the authorization for use of military force, known by the acronym AUMF.

The debate about the appropriate use of force is, I believe, healthy for our country. The American people deserve to know when and how our servicemembers are going to be deployed to protect our national security interests. All Senators in this body have an abiding obligation to take the time to learn about this issue and to ask questions about our strategy, to thoroughly debate the strategy and the issues that relate to the authorization for use of force, and then we have an obligation to vote on the grave question of the use of military force.

It has been 6 months since ISIS began its major offensive in Iraq, taking control of key boarder crossings and the city of Mosul. The President has laid out since that time a strategy for combating ISIS through all available means—military action, diplomatic coalition building, coordinating efforts to cut off financing and recruitment, and providing humanitarian assistance.

The Administration has taken these actions under previous authorizations. In these weeks and months I have consulted with Administration officials, both military and civilian, outside experts and former diplomats, as I know many of our colleagues have. I also have listened to my constituents in Pennsylvania. We owe it to the American people to have a debate and a vote on a new authorization for use of military force that clarifies, and if necessary, places limitations on the President's authority in this fight against ISIS.

We know that 1,830 servicemembers, 91 of whom were from Pennsylvania, have been killed in Operation Enduring Freedom in Afghanistan, and 3,482 servicemembers, of which 197 were from Pennsylvania, have been killed in Operation Iraqi Freedom. Those are two conflicts, and in Pennsylvania alone the killed-in-action number was 91 in Afghanistan and 197 in Iraq.

Thousands more have been wounded in action from Pennsylvania and from across the country—some of them grievously, permanently injured because of their service. I am mindful, as I know many are here, that with both the 2001 and 2002 authorizations for use of force, Congress moved very quickly to take that action. I understand that. We know in hindsight that in the case of Iraq, at least, mistakes were made because leaders did not take the time to debate and ask tough questions and demand answers to those tough questions. I believe it is appropriate for us to do the following: thoroughly debate this AUMF, as we should every time we consider sending U.S. servicemembers into harm's way; second, to be prepared to continually reassess and debate our strategy against ISIS to ensure it is achieving our national security goals.

We all hope to develop an AUMF that has broad bipartisan support. However, our priority must be to give the President clear and specific authority to continue the fight against ISIS.

The Administration should have come forward with a recommendation early in the process for what they would like to see in an authorization for use of military force. I welcomed Secretary Kerry's testimony before the Foreign Relations Committee yesterday. That hearing was an important step in the right direction.

It is appropriate for the Congress to not only conduct rigorous oversight of the executive branch's decisions about military force but also, from time to time, to take steps to shape or place boundaries around the Administration's strategy. I appreciate Chairman MENENDEZ's efforts to craft an AUMF proposal that satisfies the needs of the Administration and the concerns from both sides of the aisle and across our country.

The Congress should move forward with an authorization for use of military force which addresses the following:

First, this AUMF should not allow for any significant deployment of U.S. troops in traditional ground combat roles. This is consistent with what the President has determined is necessary at this time. We also need to see nations in the region step up to do the fighting. We can't just have—to use an old expression from Pennsylvania—coat holders. That is someone that says you go do the fighting and I will hold your coat while you fight.

We need a real coalition which we have in place now but it has to be built and strengthened and fortified and sustained. That coalition, especially in the case of members of the coalition from the region, will contribute fighters to the battlefield because it is their region. It is their conflict as much as it is for other nations in the coalition.

When I say we cannot have a coalition of coat holders, I am serious about that. We need a coalition that will help us. We have already done a lot, and our people have, our taxpayers have, and our soldiers have. We need a real coalition that will do the fighting.

We also know that ISIS has taken American hostages before and will try to do so again. If, for example, the Administration has a chance to bring one of these Americans home, I want them—the Administration—to take action expeditiously and with clear authority. If the Administration disagrees with the current proposal for

authorization for exceptional circumstances or operations—for example, a search and rescue operation inside Syria or the recovery of an American hostage—the Administration should propose to us language they find acceptable to use in those difficult situations.

Second, this authorization for force should not be geographically limited. ISIS and its associated forces do not and will not respect sovereign borders. However, I would like to see language that requires the Administration consult closely with Congress if they want to consider U.S. military operation against ISIS in countries beyond Iraq and Syria. Expanding this fight geographically could have the unintended effect of prompting unrest in other countries or pushing recruits into the arms of ISIS.

Third, this authorization for use of force should have a reasonable timeline—something along the order of 3 years—with the explicit option for the administration to extend it a bit longer if needed. We cannot know exactly how long it will take us and our coalition partners to degrade and defeat this terrorist organization. However, the AUMF should not be open-ended in the way that the 2001 and 2002 AUMFs were. We have seen how difficult it is to shift gears or even to repeal an existing authorization for use of military force.

Fourth, and finally, this authorization must also address the nonmilitary components of the administrations's strategy. I was one of the first Members to call for greater support for the moderate well-vetted Syrian opposition. We know that opposition, especially in the north, is fractured and suffering, especially under the continual onslaught from Mr. Assad's barrel bombs—not to mention other actions he has taken against the opposition.

Although efforts to support them are ramping up, the brutal Assad regime has done significant damage. That is an understatement. Further, the Assad regime continues to commit unspeakable atrocities against Syrian civilians, starving, torturing, or indiscriminately murdering them in violation of international law and U.N. Security Council resolutions—that is plural.

I have also emphasized on a bipartisan basis with Senator RUBIO several years ago the importance of cutting off ISIS's finances. This could include airstrikes against known oil-smuggling pipelines or additional sanctions against facilitators. I should say with Senator RUBIO that the financing efforts or the cutting off of the financing was this year. I have worked with him in other years on other parts of Syrian policy.

As we have heard multiple administration leaders today say, there is no purely military solution to this conflict with ISIS. I would also say that if we have an authorization for force, this bill should include strict reporting requirements that press the administration to answer a series of questions:

First, what are you going to do to support the moderate opposition in Syria? I have raised this over and over again with the administration and still do not have satisfactory answers.

Second, what steps are you taking to address the Assad regime's brutal barrel bomb campaign, and what are you doing to bring about a political settlement to the conflict in Syria?

Third, how is the military campaign helping to cut off the financial support that ISIS is receiving, as I mentioned before?

There is strong bipartisan agreement that ISIS proposes a clear and proximate if not immediate threat to our national security interests and those of our partners. I believe we can reach the same level of bipartisan agreement on an authorization for the use of military force.

We have no greater or more sacred responsibility than to carefully and thoroughly consider when and how we send American men and women in uniform into harm's way. I urge my colleagues in both parties to engage in this debate and to work expeditiously to pass an authorization for the use of military force. I would have preferred and I know many would have preferred that we would have passed a bill before we adjourn this year, knowing that in this holiday season there are servicemembers already deployed away from home, from their families, to support this operation, Operation Inherent Resolve.

If we cannot get that done by the end of this year, where the debate would not be fully developed enough to pass an authorization, we must get it done early in 2015. It must be among our first orders of business in the new year, in the new Congress when we come back in early January. This is a very grave matter. It is among the highest and most difficult responsibilities Congress has. I believe we will discharge that obligation with a full debate, with a debate that is well-informed and a debate that every Member participates in before we make a decision about the authorization for the use of force.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise today to discuss title 30 of the National Defense Authorization Act, or NDAA, the title of which has become referred to as the lands package. As with most of the items Congress considers, this provision has generated some controversy. For my part, however, it appears that many of the concerns here are outpaced by the substance of good public lands policy being advanced here and the economic development opportunities it will generate.

The bill the committees of jurisdiction included in the package all have some form of committee procedure in either the House or the Senate. Thirty-four of the measures have passed the House on suspension. Another nine have passed the Senate by unanimous consent.

It is also worth noting that because the Federal Government owns so much land, particularly in the Western United States, Congress has to approve all sorts of transactions involving these public lands no matter how small the tracts might be.

On the substance, I believe the bipartisan group who assembled this package of bills struck a pretty good balance, deferring to intrastate priorities that will promote responsible economic growth. In Arizona, for example, I was pleased to see the inclusion of the Southeast Arizona Land Exchange and Conservation Act. This is a bill sponsored by my colleague JOHN MCCAIN. I was happy to join him to advance the measure. It also shares bipartisan support in the House among Members of Arizona's House delegation: Representatives GOSAR, KIRKPATRICK, FRANKS, SALMON, and SCHWEIKERT.

At its core, this bill will facilitate access to the largest copper ore deposit in North America. By some estimates the economic impact of the mine could exceed $60 billion over the course of the mine operations. It will support approximately 3,700 direct and indirect jobs annually.

It is also worth noting that copper is a critical component in most technologies, from weapon systems, to computers, to automobiles, to turbines that generate electricity, to name a few.

This mine would supply an amount of copper roughly equivalent to 25 percent of the U.S. demand.

Also notable is what this bill does in terms of conservation. It would preserve more than 5,300 acres of conservation land in Arizona.

Despite the broad benefits for economic development and conservation as well as the bill's bipartisan support, there has been some opposition. We have done our best to include some provisions that address those concerns. For instance, the land exchange would not occur until after the completion of a NEPA environmental impact statement. It will also generate a special management area around the large escarpment known as Apache Leap. Likewise, it will provide protections for Native Americans to continue traditional gathering and ceremonies after the land exchange has been completed so long as it remains safe to do so.

I would also note that Resolution Copper has proactively sought ways to address its anticipated water needs. To that end, I was encouraged to learn that the company has entered into a contract with the Gila River Indian Community to use a portion of the tribe's water supplies to meet the long-term needs of the mine. This is further evidence of how the measure, even before it is passed, can help foster economic opportunities for Indian and non-Indian communities around the State.

I would also like to take a moment to talk about a couple of the other positive provisions in the lands package. From a resource management perspective, it would support further economic activity on Federal lands by conveying approximately 110,000 acres of land out of the Federal estate. This includes not only the aforementioned Resolution Copper project but also a Copper mine in Nevada, timber harvests in Alaska, and coal production in Montana.

The lands package also includes a provision that would streamline the permitting process for oil and gas leases. This is critical. We have seen the pace of oil and gas production on Federal lands decline in recent years while development on private lands has increased significantly. This measure also improves the permitting process for grazing and makes a downpayment on so-called payment in lieu of taxes, or PILT. This is critical in helping communities that are burdened with tracts of Federal land to meet the obligations of providing services related to those lands without a corresponding tax base. This applies to a lot of the land in rural Arizona.

Although reasonable people can disagree, I believe this is a good measure for the State of Arizona and the United States as a whole. I am pleased to see that it will advance as part of this package. I know the lands package was difficult to negotiate. They always are. It has achieved strong bipartisan support. I think it does strike the right balance between deference to intrastate concerns and Federal lands decisions. I urge support of the legislation.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am on the floor this evening for ''Time to Wake Up'' speech No. 82.

Scientists tell us that the evidence for climate change is now ''unequivocal''—not a word often used in scientific writing. The American people know that climate change is real.

In a new poll released by the insurance firm Munich Re, 8 out of 10 Americans believe the climate is changing. They see it happening around them. The American people also know we need to cut our carbon pollution if we are to avoid the worst effects of climate change. We can't keep burning carbon-polluting fossil fuels indiscriminately. Seven out of 10 Americans put using more carbon-free energy, such as solar and wind, among the best ways to battle climate change.

Changing the way we generate power will help cut emissions from the largest sources of carbon pollution in the country, our coal-fired powerplants. The Energy Information Administration notes that coal generates less than 40 percent of our country's electricity while it generates 75 percent of the carbon pollution from the power sector.

The 50 dirtiest coal plants in America emit more carbon pollution than all of South Korea or all of Canada, which brings us to the war on coal.

Every effort to protect the American people from coal pollution has been denounced by the fossil fuel industry and its various mouthpieces as a ''war on coal.'' When EPA proposed limits on emission from new powerplants, we heard ''war on coal.'' When EPA promoted limits on existing powerplants, ''war on coal.'' For mercury limits, ozone limits, particulate limits, always ''war on coal.''

The war on coal is a fabrication. The denial machine, funded by fossil fuel money, literally owns the war on coal. The Web site waroncoal.com is owned by American Commitment, a 501(c)(4) nonprofit that has been funded by the Koch brothers-backed group Freedom Partners. War-on-coal is a public relations strategy, a catchphrase, a gimmick that serves to distract people from the harm coal wreaks on us.

Dr. Drew Shindell is a professor at Duke University. He worked at NASA for two decades. Last week in the Environment and Public Works Committee he said:

> We hear a lot up here on Capitol Hill about the war on coal; what we forget about is coal's war on us.

So let's talk about the so-called war on coal versus coal's war on us. When Republicans talk about President Obama's war on coal, they leave a lot out. They leave out that coal companies have shifted to big open-topped mines—what is called mountaintop removal—so they can lay off miners and still produce the same amount of coal. They leave out that coal simply can't compete with today's cheaper, cleaner burning natural gas.

In 2012 Duke Energy's own CEO acknowledged that EPA's proposed climate rule for new powerplants was not to blame. This is what he said:

> The new climate rule is in line with market forces anyway. We're not going to build any coal plants in any event.

''We're not going to build any coal plants in any event,'' he said.

He continued:

> You're going to choose to build gas plants every time, regardless of what the rule is.

That is not a regulatory war on coal; that is the free market operating.

EPA's proposed Clean Power Plan for existing powerplants is the newest PR front in the imaginary war on coal. EPA projects that the Clean Power Plan will yield between $55 billion and $93 billion in benefits per year by 2030, compared to $7 billion to $9 billion to comply with the rule. That math makes it a winner for the American people. Some war on coal. What would they expect us to do—give up $90 billion at the high end in benefits for the American people in order to avoid a $9 billion compliance cost, again at the high end? Again, $90 billion for the American people versus $9 billion in compliance—who wouldn't take that deal?

If the Obama administration is waging a war on coal, it has a funny way of going about it. Coal exports grew by 44 percent from 2008 to 2012. The Obama administration keeps opening up Federal lands to coal extraction, awarding many leases at below-market rates. It actually took a Federal judge in Colorado to tell the Obama Bureau of Land Management and Forest Service to factor the cost of climate change into their cost-benefit analysis of coal mining leases. The Federal agencies had looked at only one side of the ledger. They counted the economic benefits of mining coal but not the costs. Some war on coal. Two years ago the Obama Army Corps of Engineers fast-tracked environmental review of a proposed coal export terminal on the Columbia River in Oregon. Local communities and tribes objected, and the State of Oregon denied the permit for the project. If that is what a Federal war on coal looks like, somebody didn't get the memo.

On the other side, let's look at what coal's war on us looks like. Evidence that mining and burning coal harms our health and our environment and our oceans is undeniable. It is this other side of the coal ledger which hits home in Rhode Island and Connecticut and many other States, and it is that side which the polluters want to ignore and obscure with ''war on coal'' rhetoric.

Burning coal releases carbon dioxide and other greenhouse gases. That warms our atmosphere, bringing changes we are already seeing in seasons, weather, and storms. There is a strong association between global warming and the kinds of rain bursts that flooded homes and businesses in Rhode Island in 2010, for instance.

Coal burning contributes to the formation of toxic ground-level ozone, which is a cause of the bad air days in my home State of Rhode Island. Kids with asthma in the emergency room in Rhode Island are connected with midwestern powerplants that burn coal and pump often unscrubbed emissions up smokestacks designed to move the problem downwind—out of State, out of mind.

Don't overlook our oceans, which absorb about one-third of the carbon pollution being emitted and most of the excess heat. As a result, oceans are becoming more acidic, water temperatures are rising, and sea levels are rising across the globe. In Rhode Island the sea is up nearly 10 inches at the tide gauge at Naval Station Newport since the 1930s, when we had our great hurricane of 1938.

So whether you have a flooded home or are a mom with a child with asthma in the emergency room or somebody

with coastal property facing 10-inch higher seas, there are costs to coal. This is all virtually indisputable, and it follows immutable laws of nature. Damage to coastal homes and infrastructure from rising seas and erosion, asthma attacks in children triggered by smog, forests dying from beetle infestations and unprecedented wildfire seasons, farms ravaged by worsened drought and flooding—these are all real costs to Americans. This other side of the coal ledger counts too.

It even hits home in coal country, where blowing up mountaintops pollutes streams and harms folks around the mining operations. West Virginia University has linked the dust thrown up by these mountaintop mines to lung cancer among nearby residents.

Coal-fired powerplants are the biggest sources of mercury pollution in the United States, and they also emit arsenic, acid gases, and other toxins.

Dr. Shindell, whom I mentioned earlier, is an expert in atmospheric chemistry and health. Here is what he told the EPW Committee last week:

> Of all of the sources of the emissions that lead to poor air quality in the United States, coal burning is the single largest, causing by my calculations about 47,000 premature deaths per year. That happens to be larger than the total number of Americans killed in all of the years of the Vietnam War by hostile fire.

If you look at the casualties, the Federal Government isn't waging a war on coal. If there is any war, coal is waging a war on us.

This is business as usual for the polluter industry and its propaganda apparatus. Coal companies have long fought public health standards, mine worker protections, and compensation for ailments such as black lung disease, as well as efforts to address acid rain or reduce toxic pollutants, such as mercury, that cause brain damage in kids.

In 1989 Southern Company's CEO Edward Addison testified that acid-rain controls would increase electricity rates in States with the most coal power by 10 to 20 percent by 2009. Well, we couldn't evaluate that prediction then, but now we can. This is a fact: In the 10 States with the most coal, rates actually fell. Big Coal's war on the truth has a long history.

I recently had the opportunity to visit West Virginia with Senator MANCHIN to learn about what coal means to the Mountain State economy. I get it. We need to care about the miners, the truckers, the powerplant operators, the engineers, and others who make their living in this industry. It would be wrong to ignore their plight, just as it is wrong when the coal industry tries to ignore the effects of its carbon pollution.

I think we need a carbon fee to correct the market and to slow climate change. I am sure I will hear that is a war on coal. It is not. It is simple fairness. It is simply paying for the mess you cause. That is not war. It is not even punishment. It is just fair accounting, taking both sides of the ledger into account.

When people do that—economists and scientists—they calculate the cost of carbon pollution as what they call the social cost of carbon. The administration estimates the social cost of carbon at around $40 per ton of carbon pollution—$40 per ton. The effective cost to polluters for causing that mess is zero.

My carbon fee bill would correct that. It would correct what even economists and groups as conservative as the American Enterprise Institute agree is a market failure, and then return every dollar of the fee to the American people. That could include transition assistance for coal workers—and assistance for communities far from coal mines, like in Rhode Island, facing these costs of climate change. It is also becoming increasingly clear that a revenue-neutral carbon fee will spur innovation, create jobs, and boost the economy nationwide.

So it is time to end the polluters' holiday from responsibility. It is time to see through their fanciful war on coal, and protect those facing the effects of coal's war on us and coal's war on the truth. It is time to seize the economic benefit of a clean energy economy. It is time to wake up.

I yield the floor to my friend, the distinguished Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the Senator from Rhode Island. I am so happy to follow him on the floor today and to see him again. We have worked together on so many important issues. It is wonderful to see the Presiding Officer to be back on the floor.

I come today for a very special reason. I am so proud to present to the Senate a package of lands bills that have been included in the Defense Authorization Act.

What is significant about this particular package is it is quite large, and it is the first package in almost 6 years and almost three Congresses, which is quite an accomplishment for our committee.

I am so proud of the staff of our committee, Energy and Natural Resources. I made this a priority when I took over as Chair 9 months ago. It was a long shot to see if we could put any package at all together that had eluded us for several Congresses, but I worked very closely with my counterpart, Congressman HASTINGS, in the House. We met on several occasions with our top staff and committed to do all we could to see what was possible.

One of the important principles that made this grand compromise possible—and there are Republican bills and Democratic bills; it is very well balanced as between the parties, but also geographically in projects and expansions of parks, creation of new parks, and land transfers. The principle that we followed is it is revenue neutral. Some of these bills raise money, some of these bills spend money, but the lands package is revenue neutral. I think the taxpayer is going to get some extraordinary value in the package being presented today.

In addition, one of the principles I pushed very strongly is to make sure that this package included opportunities for the development of our natural resources. We are very proud of our wilderness areas. We are very proud of our parks. We are very proud of our areas that are off limits to economic development. But there are parts of the Federal landscape of public lands that should be developed—whether it is forests, or oil and gas, or hard-rock mining, for the benefit of the taxpayer and for our overall economy. That was a very important principle for me and of course for Congressman HASTINGS.

We also wanted to make sure that we expanded our national park system. Again, this has been a 6-year hiatus, almost three Congresses. We have not been able to make any progress on adding to the beautiful heritage areas and special national park system that America is known for and helped to pilot for the world. Next year will be the 100th anniversary of the founding of the National Park Service, and we are excited about the additional eight new national parks that will be created by this lands package, and it expands the boundaries of six existing national parks.

One of the expansions I want to note particularly is in Texas, in San Antonio. It expands the San Antonio Missions National Historical Park. The reason I am excited about this is because the San Antonio missions are next on the list in the United States sites to be designated as world heritage sites. I had a great opportunity to help our only site in Louisiana, Poverty Point, achieve that designation just a few months ago. What an extraordinary action it was to be there when we cut the ribbon on a site that is going to continue to be excavated that we believe is over 3,500 years old, with a very sophisticated Native American settlement on these beautiful raised mounds in one of the highest points in the Louisiana-Mississippi delta area. I was excited to see that San Antonio missions will be next. This puts these sites on the same level as the Grand Canyon and other really extraordinary international places of cultural significance. So that is one example.

In the new national parks, it has only taken us 200-something-plus years, with Senator CARPER and Senator COONS, to get a national park in Delaware. They were the only State without a national park. Although they are small in size, they are very important as they are the first State in the Union. So as it would be appropriate, the name of their park is the First State National Park. So now every State in the United States has at least one national park. Of course, some States have many more. Our commitment is to continue this great heritage for our Nation for generations to come.

This package represents a major milestone in our work to reach a consensus across party lines. We will clear much of the backlog of the public lands bill that has built up in the Senate, last passed in the omnibus package 5 years ago. It is worth noting the Congressional Budget Office has again scored this as revenue neutral.

Let me speak for a minute about a few Louisiana priorities. Although most of these bills do not have anything to do with Louisiana—we did not have any major expansion efforts of any of our parks to present—I did wish to discuss two meaningful impact on the economy of my State.

The first provision will ensure the economic vitality and viability of the Toledo Bend hydroelectric project located on the beautiful Sabine River on the Louisiana-Texas border. Toledo Bend provides power to thousands of Louisiana homes and serves as an economic engine for our western border with Texas.

The project was first licensed in 1963. Russell Long and our congressional delegation were very instrumental in getting this dam for hydropower established in our State. Although we are known for oil and gas, we do have some hydropower in our State. It was relicensed in August—I am proud of, with my support and leadership—for an additional 50 years, which is a terrific certification on the part of the Federal Government that this project is fulfilling its original goals and objectives. Not only is it generating power, it is providing an extraordinary recreational opportunity.

This project includes a dam which impounds a 185,000-acre reservoir, the largest manmade body of water in the South, and a powerhouse capable of generating 81 megawatts of electricity. The project is operated primarily for water supply purposes, secondarily for hydropower, and thirdly for recreation. But it has become an extremely popular recreational site both on the Texas side and on the Louisiana side. It is an interesting project, because we have joint jurisdiction. The Texas Commission runs its side, the Louisiana Commission runs our side, and it occupies about 3,800 acres of Federal land in a narrow 3-foot strip along the shore of the reservoir where it borders the Sabine National Forest and Indian mounds.

Under current law, just because of that 3-foot strip, the forest, land, and other Federal agencies were claiming jurisdiction just because of this very narrow edge around the Toledo Bend. So we eliminated their jurisdiction. It gave the Federal Energy Regulatory Commission the basis to impose annual charges. We didn't think that would be fair, so we carved out a much-needed exemption that would prohibit undue regulation, and allow the local governmental structures and appropriate Federal agencies to determine the best use of this land. Local zoning ordinances will apply, local rules about what areas can be developed privately and publicly. There is plenty of public access to this reservoir. We hope, and I anticipate, that it will be another momentum builder for the economic development in this region.

Significantly for me—I have worked on it for many years, because I have been aware of this since I was a legislator years ago and the real need to develop this as a really first-class destination for resorts, hotels, marinas—not only for the people who live and have property there, but for visitors who may come from all over the region.

In addition, Fort Polk is situated only about 40 miles away. So it is within driving distance for soldiers and their families for recreation. It is really quite beautiful. It is isolated. We don't have quite enough highway infrastructure I think for us to develop it in a way that we really should, but that will come with time. But this was a very important step to get the 50-year certification to move forward. And now our local communities—the parishes of Sabine, DeSoto, and Vernon—can lean forward and dream and plan for how this area can be developed.

The second Louisiana-related provision authorizes the National Park Service to study areas along the Lower Mississippi River in Plaquemines Parish for the potential addition to the national park system. It is just a study, but this Lower Mississippi area is of course rich in cultural history. It was first traveled by Spanish explorers in the 1500s and later, in 1699, became the site of the first fortification on the Lower Mississippi River known as Fort Mississippi.

The area to be studied includes several other historic fortifications, including Fort St. Philip, which played a key role during the Battle of New Orleans and was the final major battle of the War of 1812. While Andrew Jackson's forces were successful on land, it was William Overton's 10-day defense of the back door to New Orleans that helped seal the American victory.

Fort Philip, and its companion fort located across the river, Fort Jackson, also played a pivotal role during the siege of New Orleans during the Civil War. These two forts, with their withering crossfire, held the Union Navy at bay for 12 days. And the history goes on and on.

These special places are tangible links to the dramatic stories of our Nation's history and deserve to be studied for inclusion in our national park system.

Let me underscore again how important I think is the principle of developing our public resources in the right ways—preserving what we can, conserving what we must, but developing what we can for the benefit of the taxpayer. That is one of the underlying principles of this grand compromise. I recognize that to break the logjam, particularly with the House of Representatives, we needed to find a way to address both the development of natural resources and conservation and preservation, as well as the expansion of our public lands and public parks. This package reflects that balance. Let me mention a couple of the economic development provisions.

We will convey 70,000 acres in the Tongass National Forest to Sealaska, an Alaska Native corporation, to complete its land settlement under the Alaska Native Claims Settlement Act. This legislation has been a longstanding priority for Senator BEGICH and Senator MURKOWSKI. I thank them both for their extraordinary leadership in working on this land transfer.

This bill has been considered in the Energy and Natural Resources Committee for years, and the final language was carefully negotiated with the Department of Agriculture. So I thank the Department for helping us work out this extraordinary land transfer.

Another provision which was included at the request of Senator MCCAIN and Senator FLAKE and which has been worked on by the Arizona delegation is a land exchange in Arizona between the Forest Service and the Resolution Copper company to allow development of a major copper mine. My friend TRENT FRANKS has been a leader in this area as well in the House and in his legislative district, and I have had good conversations with him. This may be the deepest copper mine in the United States of America. It is going to be one of the richest in the world.

There was some original language in this legislation that was perhaps not as responsible as it should have been—or as sensitive maybe is a better word—to some of the needs or requests of some of the nearby tribes. We tried to address some of their concerns in the final language. We haven't, of course, settled all complaints, but we have settled as many as we can.

This is an extraordinarily valuable asset for the people of the United States, and the people of the United States own this land and right now own the potential copper that would come out of this mine. I most certainly, through my staff, have insisted and negotiated that the taxpayers get a fair exchange, that they are not underpaid in any way in this transfer and this development. I am very hopeful that the Forest Service, which will continue under the authorization in this bill to negotiate, will make sure the taxpayers of the United States are paid fairly for the exchange of this very valuable property, which will create many jobs in Arizona and which will create opportunities for economic development in our whole country and around the world, as copper is a very valuable substance. One of my overriding conditions for approval was to make sure the taxpayers get a full benefit.

While the Sealaska and Resolution Copper provisions have drawn most of the attention in this bill, in total the

package includes many other prominent Federal land conveyances, all which will allow for community services such as cemeteries and schools, provide land for development by local communities, allow for outdoor recreational opportunities, and increase management efficiencies for both public and adjacent private land.

The package also wonderfully includes almost 250,000 acres of new wilderness designations, including in Washington State. I thank Senator CANTWELL and Senator MURRAY for their advocacy for their State and for our Nation. Senator TESTER has been a strong proponent for the State of Montana, Senator REID in the State of Nevada, and in the State of Colorado, Senator BENNET and Senator MARK UDALL, and, of course, in New Mexico we have had some expansion of wilderness areas. Each of these bills was the product of years of discussion among stakeholders and each State's congressional delegation.

In addition to wilderness designations, the package will protect the watershed of over 360,000 acres of natural forest lands adjacent to Glacier National Park and will designate 200,000 Forest Service and BLM lands in Montana as the Rocky Mountain Front Conservation Heritage area and protect 70,000 acres of the Hermosa Creek Watershed in Colorado.

Among the eight new national parks are two in Maryland and New York that celebrate the life of Harriet Tubman, known, of course, for her great role in civil rights and developing the Underground Railroad and for so many other things she did as a leader at that time. Our new national parks will protect 80,000 acres of forest land and volcanic peaks in New Mexico; designate the first national park in Delaware; protect fossil resources outside of Las Vegas; and interpret the story of the World War II Manhattan Project in Washington State, which was so important to Representative HASTINGS. Tennessee and New Mexico are, of course, also included in that history and the Colt firearms company in Hartford, CT, which is an unusual kind of park to celebrate, but it is part of the American development of manufacturing, and the Colt firearms company played a major role. So we have that included in this bill.

The individual bills that are included have been developed with local support and in many cases have been priorities of Senators for years. I am pleased to have played a pivotal role in building this comprehensive package, and it took a lot of compromising and an awful lot of hard work.

I thank the lead Senator on the Defense bill, Mr. LEVIN, for allowing us to be part of the Defense authorization bill, along with Senator JACK REED, whom I spoke with on many occasions along with Senator LEVIN, because without their support I don't know if this bill could have survived standing alone with one or two strong objections still out there. But they can't fight the Defense authorization bill. Tucking it in a bill that is going to pass and will not be vetoed is a way to move these bills forward.

It does enjoy broad and deep bipartisan support from literally hundreds of Members of Congress, and hundreds of staffers have spent hours and hours, and the executive branch—particularly Interior and Agriculture—has spent hours negotiating the fine details of this package.

I thank David Brooks, who is a lead staff member with our committee, Energy and Natural Resources, who has been a magnificent staffer here in the Senate for many years. He is known as the Senate expert on public lands, and that title certainly is appropriate for a man who knows so much and cares deeply about our public spaces and finding the right balance between preservation, conservation, and development.

I thank Liz Craddock, who is my staff director for the Committee on Energy and Natural Resources, who was absolutely tireless. Not only running the committee in my absence, sometimes when I was on the campaign trail, but also taking appropriate time to come and work with me for reelection and in addition putting together, with David, this package while all this was going on is really a testimony to their professionalism. I thank them very much.

I thank all the Members of my side particularly for their patience and their understanding as we worked through this package of almost 80 to 90 bills and the subcommittees that worked so well moving them forward.

I will submit this for the RECORD. There may be other Senators, I am sure, who want to put in individual remarks for the parks and projects and land swaps, but I think it is pretty remarkable that we have cleared up 6 years of backlog at zero expense to the taxpayer with extremely broad and deep bipartisan support.

I will only say as one of my last remarks on the Senate floor that it is possible to find common ground if we are willing to look for it and work hard enough to find it. We need to have our eyes open a little wider. We need to put our shoulder to the wheel a little bit stronger, and if we can do that, we can move a lot of significant legislation through that benefits generations of our citizens and taxpayers for years to come.

I yield the floor, and 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. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. BENNET. Mr. President, I have come down to the floor today to talk about the package of public lands measures included in the House-passed Defense bill. I am told we are likely to vote on that bill as early as tomorrow in the Senate.

Within the lands package is a measure we worked on called the Hermosa Creek Watershed Protection Act.

The watershed, which is pictured here, is a beautiful parcel of national forest land up the road from Durango in the southwest corner of Colorado.

I will say at the outset that our office may have introduced the bill in the Senate, but it was really the people I represent in southwest Colorado who wrote every bit of this piece of legislation.

Over 6 years ago, a diverse group of local citizens, mountain bikers, anglers, outfitters, local officials, and many others all got together to talk about the future of the land. Everyone involved liked to visit the area for recreation or to do business there. Their discussion was to developing a plan to manage the area so everyone could enjoy it and benefit from the multiple uses well into the future.

Over the Memorial Day weekend in 2011, the Hermosa workgroup invited my family and me for a hike through the watershed and to join the discussion, and we took them up on that offer.

We loaded up the van, drove to Durango, and met the working group at the Hermosa Creek trailhead.

My youngest daughter Anne, who was then probably about 8, made a hiking stick out of a nearby fallen branch, and we started up the trail with 40 or so others from the local community.

The Presiding Officer knows this area well. As we climbed higher and higher, we were overcome by the beauty around us and the forests and valleys and crystal-clear streams and unspoiled views in almost every direction.

After about an hour, the group pulled off the forest service trail into a meadow, and as Anne, Halina, and Caroline Bennet, my three daughters, made me a dandelion necklace out of the dandelions that were there, we started a discussion about what this area meant to the people who were on this trip.

The sportsmen came to fish for native Colorado cutthroat trout and for back-country elk hunting. The mountain bikers came to enjoy single-track riding trails known throughout the country and throughout the world. The local water districts love Hermosa because it provides clean water for the city of Durango, and workers in the timber and mining industry stress that some of the watershed could contribute to extractive development in the future.

The upshot of the discussion we had in the meadow that afternoon was an agreement to work together on a bill, a balanced bill that managed the watershed so it would contribute to the local economy long into the future. More than just working on this bill, I think

the people in that meadow set out to prove that people in this country can still work together and set an example for the U.S. Congress.

After nearly 3½ years of negotiations since that hike, we are on the verge of passing that bill and sending it to the President for his signature. The Hermosa Creek Watershed Protection Act governs the entire watershed. It includes provisions to allow for multiple uses, such as timber harvesting for forest health, continued access for Colorado's snowmobilers—a critical provision to allow Silverton's winter economy to continue to prosper.

The bill enhances opportunities for back-country fishing made possible by the great work of Trout Unlimited and Colorado Parks and Wildlife to reintroduce native cutthroat trout to the watershed.

The bill also adds—importantly—nearly 40,000 acres to the National Wilderness Preservation System, lands that provide unique and important opportunities for solitude and reflection, lands that will remain undeveloped forever so that they will always have clear streams to fish and lush forests for local outfitters to take clients into the forest on horseback.

I am proud to report that the bill has the unanimous bipartisan backing of the two county commissions involved, the San Juan County Commission and the La Plata County Commission. I thank those commissioners for their leadership, collaboration, and their vision, and the two local towns, Durango and Silverton. It has the support of the Hermosa Creek Workgroup, ranging from hardrock miners to environmental groups. These are the people we say can never get along and can never get anything done because everybody has to get only their position and disregard the position that the other has, and we have proven that is not true, as I said, ranging from hardrock miners to environmental groups such as the San Juan Citizens Alliance, Conservation Colorado, and The Wilderness Society.

It has the support of sportsmen, Trout Unlimited, and the back-country hunters and anglers.

The Hermosa bill is also supported by the local water district, the Southwestern Water Conservation District.

The outdoor recreation community—including the Colorado Snowmobile Association, Colorado Off-Highway Vehicle Coalition, and the Trails 2000 mountain bike group—supports the measure. And support for Hermosa is especially strong from the local business community. Companies as diverse as fly shops, car dealerships, the Durango Chamber, and Mercury Payment Systems, one of the area's largest employers, all agree that protected public lands add to the region's quality of life and help them attract topnotch talent to the region.

This bill grew from the grassroots up. Republicans, Democrats, and Independents worked together to cement a long-term plan for their community's future.

I thank Senator UDALL, a long-time champion for Colorado's public lands and wilderness, for joining me as a cosponsor of the bill.

I also wish to thank Congressman SCOTT TIPTON, our partner in the House, for supporting this bill and demonstrating that bipartisanship still exists in some corners of the Capitol. He has been outstanding to work with, as has his staff, and I look forward to collaborating on other conservation measures in the future.

To close and bring this back to the beginning—I see my colleague is here—I don't have to convince most people that Colorado is a special place. Many people from all over the United States have been to our State to ski our mountains, run our rivers, or climb a 14er.

The Hermosa Creek watershed represents some of the best Colorado has to offer. It deserves to be protected, and that is what this bill does.

However, in some respects, I wish Hermosa didn't have to pass this way. This lands package is a great achievement. It came through a robust bipartisan and bicameral process, and that work is something truly to be commended.

At the same time, I think the Hermosa Creek bill could have passed by unanimous consent years ago as a stand-alone bill, or as part of another smaller, bipartisan, bicameral package that didn't have to wait almost 6 years while local communities all across the country have been left in limbo. People there don't work on the same time that people here work, and their expectations are that we are going to move things along. No one should object to bipartisan, commonsense measures that are widely supported. But instead of regular order, we are left voting on large packages of lands bills every number of years.

In fact, save one wilderness bill that passed earlier this session, Congress has not passed a wilderness bill since 2009. Congress has not passed one wilderness bill since 2009—I suppose we passed one.

Last Congress was the first time a session of Congress hadn't passed a wilderness bill in the 50-year history of the Wilderness Act. That had never happened before, whether the Senate was Democratic or the Senate was Republican, whether the House was Democratic or Republican, or whether the President was a Democrat or a Republican. It never happened before. This Congress—provided the vote goes well tomorrow—will have waited until the eleventh hour.

The 2009 bill, which was one of the very first ones I voted on as a Senator, created 2 million acres of new wilderness.

The package we will vote on tomorrow contains several hundred thousand acres more, including nearly 40,000 new wilderness acres, as I mentioned in the Hermosa bill. While that is great progress, and it truly is, I wish we were doing more.

Despite dozens of other widely supported conservation proposals that have been introduced this session, there are only four other wilderness bills included in this package. Once again, I am strongly supportive of the package, and I urge my colleagues to vote yes. But in the new Congress we ought to hit the reset button and truly honor the intent of the Wilderness Act—which President Johnson signed into law 50 years ago—by passing more wilderness bills. I can't think of a better anniversary present for the landmark law than for the 114th Congress to return and pass more of these bills.

Let's defy expectations about what the change in the majority means here. Let's lift up the bipartisan work that is happening around here and pass more of these bills.

Historically conservation has been a bipartisan issue going all the way back to Teddy Roosevelt, and I hope we might return to the cooperation we have seen in the decades since then and get some more wilderness and conservation done for the American people.

This is a glorious and beautiful country that we all represent. We ought to save some of it for our kids and grandkids by passing this package and coming together on some others.

I urge yes on the bill.

I thank the Presiding Officer for all of his work to make sure we could bring this lands bill together with the NDAA bill.

I urge a ''yes'' vote.

I thank the Presiding Officer, and I thank my colleague from Alaska for allowing me to go ahead with my remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank my colleague and his comment about the courtesy for allowing him to go first. I think the Senator from Colorado was scheduled to go first, and we were just a little bit behind, so I was pleased to listen to my friend's comments about one of the provisions in this NDAA lands bill, and I thank him for those comments.

I also wish to acknowledge the comments of the Senator from Louisiana, our chairman of the Energy Committee. I have had the pleasure and privilege of working with her as the ranking member on the committee now for the past 6 to 8 months since she has held the chair. But even before that, I have had the honor and privilege of working with her on so many energy issues.

As the Senator from Louisiana was detailing the contents of this lands package that is contained within the NDAA bill, I was reminded of what a good partnership we have had working together on the committee. They are not exactly easy issues that come before us. They generate a level of controversy—certainly a level of debate and dialog—but there has always been

good, civil debate and dialog as we try to work through some very difficult issues.

As Senator LANDRIEU leaves the Senate at the end of this Congress, I want her to know, as I stated in committee just this morning, how much I have appreciated the good work she has done, not only on energy issues, but the good work she has done on behalf of the people whom she represents in Louisiana.

If there is anybody who exemplifies the word ''tenacious,'' it is MARY LANDRIEU, and I think the people of her State have enjoyed the benefit of the very tenacious approach and how my friend and colleague takes care of those she represents. I thank the Senator for that.

I too wish to add my comments this evening in support of the National Defense Authorization Act for Fiscal Year 2015, and more specifically, to the public lands package, which is title 30.

As Senator LANDRIEU detailed in greater specificity, what we have here is a collection of smaller bills related to public lands. Just because a bill is small and somewhat discreet in terms of its area of impact, it doesn't mean these are not issues that are critically important to the people of that State, critically important to that region.

With so many of these bills that are now part of this package, we have spent months—and in some cases we have spent years—developing, considering, refining, amending, and working through these packages. We have spent weeks negotiating which ones will actually be in the package that we have before us in title 30. We have now arrived at this point where we have a bipartisan and bicameral consensus in support of it.

What I wish to do with my time this evening is to explain how this package is fundamental to economic development in our Western States.

I also wish to lay out what this package is as well as what it isn't because I think there have been some misconceptions about what is contained in this. I also want to provide a little bit of insight into the process by which we crafted this and why it is now time for the Senate to do what the House has already done in passing it by a very overwhelming margin.

But before we get into the substance of some of these measures, I think the Senate needs to understand why we want this package, why we need to pass it now rather than waiting until the next Congress or perhaps the one after that or perhaps whenever we have a slow day around here. So I will proceed to the basics of some of this.

It is probably best described by just looking at the map. The dominant landowner in the United States is the Federal Government. The Federal Government, like it or not, owns roughly 640 million acres of land. That is more than one-quarter of our country that is held by the Federal Government. Ninety-three percent of these lands are clustered in just 12 Western States. So we can see here our Federal fault line. These 12 Western States are areas where less than 50 percent of the land is owned or held by the State and private interests. When we look at this divide, on this side, more than 95 percent is state-controlled land.

So we have a situation where in many of our Eastern States the Federal Government owns just a small fraction of the lands. But if we look to some of our Western States and we look at the extent of Federal ownership, this is where the picture comes into greater focus. In Wyoming, 42.3 percent of the State of Wyoming is held in Federal lands. In my State of Alaska, 69 percent of the State of Alaska is federally owned. Nevada walks away with No. 1, where over 80 percent of the State of Nevada is held by the Federal Government.

For folks back on the east coast, what does that mean? Let's say it presents some real difficulties for us in the West. Say we want a minor land conveyance—not a big deal. But if a person lives in a State such as New York with less than 1 percent of Federal lands, chances are that person can go see a real estate attorney and they can have a document drawn up, and they might even be able to draw it up in 1 day or maybe it takes a couple of days, but a person can complete a transaction without too much difficulty. If a person tries to do a conveyance in 1 of our 12 Western States, where 93 percent of the Federal lands are, it is a different story. Chances are a person will not have the same luck as they might in New York. Even if they are seeking the smallest of land conveyances, say 1 acre—just 1 acre is all we want to move from the Federal side to the State side, to a local side, to the private side—a person does not go see an attorney. A person needs to go talk to one of the four Federal land management agencies to get approval for their request, and they are not done there. Then a person needs to go see their Congressman and their Senator because they need Federal legislation to make it happen. It honestly takes an act of Congress. In the East, in places where land ownership is different than it is in the West, people can handle all of these conveyances. We can work through some of what we are seeing in this public lands package. We can do it through private transactions. But in the West, it takes an act of Congress for a land conveyance.

That is why we see hundreds of public lands bills introduced each Congress. It underscores why their passage is so critical to economic development and to job creation in our country. I have to admit, I am pleased the Senator from New Mexico is in the chair today, coming from a State such as New Mexico, which is at 41.77 percent. The Presiding Officer knows full well what we are talking about when we talk about the imperative of our communities that are asking for a little relief when it comes to a land conveyance, and the level it rises to is not the city council, it is not the mayor or the legislator or the Governor, it is a Congressman and Senator, and ultimately signed into law by the President of the United States.

So what are we actually looking at in this package? After truly months of negotiations, perhaps a few near-death experiences, and many temptations to walk away, we have agreed to a balanced, budget-neutral, revenue-neutral, bicameral, bipartisan package contained in title 30. These provisions that are contained here will create jobs. They will create thousands of American jobs. They will cut the redtape to energy production. They will boost American mineral production. They protect multiple use and public recreation. They convey Federal land for community development. They protect our treasured lands through measured conservation, and they provide new means for private dollars to support our national parks.

We have included a bipartisan provision to streamline oil and gas permitting on our Federal lands. It is supported by the Western Governors' Association. It cleared the Senate by unanimous consent before the elections. So think about that. So many things get tied up in the politics of elections, but this was so important to so many, on a bipartisan basis, on a regional basis, we moved it through the Senate by unanimous consent.

We have included a provision to address the backlog of the grazing permit renewals for our western ranchers to ease their burdens. Then there is another provision we have included that will help to hopefully protect the collapse of the timber industry in Southeastern Alaska with the conveyance to our Alaska Native peoples—a promise that has been 40 years—40 years—in achieving.

We have included a major priority for Arizona. This is an issue Senator LANDRIEU spoke to, an extensively negotiated land exchange led by Senator MCCAIN and Senator FLAKE. I know Senator MCCAIN has been working on this for a decade to find a way to responsibly open a copper deposit that could meet 25 percent of our country's needs while at the same time taking incredible care to protect and maintain access to cultural resources and traditional uses of those lands.

There is another provision that relates to Nevada which also facilitates development of a different copper mine. But now think about this. We are going to have an opportunity in Nevada and in Arizona to extract copper. Our military needs copper. The construction industry needs copper. The automotive industry needs copper. The renewable energy industry needs copper. There are so many benefits to be had here.

We have some provisions that are contained in this package that perhaps generate fewer headlines but are still hugely important for local communities. Probably the best example of

this is a provision for a school in Minnesota. This is a measure we have been working on with Senator FRANKEN. But it facilitates a land exchange of just 1 acre—1 acre to a school in Minnesota—a single, lonely acre. We probably have people saying, So do we really have to pass a bill in order to make that happen? The simple answer is yes. That is why we are here. That is why we are including these provisions—so many provisions—in this very important bill.

I also want to mention what the package is not—what it does not do, what it does not contain, and some of the parade of horribles that certain groups have been saying that in fairness, they are not looking again to the balance we have achieved with this overall package.

We saw some rightful concerns emerge before this title was finalized. Everybody's ears always perk up when they hear ''public lands package,'' wondering what it is going to be. But we have seen some inaccurate criticisms emerge even after the release. It is one thing if they haven't seen what is in it. It is another thing to look at it and then be critical of it.

As I mentioned earlier, this is a balanced, revenue-neutral package. We have taken great care to make sure it is not all focused on new wilderness, new parks. In Western States, and particularly coming out of Alaska, we are just not going to have the support we need if it is all focused on wilderness and parks, so it is not. There is a conservation piece, absolutely, and it is a strong conservation piece, and I think it is a good, balanced one. But we also have the very important development piece that is critical to what is contained within.

To those who have spoken out against creating new national parks, given the maintenance backlogs that I think we recognize—it could be as high as $20 billion. I get it. I agree with Senator COBURN that we must address the backlog issues, the maintenance issues, and I thank him for the scrutiny he and his staff have given to this issue and the report they came out with. We are going to be working to address that in a manner that is constructive and long term. I want to reduce the backlogs, and we will do it.

Again, this has been judged to be revenue neutral. Through its passage, we could make progress on the backlog issue.

One provision that is contained in the bill that will help is the authorization of a National Park Service commemorative coin. There are 75 Senators who are cosponsors that will allow for additional funds to be raised. Senator COBURN has a measure in here that will allow for appropriate recognition of volunteers to our national parks. We have also tailored this package to include the wilderness provisions, but it is a discrete number. All of these have strong local and congressional support. We are looking at less than 250,000 acres in all, and actually from a practical perspective, far less than that. Most of these provisions were sponsored by a House Republican. Some have been endorsed by a Governor or a State legislature. With others, we are simply making it official. Nearly half of what would become wilderness is already managed as if it were wilderness. It is in wilderness study areas or it is in roadless area designation.

This is not a zero-sum game because we should be focused on the productive value of our public lands above all else. But for those who are kind of keeping score—is this acre per acre—I want to remind people that the package transfers almost 110,000 acres of Federal land into State or private hands through conveyances, exchanges, and sales. We are also releasing more than 26,000 acres of land from wilderness study back into multiple use. Examples of what those lands could be used for include building of transmission lines or motorized recreation.

I know some have raised issues about the various studies that are contained within the bill which, in my view, are more a matter of due diligence than anything else. Because a further act of Congress will be required before any new park, any new museum or wild or scenic designation can be established, and then we have the funding aspect of it as well. So, again, these are studies. This is not the creation of a new museum. This is not the creation of a new park. These are studies.

I think it is also important to reiterate that we have taken great care to protect private property. We have forbidden the use of eminent domain and the condemnation of private property. We have also set a positive precedent by eliminating the potential use of buffer zones around designated lands.

Again, I am going to say it one more time: This package is the result of bipartisan and bicameral negotiation, weeks of meetings amongst Members and staff of the committees of jurisdiction, the committees that have crafted the overall NDAA bill, leadership in both Chambers, and many individual Members.

For those who would suggest that this package was somehow hastily assembled, that this is some kind of rush to judgment, it is at the end of a very long and actually a very traditional process. We have considered, debated, and amended these provisions over the course of Congress using the committee process and the House and Senate floor when we could. Every bill within this package has been reviewed by the committees of jurisdiction. We are not hopscotching over anybody. At least 30 bills have passed the House and 7 have passed the Senate. Even though we haven't devoted time to a large package of individual bills, some of these provisions have been considered in multiple Congresses. You may look through the list, and they look like reruns. It is because we have tried, and the process didn't allow for full completion.

What we have with title 30 builds upon the lands and natural resource provisions that were included in the initial House-passed NDAA. These were provisions that were primarily the Senate Energy and Natural Resources Committee's jurisdiction.

We have seen in the past the NDAA bill include public lands packages. It has happened enough times that the House leaders actually name the House Resources Committee as official conferees to it. But I think what is very important for us to remember about this lands package is that what we have done, this effort, has taken no time and no funding away from our military or our veterans, nor has its inclusion held the NDAA back for a single moment here.

I think we would all prefer a process where we could take the time to bring up Senator BENNET's bill on the floor and talk about it and have him tell us about all the magic of this region, but we haven't seen that in this body in far too long. I would prefer that process where all these bills could be considered individually on their own, but know that we have reviewed everything closely. This is a revenue neutral package. We found the right balance and reached bipartisan and bicameral agreement. We don't need to start over. We don't need to be working these same bills in a new Congress. We don't need to see a groundhog's day with so many of these measures that are small but are so important to these Western States. It is time to finish this. It is time to pass these reasonable measures. So I would encourage the Senate to support this package as part of the larger NDAA bill so that we can fulfill our responsibility to those in the Western States and those who have public lands that we are happy to have, but we also need to know we can have a level of responsiveness within our system to allow us to work those lands.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I would like to thank the Senator from Alaska for her tireless efforts on the lands bill and the NDAA bill and the bipartisan spirit she brought to all of these negotiations over a long period of time. She is to be commended for it. I don't think we would be anywhere close to where we are without her work. I thank her for that.

I am here to speak briefly about the Intelligence Committee's report on the CIA's interrogation methods. I support the committee's decision to release the report. As a country, it shows we have the courage to face the truth no matter how ugly that truth may be. Coloradans need to know the truth. The American people deserve to know the truth. Our willingness to face this difficult truth reminds us that we live and we are lucky to live in the most open and transparent democracy the world has ever known. Unlike the acts brought to light by the Intelligence Committee report, the willingness for self-examination is something to be celebrated about America.

The report will be the subject of significant debate over the coming weeks and months and maybe even years, as it should be. Nobody should be cavalier about the risks that are associated with the release of this information, but this is a discussion our country needs to have.

Although I am still reviewing the report, a couple of things are pretty clear at the outset.

First, the use of so-called enhanced interrogation techniques failed to secure accurate information or cooperation from detainees. The very first finding of the report says:

While being subjected to the CIA's enhanced interrogation techniques and afterwards, multiple CIA detainees fabricated information, resulting in faulty intelligence. Detainees provided fabricated information on critical intelligence issues, including the terrorist threats which the CIA identified as its highest priorities.

Not only has torture not made the country safer, it may have made us less safe—at least according to this report.

Second, the report reveals that the CIA withheld information from the FBI, the State Department, and the Director of the Office of National Intelligence. It denied access to detainees and provided inaccurate information about the interrogation tactics. Information was withheld from former Secretary of State Colin Powell out of concern he would ''blow his stack if he were to be briefed on what's been going on.'' The CIA repeatedly misled Congress and impeded oversight by its own inspector general.

The report rebuts any notion that these brutal tactics led to actionable intelligence that made our country safer. It highlights the lengths to which people systematically misled other agencies, the Congress, and for years the American people. But most significantly, this report—and I thank the Presiding Officer for his service on the Intelligence Committee. It is a committee that by definition people can't learn very much about, and I know it takes a lot of time and an awful lot of work that can go underappreciated. But this week we are learning why the work on that committee is so important.

Most significantly, as I was saying, this report has reminded us that the use of torture is completely at war with who we are as a country and the ideals we hold. Throughout our country's history, our American values—the notion that all people are endowed by their Creator with certain unalienable, sustainable rights—have sustained us through our most difficult times. They helped us triumph in World War II and eventually led to the fall of communism during the Cold War. They have attracted millions of immigrants to our shores. They inspired generations of Americans to rectify the inequality that exists in their own time to create a more perfect union. In fact, the values of democracy and human dignity are what brought my mother and her family to the United States after surviving the horrors of the Holocaust in Poland. It was a place that they called beautiful America, as much an idea as it was a place to them. Torture is repugnant to these fundamental American ideals.

It is often said that the strength of our democratic institutions is tested during times of crisis. Understanding what happened and ensuring we won't use torture again will help our democratic institutions persevere in the future and serve future generations as well as the generations that were here before. It will demonstrate that we are better and we are stronger than our enemies. It will ensure that our uniquely American values will continue to inspire people like my mother and her parents all across the globe.

I yield the floor.

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

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

HAVEN ACT

Mr. REED. Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues Chairman LEVIN of the Committee on Armed Services and Chairman JOHNSON of the Committee on Banking, Housing, and Urban Affairs.

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

Mr. REED. I join with my colleagues to speak about the inclusion of the HAVEN Act in the National Defense Authorization Act we are considering today. The HAVEN Act, which I sponsored along with Senator JOHANNS, authorizes a pilot program to help make repairs or modifications that are necessary for disabled or low-income veterans to stay in their homes. The HAVEN Act lies within the jurisdiction of the Committee on Banking, Housing, and Urban Affairs, to which it has been referred. However, working in close coordination with the chairman of the banking committee, we were able to include this measure in the NDAA bill, in recognition of its potential to assist veterans of our armed services who are in need; isn't that correct, Chairman JOHNSON?

Mr. JOHNSON of South Dakota. Senator REED is correct, I thank him for working with me on this matter and for his continued advocacy on behalf of veterans.

Mr. LEVIN. I would like to thank both Senator REED and Chairman JOHNSON for working with our committee to include the HAVEN Act within the bill we are considering today.

MORNING BUSINESS

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

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

TRIBUTE TO JAMES BAKER

Mr. LEAHY. Mr. President, James Baker has served the State of Vermont with great distinction over many years, and I was saddened when he announced his retirement in 2009 after 3 decades with the Vermont State Police. To no one's surprise, he finished his tenure there at the top, as commander.

But we knew retirement would not last long for a man of his talents.

In 2010, Jim Baker answered the call to step in where he was most needed, taking the helm of the Rutland City Police Department when the department and the community were beset by turmoil. Chief Baker's leadership and loyalty was infections, and his plan to serve for only a few months turned into a few years.

During that time, Chief Baker pulled together a team of committed neighbors, businesspeople and community organizers to face the challenges head-on. They tackled blighted neighborhoods and encouraged new investment. They sent a strong message to drug dealers: NOT in our community. And they developed a statistical mapping system to reduce crime in the city's worst-hit blocks. This effort, known as ''Project VISION,'' has shown great success.

With Rutland now on a steady course, one might think Chief Baker would again be thinking of retirement, but that will not be the case. Instead, Jim Baker will be bringing his leadership talents to Washington D.C., where he will serve as director of law enforcement and support with the International Association of Chiefs of Police.

Rutland's loss is our Nation's gain. I look forward to a continued working relationship with Jim, and thank him for his dedication and leadership to the State of Vermont. I ask that the following profile of Jim Baker, which recently appeared in the Vermont weekly Seven Days, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Seven Days, Nov. 19, 2014]

INFLUENTIAL POLICE CHIEF HAS A NEW GIG

(By Mark Davis)

When Jim Baker first took over Rutland's scandal-plagued police department in the winter of 2012, he had a running joke with the mayor.

In department-head meetings during which a particularly vexing problem arose, Baker would hold up his city-issued notebook and point to the first word of his job title. ''Mayor, mayor, look—'interim,' OK?'' Baker would say to Mayor Chris Louras. ''That question is for the next guy.''

Baker, a former head of the Vermont State Police, initially signed on for a six-month stint as Rutland's chief of police. Nearly

three years later, he still occupies the corner office at the Rutland police station.

Baker is widely credited with stabilizing the department, initiating a statistics-based policing program and rallying dozens of community groups to fight the city's drug problem. ''He was the driving force not just to turn around a dysfunctional department but in helping the renaissance of the city,'' Louras said. ''It would not have happened without him.''

But now, talk of the ''next guy'' is no joke.

Although the mayor had started preliminary contract discussions to keep Baker around for a couple more years, the chief decided it was time for something less stressful. In December, Baker is leaving for a position with the International Association of Chiefs of Police, a Washington, D.C., think tank.

''I burn a lot of jet fuel when I get into a situation like I found here,'' said Baker, who has preferred working short stints—no longer than a few years—during his lengthy law-enforcement career. The D.C. opportunity, he said, will enable him to engage in national and international issues on a less demanding schedule.

A New York native and Southern Vermont College graduate, Baker methodically climbed the ladder during the 30 years he worked at Vermont State Police. He held nearly every position there, including director, before retiring in 2009.

Baker says it is unlikely he'll ever stop working. After leaving the state police, he launched a consulting business and became something of a Mr. Fix-It for Vermont law enforcement. Then a scandal rocked the Vermont Police Academy: A training coordinator committed suicide after his computers were seized during a child-pornography investigation. It prompted the director of the academy to resign, and in 2010, Baker took over that job for several months with the intention of rooting out problems and improving morale.

Next Baker spent a few months as interim police chief in Manchester. That's when Louras and Rutland Police Commissioner Larry Jensen came calling. They convinced Baker to come aboard for six months to help ''settle down'' a department in the midst of its own scandal.

The Rutland force had been in disarray since 2010, when state police busted former sergeant David Schauwecker for viewing pornography on his work computer and removing a pornographic video from an evidence locker for personal use. After he accepted a plea deal, Schauwecker was fired. Rutland aldermen urged the police commission to do the same to then-chief Tony Bossi, but they said no; Bossi finally resigned in early 2012.

The Rutland Herald asked for documents related to the investigation, but the city's police department refused. So the newspaper sued—and won: In 2013, the Vermont Supreme Court ordered the department to release the records, which revealed that, years earlier, two other Rutland officers had also watched porn on the job.

Meantime, the city wasn't faring much better than its police department. Once a boomtown fueled by railroads and a marble quarry, Rutland's economy had lagged for decades. Out-of-state drug dealers moved in as property values plummeted, downtown went dormant and vacant buildings proliferated. Drugs had decimated large swaths of the city long before Gov. Peter Shumlin devoted his 2014 State of the State address to Vermont's ''opiate epidemic.''

Known throughout Vermont as ''Rut-Vegas''—a moniker that Baker forbade his officers from using inside the station—the city was the brunt of countless jokes.

Then, in September 2012, a tragedy illustrated the severity of the city's plight. A 23-year-old Rutland man passed out while driving through downtown, as a result of inhaling gas from an aerosol can. His foot remained on the accelerator, and, moving at 80 miles per hour, he slammed into a bank of parked cars outside the Discount Food and Liquidation Center. Carly Ferro, a 17-year-old Rutland High School senior, had just worked a shift in the store and was walking to her father's car when she was struck and killed.

''That was the tipping point,'' Baker said. ''That was the single incident where people in the community said they had finally had enough and starting rallying around the police department and the neighborhoods.''

To tackle Rutland's growing list of urban ills, Baker and a few others organized regular meetings with housing agencies, social workers, neighborhood activists, lawyers, mental health experts, educators and city hall workers.

The group that formed called itself Project VISION—Viable Initiatives and Solutions through Involvement of Neighborhoods—and focused on problems related to drugs, crime, housing and jobs. Its monthly meetings, which attracted 70 to 100 people, helped build public support for a methadone clinic that opened earlier this year, among other initiatives.

Seeking further collaboration, Baker invited mental health workers, social workers, prosecutors, probation officers and domestic violence experts to relocate their offices to the police station.

Meanwhile, inside the police force, the chief aimed to strengthen relations with residents and institute smarter enforcement. He helped create a crime-mapping project that plotted the details of every police call—whether for a family fight or a noise disturbance—into a database. Every two weeks, officers and members of Project VISION reviewed ''hot spots'' and developed strategies to defuse them.

Baker also instructed his officers to stop measuring success by arrest numbers. ''We're not focused on arrests or how much drugs were seized, but on working through problems,'' Baker said.

When his first six-month contract was up, Baker signed a one-year extension, then two more, the last of which paid him $125,000 a year. ''I saw some opportunity, that I thought I could contribute,'' Baker said. ''I found out there were some people in the community working very hard to get it right.''

Among them was Linda Justin. A Rutland native who had become increasingly distraught by the city's decline, she and her husband, Bill Beckim, cashed out their 401(k), bought a derelict building in Rutland's Northwest neighborhood, and in January 2013 opened the Dream Center, where they host youth groups, prayer sessions, meetings, block parties and free meals. One day, Justin called Baker looking for an answer to a neighbor's question.

After talking for a while, Baker realized, ''Oh my gosh, you guys are doing what we're talking about doing,'' the chief recalled.

Baker started to join Justin and Beckim on their neighborhood walks, chatting with residents about problems and their ideas for making things better. ''He doesn't just sit in his office and direct,'' Justin said. ''He gets his hands right in it. He's a real person. He's down-to-earth.''

And while no one is declaring victory, officials say Rutland is improving. Calls for police service have dropped since Project VISION launched, and Baker said the department is registering double-digit drops in burglaries and property crimes this year.

Rutland police have had a lot of help. Federal authorities conducted a three-year operation in the city and have been responsible for most of the prosecutions against prominent drug dealers operating there. Vermont Attorney General Bill Sorrell tasked one of his prosecutors to focus exclusively on Rutland; assistant attorney general Ultan Doyle works out of the downtown police station.

Its porn scandal may be over, but the department still isn't perfect.

In September, two officers were suspended after a brawl outside a Rutland bar.

In a pending lawsuit filed in January 2013, Andrew Todd, a former Rutland police officer and now a Vermont State Police trooper, describes a culture of police misconduct and cover-ups, and alleges that superiors subjected him to racial abuse.

Todd, who is African American, claims he brought several concerns to higher-ups but that little was done. The alleged misconduct, including officers stealing, having sex and sleeping while on duty, occurred before Baker came to Rutland. Though Todd left the department before Baker arrived, he has alleged that Baker tried to ''influence'' an outside review of the Rutland police department.

Baker declined to comment on the lawsuit.

In three years, nearly half of the department's roster has turned over, through firings and attrition. Baker says he is proud of the holdovers who were willing to adapt to his methods. ''It would have been very easy for those folks to bunker down, wait me out,'' Baker said. ''My track record is pretty clear—I don't stay anywhere very long.''

The mayor is intent on continuing Baker's legacy. Guiding the search for a new chief, Louras said, will be his or her ability to adopt Baker's methods.

That includes the continuation of Project VISION. In recent months, Baker handed off much of his work there to Capt. Scott Tucker. The community agencies that populate the top floor of police headquarters aren't going anywhere. And the monthly Project VISION meetings still attract a crowd.

''You can't lead,'' Baker said, ''if no one is following you.''

THANKING CURRENT AND PAST DEMOCRATIC STAFF OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I rise to thank the current and past Democratic staff of the Senate Select Committee on Intelligence for their hard work and diligence on the Committee Study of the Central Intelligence Agency's Detention and Interrogation Program.

Committee staff spent 7 years preparing the report, going through more than 6 million pages of documents and writing a final report that is over 6,700 pages, including 38,000 footnotes. Staff worked incredibly long hours over many years and sacrificed time with their families and friends. They overcame significant obstacles to put out this report. They took no short-cuts in their research. And they took no liberties with the facts.

The staff produced a report of historic importance, which will be studied for many years to come. Because of their work, the true facts about the CIA's interrogation program under President Bush are now available for all Americans to understand. Because of their work, we as a country can commit that never again will we repeat

these mistakes. This report, and the work of the staff, is an outstanding example of the constitutional oversight role that the Senate can and should play.

I want to particularly thank David Grannis, the committee's staff director and Daniel Jones, the lead staffer and author of much of the report. Many other committee staffers past and present participated in producing the report including: Evan Gottesman, Chad Tanner, Alissa Starzak, Nate Adler, Jennifer Barrett, Nick Basciano, Michael Buchwald, Jim Catella, Eric Chapman, John Dickas, Lorenzo Goco, Andrew Grotto, Tressa Guenov, Clete Johnson, Michael Noblet, Michael Pevzner, Tommy Ross, Caroline Tess, James Wolfe, and Andy Johnson.

REMEMBERING JUDY BAAR TOPINKA

Mr. DURBIN. Mr. President, today I pay tribute to one of Illinois' great pioneers, State Comptroller Judy Baar Topinka. Judy passed away suddenly last night at the age of 70. She was the only woman in our State to hold two State constitutional offices, and her leadership built bridges for countless women.

Born in 1944 to William and Lillian Baar, Judy and her family lived in Riverside, near Cicero and Berwyn, two blue-collar Chicago suburbs. Her mother ran a real estate business while her father fought in World War II. She went to Northwestern University and graduated with a degree in journalism from the university's Medill School in 1966.

Judy became a reporter for a suburban Chicago newspaper chain and rose through the ranks to editor. But in 1980, she decided to run for the Illinois House. She said she ran because the corrupt officials were ignoring the community.

Her trademark humor and her work ethic served her well and she went to serve as State senator from 1985 until 1995. In 1994, she became the first woman in Illinois history to hold the post of State treasurer and then went on to set another first as the only State treasurer to be reelected to three consecutive terms. Judy was a consummate public servant. A few weeks ago, she was re-elected as State comptroller and was about to start her second term.

Judy never shied away from taking tough stands or making the hard decisions. When it was not popular among many in her party, she was an advocate of women's rights and gay rights. When both parties needed to be held accountable, she was fearless. She was always a straight talker.

She was one of a kind. Judy could play the accordion, and she spoke four languages—English, Czech, Spanish, and Polish. She loved dance polkas and really was Illinois' Polka Queen. Anyone who knew her also knew about her beloved dogs and their preference for McDonald's cheeseburgers. In an era where far too many are stuck on talking points, Judy said what she thought and did it with style.

In a political world of cocker spaniels she could be a bulldog taking a bite out of both Democrats and right-wing Republicans without missing a beat. She was a blue-collar, immigrants' kid who lit up the room with her quick wit and boundless energy.

Illinois lost someone special. My prayers and thoughts go out to her son Joseph, her new granddaughter Alexandra Faith, and the rest of her family.

NOMINATION OF THO DINH-ZARR

Mr. CORNYN. Mr. President, today I address the Senate on the nomination of Dr. Tho ''Bella'' Dinh-Zarr of Texas to be a Member of the National Transportation Safety Board, NTSB.

Dr. Dinh-Zarr is uniquely qualified to serve as a Member of the NTSB. Dr. Dinh-Zarr currently holds the position of Director of the U.S. office of the FIA Foundation, an independent nonprofit charity based in the United Kingdom which supports activities that promote international road safety research and sustainable mobility. I have been informed that, prior to assuming her current role, Dr. Dinh-Zarr also served as the Foundation's Road Safety Director from 2007–2014. Dr. Dinh-Zarr has extensive professional experience with traffic and highway safety issues, working previously as Director of North America's Make Roads Safe Campaign for Global Road Safety, a scientist at the National Highway and Traffic Safety Administration, and as National Director of Traffic Safety Policy for the American Automobile Association.

I would like to highlight some of Dr. Dinh-Zarr's connections to our shared home State of Texas—in particular, her education and work experience at some of our well-known academic and research institutions. Dr. Dinh-Zarr and her family escaped Vietnam in 1975, eventually taking up residence along the Gulf Coast in Galveston, TX. From an early age, Dr. Dinh-Zarr developed an awareness of the region's extensive multi-modal transportation network and the importance of rail, marine, and pipeline safety in her community. One of her first jobs was working at the Galveston Railroad Museum, an institution dedicated to preserving the region's storied history of rail transportation through educational exhibits and programs. Dr. Dinh-Zarr earned both a Masters of Public Health and a Ph.D. in Health Policy and Injury Prevention from the University of Texas School of Public Health. She is a graduate of Rice University and worked as a Research Associate at the Texas A&M Transportation Institute, TTI, widely recognized as one of the premier transportation research agencies in the country.

The NTSB plays a critical role in advancing transportation safety. The agency is charged with investigating transportation-related accidents and making recommendations aimed at preventing future events. In order to best meet its goal of improving safety across our Nation's transportation system, the NTSB must ensure safety recommendations are reasonable, balanced and evidence-based. The agency's investigative and advocacy responsibilities must be considered in light of the unique and diverse safety challenges confronting our States, where innovative and tailored solutions can often more effectively reduce or eliminate the likelihood of future incidents or injury versus a one-size-fits-all approach. Toward this end, NTSB must place a high priority on transparency and accountability, working to ensure communities, individuals, small businesses, and all others impacted by its work are provided adequate opportunities to be heard.

I am confident that Dr. Dinh-Zarr is up to the challenge. She will not only bring to the position a wealth of knowledge and experience, but also a Texan's sense of compassion and dedication to the service of others. I am pleased to join her friends and family, members of Vietnamese American community in Texas and across the country, and many others in support of this well-qualified nominee.

INSURANCE CAPITAL STANDARDS CLARIFICATION ACT OF 2014

Ms. COLLINS. I ask unanimous consent to engage in a colloquy with Senators BROWN and JOHANNS.

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

Ms. COLLINS. Mr. President, in June of this year the Senate passed by unanimous consent, S. 2270, urgent legislation I introduced with Senators BROWN and JOHANNS to address the capital requirements that apply to insurance companies under Federal supervision pursuant to the Dodd-Frank Act. This legislation clarifies the Federal Reserve's authority to recognize the distinctions between banking and insurance when implementing section 171 of the Dodd-Frank Act, ensuring that bank-centric capital standards are not applied to such companies' regulated insurance activities.

One of the central elements of the Dodd-Frank Act was stronger capital rules for both banks and certain non-bank financial institutions. Two sections of the Dodd-Frank Act accomplished this—section 165, which applies to large bank holding companies and to non-bank systemically important financial institutions, SIFIs, and section 171, which applies minimum capital standards to insured depository institutions, depository institution holding companies, including insurance savings and loan holding companies, and to SIFIs.

Insurance companies, specifically insurance savings and loan holding companies, are different from banks. Insurers must match long-term obligations

to their policyholders with long-term assets, mostly bonds, while banks have more callable obligations—securities and loans and mortgages—and fund them with deposits as well as a mix of debt and equity of varying maturities and durations. The Dodd-Frank legislation reflected this reality, both in its text and in the legislative history, which repeatedly recognizes that the business of insurance is unique and presents different risks.

Mr. BROWN. I and other original cosponsors and strong supporters of S. 2270 have, like you, been disappointed by the regulators' failure to recognize that they have the authority to implement the Collins amendment as it applies to insurers in a manner that tailors the capital requirements for insurers to reflect the substantial differences between insurers and depository institutions. We continue to believe that the regulators could solve this problem using their existing authority. This legislation shows that there is strong bipartisan support for addressing this issue. As you know, 31 of your colleagues and I cosponsored the bill, and the legislation passed the Senate with unanimous support in early June.

S. 2270 is narrowly crafted to only address this issue as it relates to insurance companies and insurance savings and loan holding companies. If you are a bank, or another entity that owns a bank, you will be subject to the full force of the Collins amendment for your banking activities. At the same time, if you are a financial organization engaged in insurance which is also engaged in bank activities, including derivatives market making, those activities would be subject to the Collins amendment.

To accomplish the goal of directing the Federal Reserve to tailor rules for insurance, our legislation permits the Federal Reserve to create a non-Basel III regime for the insurance operations of supervised entities. The legislation allows the Fed to work with State insurance regulators to develop appropriate insurance-based capital standards for insurance activities.

Mr. JOHANNS. I am an original cosponsor of this legislation and appreciate your long-standing partnership on this issue. The bill clarifies that, in establishing the minimum leverage capital and risk-based capital standards under section 171, the Federal Reserve Board is not required to include activities or companies that are engaged in the business of insurance and are subject to State insurance regulation, including State insurance capital requirements. Similarly, regulated foreign affiliates or subsidiaries engaged in the business of insurance and subject to foreign insurance regulation and foreign insurance capital requirements that have not been deemed to be inadequate also may be excluded from section 171 capital standards. We believe it is worth noting that the Government Accountability Office found that the State risk-based capital rules performed well during the financial crisis.

The bill allows the insurance capital requirements that have been effective to continue to determine the capital requirements for the activities of insurance companies and groups that are supervised by the Federal Reserve Board. Furthermore, activities of a holding company supervised by the Federal Reserve Board that are not the business of insurance would remain subject to the capital standards under section 171. In determining insurance versus non-insurance activities of a supervised entity, the legislation provides regulators with the flexibility to tailor the rules for certain affiliates or subsidiaries of insurance companies that are necessary to the business of insurance, including, for example, affiliates or subsidiaries that support insurance company general and separate accounts.

Our legislation defines ''business of insurance'' by reference to section 1002 of the Dodd-Frank Act, and under this definition the business of insurance means ''the writing of insurance or the reinsuring of risks by an insurer, including all acts necessary to such writing or reinsuring and the activities relating to the writing of insurance or the reinsuring of risks conducted by persons who act as, or are, officers, directors, agents, or employees of insurers or who are other persons authorized to act on behalf of such persons.'' The reference to this definition of the ''business of insurance'' will help ensure that insurance activities of federally supervised companies are subject to tailored capital rules, whether those activities are undertaken by the insurance companies themselves or by their affiliates or subsidiaries on their behalf.

Ms. COLLINS. We also want to ensure that the Federal Reserve uses its authority to tailor capital rules for insurance operations of entities under its supervision, regardless of the size of the subsidiary insured depository institution. As we have stated, under this legislation and under current law, the Basel banking regime and the Collins amendment requirements will continue to apply to all insured depository institutions. It would be at odds with sound public policy and the intent of this legislation for the Federal Reserve to impose a Basel banking capital regime on the entire enterprise of an insurer that happens to also own a sizable insured depository institution—the depository institution in that operation will already be subject to banking rules, but the insurance operations should not be.

Mr. BROWN. Another important provision of our legislation addresses the issue of insurance accounting for a small number of non-publicly traded insurance companies. While every publicly traded company in the United States is required by the Federal Securities laws to prepare consolidated financial statements under Generally Accepted Accounting Principles, GAAP, all insurance companies in the United States—whether in mutual or stock form of organization—are required by their State insurance regulators to utilize an accounting method known as Statutory Accounting. Indeed, most mutual insurance companies only use Statutory Accounting in preparing their financial statements.

Statutory Accounting Principles, SAP, are generally more conservative than GAAP because they are specifically designed to promote insurer solvency and the ability to pay claims instead of measuring an insurer's value as a going concern. SAP does not allow a number of non-liquid or intangible assets to be included on an insurer's balance sheet and provides less favorable accounting treatment for certain expenses. In both the text of the Dodd-Frank Act and its legislative history, Congress recognized the acceptability of SAP for holding companies engaged in insurance activities coming under Federal Reserve jurisdiction. Specifically, Congress 1) directed the Federal Reserve to rely on existing reports and information provided to State and other regulators (which for insurance companies would have been prepared according to SAP); and 2) included Senate report language stating that Federal Reserve assumption of jurisdiction over savings and loan holding companies engaged in the business of insurance did not reflect a mandate to impose GAAP. However, in proposed rulemakings, the Federal Reserve expressed its intention to require all companies to eventually prepare GAAP financial statements-consistent with their existing model for all bank holding companies. Imposing such a mandate on companies using only SAP would cost insurers a substantial amount to take on multi-year financial projects yielding minimal, if any, supervisory benefit to regulators.

S. 2270 makes clear that under Section 171 of the Dodd-Frank Act and the Home Owners' Loan Act, such a mandate is inappropriate where the holding company is a non-publicly traded insurance company that is only required to prepare and file SAP statements. Nothing in this provision prevents the Federal Reserve from obtaining any information it is otherwise entitled to obtain from a SAP-only insurer.

Ms. COLLINS. Mr. President, I and the many other supporters of S. 2270 are pleased that this legislation has passed the Senate. It is critical that this legislation be enacted this year. We look forward to its enactment this year and working with regulators as they implement appropriate, tailored capital rules for insurers under their supervision.

NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT

Mr. HATCH. Mr. President, I applaud the passage of the Newborn Screening Saves Lives Reauthorization Act.

Across the United States, newborns are screened routinely for certain genetic, metabolic, hormonal and functional disorders. Most of these birth defects have no immediate visible effects on a baby but, unless detected and treated early, they can cause serious physical problems, developmental disability and, in some cases, death.

Fortunately, most infants are given a clean bill of health when tested. In cases where newborns are found to have metabolic disorders or hearing impairment, early diagnosis and proper treatment are crucial in making the difference between healthy development and lifelong infirmity.

Newborn screening has been saving lives for more than 50 years, but programs vary from State to State. To address disparity among States' newborn screening capabilities, Congress passed the original Newborn Screening Saves Lives Act of 2008, P.L. 110–204, legislation I sponsored with Senator Chris Dodd. The law established national newborn screening guidelines and helped facilitate comprehensive newborn screening in every State in America and the District of Columbia.

Before passage, some States offered as few as only four of the recommended tests, and only 11 States and D.C. required the recommended screening for all disorders. Today, 42 States and D.C. require screening for at least 29 of the 31 treatable core conditions, and both parents and physicians are more aware of the availability and necessity of newborn screening.

To maintain the important work of newborn screening programs, I am a proud sponsor of the Newborn Screening Saves Lives Reauthorization Act of 2013. This legislation will allow States to continue improving their programs to help medical providers promptly diagnose and treat conditions which could result otherwise in irreversible brain damage, permanent disability, or death.

I very much appreciate and commend the hard work of my colleagues and their staffs here in the Congress, the administration, and the public health community to ensure that this program will continue to help States provide critical, timely, and lifesaving newborn screening for our youngest Americans.

DODD-FRANK REFORM

Mr. LEVIN. Mr. President, 14 years ago, Congress made a grave mistake. In the dead of night, as part of the Consolidated Appropriations Act of 2001, Congress passed a little-noticed provision that prohibited all meaningful oversight and regulation of swaps, which then were the latest financial product in the fast-growing financial derivatives market. In that new regulatory void, the swaps markets grew to unprecedented size and complexity. It was the swaps market that ultimately lead to unprecedented taxpayer bailouts of some of the largest financial institutions in the world.

Some have estimated that the cost of the last crisis was $17 trillion—with a ''t''. To the families across the country, it meant lost jobs, home foreclosures and reduced home values for those who did not lose their homes. Far too many of my constituents, far too many Americans, are still struggling to recover. It was all enabled by Congress passing a financial regulatory provision with little consideration, tucked inside a funding bill.

We enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act, in part, to address the significant risks posed by swaps and other financial derivatives. Section 716 was a key component of the financial reforms. That provision is titled ''Prohibition Against Federal Government Bailouts of Swaps Entities.'' It explicitly prohibited taxpayer bailouts of banks that trade swaps. It set out a plan to help achieve that goal, by requiring bank holding companies to move much of their derivatives trading outside of their FDIC-insured banks.

This provision has come to be known as the ''swaps push out'' provision. Four years after its enactment, however, banking regulators have yet to finalize a rule to enforce compliance. Before they do, some in Congress want to relieve them of the obligation altogether.

Some of the largest bank holding companies prefer to conduct their swaps trades in their government-backed, FDIC-insured banks because they have better credit ratings, which means lower borrowing costs and therefore higher profits. But because the activity is within the bank, it puts the Federal Government—and taxpayers—directly on the hook for those bets that, as we saw in the financial crisis, can be unlimited in number, because banks can create an unlimited number of ''synthetic'' derivatives related to a particular financial asset.

A couple years ago, JPMorgan Chase lost billions of dollars on a bad bet in the credit derivatives markets. The Permanent Subcommittee on Investigations, which I chair, conducted an extensive investigation and issued a 300-page bipartisan report with its findings. JPMorgan's risky trading by its bank was a disaster—costing the bank over $6 billion. It was receiving the taxpayer subsidy the whole time.

To be clear, Section 716 does not cure all the risks posed by swaps. But it was an important part of the effort to protect us from another crisis. Along with the creation of the Consumer Financial Protection Bureau and the Merkley-Levin provisions on proprietary trading and conflicts of interest, these reforms form the backbone of the Dodd-Frank Act's safeguards.

By repealing this provision, we would ignore the lessons of the last financial crisis and weaken Dodd-Frank's protections against the next crisis.

American families and businesses deserve better than this. If there are provisions in the Dodd-Frank Act that need to be improved or reformed, the appropriate Senate committees should review, evaluate, and modify them. They should be given time on the Senate floor for further review and improvement. The proponents of this legislation should explain why they think that deregulating swaps—before we ever started re-regulating them—is the right course of action. They should explain why taxpayers should run the risk of bailing out risky swaps trades gone bad. They should explain why, despite the loss of millions of jobs and trillions of dollars the last time Congress deregulated derivatives, this time will be different. A legislative vehicle is the right place for considering these issues, not an urgent appropriations bill.

TRIBUTES TO DEPARTING SENATORS

SAXBY CHAMBLISS

Mr. ENZI. Mr. President, as the current session of Congress comes to a close it is our custom to take a moment to express our appreciation for the service of our colleagues who are retiring and will not be with us when the next session begins in January. We will miss them all. Over the years their experience and insights on a number of issues have been a very valuable part of our debates and deliberations.

I know I will especially miss SAXBY CHAMBLISS. His work here on the floor and in his committee assignments has played an important role in our consideration of a number of issues over the years. Simply put, he has been a great champion for conservative causes during his service in the House and Senate and he has made a difference for his constituents in many, many ways. He is a man of principle and he has a great gift for expressing his viewpoint in a thoughtful, clear and interesting manner. He is so persuasive, in fact, that even if you disagree with him he makes you take a moment to reconsider your position just to be sure you have not missed something.

Before he began his years of public service to the people of Georgia, SAXBY proved to be the kind of individual who would have been a success at just about anything he decided to pursue. Fortunately, the path he chose to follow in his life brought him to the Nation's capital to represent Georgia—first in the House of Representatives and later in the Senate.

SAXBY served four terms in the House. It was a challenge that he enjoyed because it gave him a chance to sit on the committees that were taking a closer look at our intelligence organizations to be certain they would be ready to face any future threats to our national security. Georgia was proud to see that they had elected someone to Congress who was hard not to notice. He did such a good job, in fact, he was encouraged to run for the Senate.

When he arrived in this chamber, he had already established himself as one

of our leading conservative voices. That did not surprise any of us. He has a calm, even way of expressing himself and articulating how his principles play out in whatever issue we have before us.

One great attribute that SAXBY brought with him to his work in the Congress was his willingness to work with people who did not always agree with him. He knew there would come a time when they would agree with him on something no matter how many times they had disagreed in the past. When the situation presented itself that was what he would focus on.

Simply put, SAXBY believes very strongly in making progress and getting results. He is not all that concerned about who gets credit for it. As the old adage reminds us, for SAXBY, it is all about leaving things a little better at the end of the day today than they were yesterday.

Over the years SAXBY has always found a way to make progress no matter how rough the road seemed to be. It has been one of the guiding principles behind SAXBY's 20 years of service. His commitment to moving forward has enabled him to leave his mark in Georgia and throughout much of the United States.

Now that this chapter of SAXBY's life has come to a close, I am not sure what he has planned for his next great adventure. He just does not strike me as someone who will be content to sit on the sidelines. I am sure we will be hearing from him from time to time with some words of encouragement and support—and a suggestion or two. In fact, I am looking forward to it.

SAXBY, thank you for your service in the House and the Senate. In your 20 years of service in the House and the Senate you have not only been a witness to the history of your home State of Georgia and our Nation, you have helped to write it. Because of you the Nation is stronger, safer and more secure. Yours is a record of leadership of which you should be very proud.

Diana joins in sending our best wishes to you. From one Sigma Chi brother to another, you have made a difference because you have always led the best way—by example. What others are content to talk about you have stepped up to do the work needed to get the job done and because of that you have been able to make a difference—an important and long lasting one.

MIKE JOHANNS

Mr. President, as the current session of Congress comes to a close it is our tradition to take a moment to express our appreciation for the faithful service of those of our colleagues who will be returning home at the end of the year. We appreciate their hard work and great service on behalf of their home States and our Nation. We will miss them and the thoughtful suggestions and good ideas they have brought to our deliberations on the issues before us.

The word ''service'' brings to mind one of our retiring colleagues, MIKE JOHANNS. MIKE has followed a path that has brought him from his service as the Mayor of Lincoln, to his post as the Governor of Nebraska, on to serve in the President's Cabinet as Secretary of Agriculture and then on to the floor of the United States Senate. He has made important contributions at each post and now, as he has decided with the support and guidance of his family, ''it is time to close this chapter in his life.''

As a former mayor myself I have a great deal of regard for MIKE and his commitment to the people that he has served for many, many years. He has a great understanding of his home State of Nebraska and the workings of its State and local government. He understands the challenges that face his home State in the present, and the hopes and dreams of the people of Nebraska for the future.

It did not take long to discover that MIKE is a workhorse, not a showhorse. He is not someone to land on a weekend talk show every week talking about what needs to be done—he would rather be in committee or on the floor every day doing it. In everything he did MIKE always brought along an abundance of Nebraska common sense. He used that special gift of his and his varied background as a starting point for finding common ground and a workable solution on a number of issues that would be acceptable to all.

During his service in the Senate it has been good to have a neighbor to work with who understands agriculture and our rural way of life. He has been a great help in making the case clear to the Congress about the difference between living on a farm and living in a big city or town.

That is why I will not be the only one who will miss him. Our rural communities in the West will miss his ability to understand the problems of rural America and what should be done to address them.

MIKE has also been one to focus on the money side of each issue that came to the Senate. He knows how important it is for us to get a handle on our Nation's finances to ensure that our children and grandchildren will not have to clean up the financial mess we are going to leave them if we are not careful. MIKE has said that our failure to act will cause our financial problems to appear sooner than we might think.

I am sorry to see MIKE go when there is so much to be done that could use his understanding not only of the issues, but from his experience, the impact they will have on the local, State and national level.

Still we know where to find him whenever we could use some of his Nebraska-rooted common sense. Thanks, MIKE, for your service to the State of Nebraska and to our Nation. You can be proud of what you helped to accomplish and the seeds you planted that will lead to more accomplishments in the years to come.

Thanks for your leadership and thanks for your friendship, too. Diana joins in sending our best wishes to you and our appreciation for all you have done. Please keep in touch with us. We will always be pleased to hear from you.

CARL LEVIN

Mr. President, once again, as is our tradition here in the Senate, we take a moment to express our appreciation for the service of those Members who will be retiring at the end of the year. We will miss them, their good ideas and thoughtful suggestions, and their concern and active involvement in the challenges facing our Nation in a number of areas.

It is hard to mention the word ''service'' and not have CARL LEVIN come to mind. As a former local official myself, I have a great deal of respect and regard for all those who have worked their way up from the local level to the Senate.

For CARL the great adventure of his political life began with his service on the Detroit City Council. During his 8 years on the council *Carl* probably had enough run-ins with the Federal bureaucracy that he decided he had to do something about it. For him that meant a run for the Senate.

CARL's election and his subsequent service in the Senate have shown him to be quite an effective legislator and a force for the positions he has taken on a long list of issues. He has been a Member of the Senate since 1979 and he has hit a number of milestones since then that reflect the length and production of his service.

It is important to emphasize that CARL's service in the Senate has never been about longevity, it is been about results. That is why he has been a part of so many issues that needed someone with his talents, skills and abilities to help move them through. Such an issue has been his great support for our Nation's military and our veterans.

CARL has been working for the benefit of those who have served in our Armed Forces since he first walked in the door of the Senate. Determined that they reap the benefits they have earned with their service, CARL joined the Armed Services Committee to ensure our military and our veterans were getting what they deserved and required both during and after their service.

That is one of the main reasons why he is currently serving as the Chairman of our Armed Services Committee. He wanted to make a difference for those who were sacrificing so much to serve in our Nation's military. I don't think our servicemen and women—and our Nation's veterans—have ever had a better friend than CARL LEVIN.

Now he is closing the chapter of this great adventure of his life. With his service he has made a difference in more ways than I could ever hope to mention in my brief remarks. In the process CARL has touched more lives for the better than we will ever know with his commitment to the day-to-day

issues that affect us all—like education, the environment and health care. He has had an impact on his home State and our Nation that will be felt for a long time to come.

Thank you, CARL, for your service in the Senate. I know I join with the people of Michigan in expressing our appreciation to you for dedicating so much of your life to making our Nation a better place for us all to live. That is why your constituents have always been there to express their appreciation of your work here in the Senate with their votes. That is also why no other Senator has ever represented Michigan as long as you have.

Diana joins in sending our best wishes to you for all you have accomplished and for your close and personal attention to the needs of our Armed Forces and the concerns of our veterans. Thanks, too, for your friendship. We will miss you, but I am certain we will be in touch.

TOM HARKIN

Mr. President, it is hard to believe how quickly this session of Congress has come to an end. Before that final gavel brings it to a close, however, it is good to have this time to express our appreciation for the service of those Members who will be retiring at the end of the year. They all have a lot to be proud of—from their first speech here on the floor to their representation of their State over the years.

Those words can not help but bring to mind TOM HARKIN. I have had a chance to come to know him and work with him as the Chairman of the health committee. I have been very impressed with his dedication to his work and his determination to make a difference for the people who voted to hire him on for the job—and all Americans in all of the States.

I think one of the reasons why we were able to work together has to do with his Wyoming background. TOM spent some of the best years of his life in Rock Springs and I can not help but think that his time there made a big difference in his life.

TOM has quite a remarkable record of service to the people of Iowa and it is clear they feel the same about him. They have sent him back to the Senate to serve as their representative for five terms in the House and five terms in the Senate. During his service in the Senate I appreciated having the opportunity to work with him as the ranking member of the committee. In addition, the leadership he has provided the committee as chairman has enabled him to take an active role on issues that will have an impact on his home State and the rest of the country for many years to come.

If I were to name just a few of the issues on which TOM has made a difference I would begin with his work on behalf of those living with disabilities that resulted in the passage of the Americans with Disabilities Act. TOM's groundbreaking legislation was written to help ensure all Americans would have an opportunity to lead more fulfilling and productive lives. In the days to come, his work on this issue will continue to provide the support that will help those living with disabilities to work toward their goals in life—and achieve them.

I also wanted to point out his work with our education system. TOM understands the importance of a good education and the difference it makes in young lives—today and tomorrow. Thanks to his hard work and determination students of all ages have a new appreciation for the fact that an education consists of more than just a few years in a classroom—it is a lifelong adventure, a journey that never ends because there is always something new to learn, some new skill that will make someone a more valuable member of the workforce.

I am sure he has heard it before but it is pretty clear that TOM HARKIN is Iowa, through and through. He has devoted so many years of his life to the people of his State and they are greatly appreciative of his efforts—and the results he has been able to achieve.

Now, as TOM has made clear, it is time for someone else to step up to the plate and continue the work he has begun on so many issues. There is no question that you will be a difficult act to follow. For all those years TOM's heart and soul has been in Iowa while his mind and his focus has been in the nation's capital, working to make Iowa a better place to live.

Now TOM's remarkable career in the House and the Senate has come to a close and this chapter of his great adventure of serving the people of Iowa here in Congress has concluded. While we did not always agree on the best way to get things done we always agreed that we needed to focus on what we could do to have the greatest impact on the lives of Americans all across the country. Fortunately, I think we succeeded in many ways and TOM will be remembered for those positive results—and so many more.

One last TOM HARKIN memory has to do with his popcorn tradition. I know I am not the only one who hopes it will continue. I do not think a single visitor to your office or that section of the building will ever forget the wonderful aroma your Iowa popcorn sent all around the area. For visitors from back home it must have been a touch that made them feel right at home. It was just more proof that you never lost sight of the people back home and they loved you for that.

Thank you, TOM HARKIN, for all you have brought to the House and the Senate over the years. You have made it clear what the people of Iowa expect from their government and what you were working so hard to achieve for them. Thank you for your service, thank you for your dedication to making our Nation a better place to live and most of all, thank you for your friendship. You have not only been a witness to the history of your State and our country, you have helped to write each chapter over the years. In the days to come your achievements will continue to inspire the next generation of our leaders who will want to do what you have done. I am sure they can count on you for your insights, suggestions and advice. Diana joins in sending our best wishes to you.

MARK PRYOR

Mr. President, it is one of the Senate's great traditions at the close of each session of Congress to take a moment to note the service of those of our colleagues who be leaving the Senate at the end of the year. It is a time for us to express our appreciation to our fellow Senators for their service and share what we have learned from them as we worked together to make a difference in our states and in our nation.

I have often thought that MARK has one great overriding rule that has guided him in his work in the Senate, ''Is this what the people of Arkansas sent me here to do?'' More often than not the answer to that question has helped him to develop a strategy to get things done that were designed to make his home State and our nation better places to live.

Ask just about any one of us here in the Senate what has made MARK PRYOR such an effective legislator and you will get the same answer—bipartisanship. In fact, he was so good at it, we might need to come up with a different word to explain his strategy, something like Pryor-itize. For MARK, the best way to get things done was to get everyone involved—all parties, all sides of an issue, and representatives of every point in between—together and then take the best of what everyone had to offer to form a coalition that would bring his legislative effort to a successful conclusion.

That is why both parties would often try to recruit him for their legislative projects. Each party knew he had a great ability to persuade that would help to bring other members together to support their efforts.

I have often said that serving in the Senate is a great adventure. If it were anything else, it would be too much like work and too hard a job to take on. Because it is an adventure it is something more—it is a chance to take on the greatest challenge there is, leaving the world a better place than we found it when we first walked through the doors of the Senate, and find new, creative, and inventive ways to make it happen.

As he closes this chapter of his life, his Senate adventure, MARK can be very proud of his efforts, and his successes over the years. He has a great deal to be proud of and I hope it brings him the satisfaction that comes from knowing he has taken on a difficult job and done it well.

I know I will miss seeing MARK around campus here in Washington, DC. I will miss his willingness to help on those tough challenging issues we always seen to have before us. I will also miss his words of faith and determination that he would share with us during our prayer breakfasts.

I hope you will keep in touch with us in the days to come with news of your next great adventure in life. Thank you for your service to our country, thank you for your focus on making Arkansas and our nation better places to live, and, most of all, thank you for your friendship. Good luck in all your future endeavors. God bless.

TIM JOHNSON

Ms. HEITKAMP. Mr. President, I rise today to honor my friend and colleague from South Dakota, Senator TIM JOHNSON, who is retiring at end of this year. TIM has an impressively long career in public service, representing his home State of South Dakota in Congress for the last 28 years.

TIM is often described as ''a work horse, not a show horse,'' and with good reason. His values, passion and work ethic are reflected in the projects he has championed and the constituent services he has provided for the people of South Dakota. Following his AVM in 2006, Senator JOHNSON came into the national spotlight which he so seldom sought. All were inspired by his perseverance and dedication to the people of South Dakota to return to do the work he loves, and the Senate has been better for it.

As a member of the Senate Energy and Natural Resources Committee, TIM championed important water projects to bring clean drinking water to rural communities and Indian reservations, pressed for the development of renewable fuels, and supported efforts to build vital infrastructure throughout rural America. Through his position on the Appropriations Committee, he fought to see these efforts through from planning to completion.

Farmers and ranchers throughout his State could count on TIM to be a strong voice for agriculture, advancing their priorities in numerous farm bills. His leadership on country of origin labeling, COOL, laid important groundwork to support our Nation's producers and ensure consumers know where their food comes from—a fight that continues today.

TIM has also been a champion for veterans, working to improve the benefits they are owed and connecting South Dakota veterans with support and services in their communities. He was able to secure advanced appropriations for the Veterans Administration, providing budget certainty and ensuring access to health care for those who have so bravely served their country.

TIM has a strong relationship with the tribes in South Dakota and is considered a steadfast and valued friend in Indian Country. He has tirelessly pressed for the Federal Government to meet its treaty and trust responsibilities. While significant challenges remain, TIM JOHNSON's legacy as an advocate for Native American issues has improved the quality of life on many reservations. This commitment will be missed both in the Senate and on the Indian Affairs Committee.

Senator JOHNSON brought his passion for rural and Native American issues to the Senate Banking Committee. Under his chairmanship, the work of the committee highlighted the often-overlooked needs in these communities—and he was a champion during our efforts on housing finance reform to make sure they could receive the resources they so desperately need. Strengthening small community banks, improving housing, and reauthorizing critical highway and transit programs are just a few of the initiatives Chairman JOHNSON undertook, and it was a pleasure working under his leadership.

Throughout all of these accomplishments, accolades, and challenges, TIM has remained true to his roots. He has never taken his public service for granted and has always considered it a privilege to serve the people of South Dakota. The impact of his work during his time in Congress will be seen in communities throughout his State for years to come, and he has certainly left his mark on South Dakota politics. I wish him the very best as he and his wife Barbara embark on this new chapter and get to enjoy more time with their family back in South Dakota.

MIKE JOHANNS

Mr. President, I also wish to honor my colleague from Nebraska, Senator MIKE JOHANNS, who is retiring from the Senate at the end of this year. Senator JOHANNS has been a friend since I started in the Senate, and I appreciate his willingness to work with me towards our shared goals. He is one of only two current Senators to have served as a Governor and cabinet Secretary, providing him with a tremendous amount of wisdom on how to get things done. It is his incredible knowledge and strong Midwestern work ethic that I admire most about him.

For more than 30 years, Senator JOHANNS has been a strong voice for the people of Nebraska. His first act in public service was in 1983 as a County Board member in Lancaster County. He later went on to serve as both Councilman and Mayor of Lincoln. He would eventually become Governor of Nebraska and Secretary of Agriculture under President George W. Bush. Senator JOHANNS set no limits to his potential; readily serving in any capacity he could to make our great Nation a better place.

Senator JOHANNS and I serve together on the Agriculture Committee and I greatly admired the thoughtfulness and expertise he brought to the negotiations on the Farm Bill. His knowledge as a former Agriculture Secretary was unmatched and ensured many improvements were made throughout the debate. Senator JOHANNS never forgot about our farmers and always kept his eye on providing them with the best possible outcome he could.

We also had the privilege of working together on the Banking and Housing Committee. He and I worked together with a bipartisan group of committee members to draft and advance legislation reforming the housing finance system to protect the American taxpayer from another bailout and to guarantee that another housing crisis does not happen again. Once again, his voice on behalf of rural America during these talks was critical and something that I greatly appreciated.

Senator JOHANNS has never been about taking credit or seeking the spotlight. He maintained a strong, hard work ethic throughout his time in the Senate and was one who was willing to cross the aisle to get things done. The American people expect that of their representatives, and Senator JOHANNS met those expectations on behalf of Nebraska.

I will miss having him as my colleague in the Senate, but I also know that his wife and family will enjoy the free time they will have with him. I wish him happiness and success in the next chapter of his life.

TRIBUTE TO MICHAEL GAMEL-McCORMICK

Mr. HARKIN. Mr. President, as I approach the end of my Senate career, I cannot help but reflect on the role that my tremendous staff members have played in advancing my policy goals and, indeed, advancing the important work the American people over the years. I have been blessed to have worked with truly remarkable individuals who have worked tirelessly to promote initiatives that will improve the lives of ordinary Americans.

Among my own legislative and policy priorities over the years, none has been greater for me than advancing the rights of persons with disabilities. I am proud and honored to have been the chief Senate sponsor of the Americans with Disabilities Act, the last of the great civil rights laws of the 20th century—one that has correctly been called the Emancipation Proclamation for persons with disabilities. That legislation sought, once and for all, to fully enfranchise people with disabilities and to fully integrate them into the fabric of American life, guided by four great principles—equal opportunity, full participation, independent living, and economic sufficiency. Over the last quarter century, that legislation has resulted in a quantum leap forward in the civil rights and daily quality of life of millions of Americans with disabilities.

However, even with that quantum leap forward, much work remains to be done to advance the rights of people with disabilities both in the United States and around the world. And over the last several years, no one has worked harder to advance this unfinished agenda of disabilities rights than Michael Gamel-McCormick, who served on the Health, Education, Labor, and Pensions Committee as my lead K–12 staffer through the markup of the Elementary and Secondary Education Act and subsequently as a team leader on disability policy.

Throughout his career, Michael has worked to improve the lives of children

and other people with disabilities. He came to the HELP Committee from the University of Delaware, where he was dean of the College of Education and Human Development and where he had previously served as a departmental chair and director of the Center for Disability Studies. Prior to that, Michael served, variously, as director of an early intervention program in West Virginia, director of children's services at an urban community services agency, and as a preschool and kindergarten teacher. Michael also consulted worldwide in helping other countries to establish their own systems to support persons with disabilities and to expand early learning opportunities.

Michael's deep experience and knowledge was evident as soon as he arrived at the HELP Committee. Immediately, Michael became an integral and trusted member of my staff. His initial work on the committee was as an education policy advisor, lead staffer on K–12 education, and an expert on the intersection of education and inequality. His expertise and leadership were critical in crafting and passing in committee the Strengthening America's Schools Act. As an education policy adviser, Michael was also deeply involved in shaping policies to strengthen the education of children with disabilities.

After serving as a senior education advisor, Michael assumed the role of my chief disability policy advisor, spearheading a number of important initiatives, including two important committee reports on persons with disabilities. The first report, on the continued use of seclusions and restraints in our schools, exposed the inappropriate and often dangerous use of physical restraints on and unsupervised exclusion of many children, especially children with disabilities, in U.S. schools. That report was accompanied by important legislation to finally prohibit these outdated and ineffective measures. The second report, ''Fulfilling the Promise: Overcoming Persistent Barriers to Economic Self-Sufficiency for People with Disabilities,'' investigated the barriers that people with disabilities face as they seek to rise out of poverty and enter the middle class. This report found that living with a disability is both economically and socially costly, and that significant barriers—especially logistical barriers and discrimination—continue to stand in the way of the economic security of people with disabilities. Specifically, the report said this:

> Twenty-four years ago, Congress passed the Americans with Disabilities Act. We have been successful at meeting many of the goals of the ADA. We have increased the accessibility of our buildings, our streets, even our parks, beaches and recreation areas. And we've made our books and TVs, telephones and computers more accessible as well. And for many Americans with disabilities, our workplaces have become more accessible as well.
>
> But far too few people with disabilities are in the workforce! The unemployment rate for people with disabilities is 12.8 percent, more than double the six percent unemployment rate for people without disabilities. Of the almost 29 million people with disabilities over 16 years of age, less than 20 percent participate in the workforce compared with nearly 70 percent of those without a disability.

Not content to identify a problem, Michael also seeks to solve them. His most enduring legacy as my disability policy director will be his work to promote the employment of persons with disabilities through the Workforce Innovation and Opportunity Act, which was signed into law earlier this year. That law will ensure that young people with disabilities get the experiences they need to succeed in work settings. To obtain those experiences, the bill requires State vocational rehabilitation programs to work hand-in-hand with local secondary schools. The bill also ensures that employers will have the information necessary to recruit, hire, and retain people with disabilities.

These efforts will directly address the high unemployment rate among people with disabilities, smooth the transition of young people with disabilities into the competitive integrated workforce, and help employers to support their employees with disabilities. I am especially proud of these provisions. And I am very grateful to Michael, who successfully endeavored to enact them in the face of long odds.

I had the good fortune to travel with Michael to China earlier this year, where we sought to identify opportunities for international cooperation on disability policy and to work with the Chinese Government to strengthen its own policies and programs to assist and empower the millions persons with disabilities in that country. On the trip, not only was Michael incredibly helpful and knowledgeable, but he also proved to be a good humored and indefatigable travel partner.

Last and certainly not least, I want to salute Michael's heroic efforts over the past year to advance the Convention on the Rights of Persons with Disabilities. The CRPD, as it is known in shorthand, is a United Nation's treaty modeled after our own Americans with Disabilities Act, with a goal of exporting the same advances enjoyed by persons with disabilities in the United States to countries around the world. The United States has always been a city on a hill when it comes to disability policy, and the CRPD offers an opportunity for us to play a more robust leadership role in advancing disability rights across the globe. Unfortunately, despite broad support for the CRPD among business leaders, faith leaders, and in the disability policy community, the CRPD ran up against significant and, I might add, spurious opposition here in the Senate. In fact, after failing to be ratified in the 112th Congress, the treaty was all but declared dead.

However, at my urging and direction, Michael worked tirelessly to revive the moribund treaty, reaching out to Republicans, enlisting the assistance of business interests and activating grassroots networks around the country in support of the treaty. At the end of the day, the Senate was still not able to overcome the misinformed objections of a number of Senators who blocked consideration of the treaty. But Michael's efforts to resurrect and advance the treaty in the face of daunting odds were remarkable. Thanks to Michael's work, we came closer than ever before to passing the CRPD. I certainly haven't given up the fight to pass the CRPD, and I am grateful to Michael for all that he did to advance the cause of global disability rights.

It is no exaggeration to say that Michael has enriched the lives of countless individuals. Because of his work, young children have been exposed to the rich environments that they need for early learning. Because of his work, young people with disabilities will receive the supports and experiences they need to secure gainful employment. Because of his work, school-aged children will receive developmentally appropriate discipline and direction rather than the cruelty of seclusion and physical restraints. And because of his work, countless individuals with disabilities will work, live, laugh, and flourish in their communities alongside friends, colleagues, and neighbors.

This is a living legacy that Michael Gamel-McCormick deserves to be very proud of. I am deeply grateful for his service to the committee, to the American people, and to me personally. And I wish him great success in his future endeavors on behalf of people with disabilities here in America and across the globe.

TRIBUTE TO BETH STEIN

Mr. HARKIN. Mr. President, in 1997, Beth Stein, a talented young woman armed with a razor-sharp mind and relentless attention to detail, arrived on Capitol Hill as counsel to a true American hero, U.S. Senator John Glenn. As his investigative counsel, Beth played a key role in the inquiry into campaign finance abuses in the 1996 election. And she helped to lead investigations into other critical issues, including food safety, Medicare fraud, waste, and abuse, and the relationship between thyroid cancer rates and exposure to nuclear fallout from Nevada testing in the 1940s. After working for Senator Glenn, Beth went on to serve as election counsel to Representative STENY HOYER and as Judiciary Committee counsel to U.S. Senator MARIA CANTWELL.

The work of a U.S. Senator is only as good as the staff that he or she hires, and in 2004 I was fortunate to convince Beth to join my staff, where she has served ever since. Throughout that time, she has served in a number of different capacities, distinguishing herself in each and every one of them. I owe a debt of gratitude to so many of my staff members across my career,

but I would be remiss if I did not single out Beth for her especially meritorious contributions to my office over the past decade.

Beth began her work in my office as counsel, providing excellent advice on myriad constitutional and civil rights issues, among other things. One of her most noteworthy accomplishments from this time related to the Iowa Army Ammunition Plant, located not far from Burlington, IA. The history of the covert nuclear weapons program at the IAAP is a fascinating one that I could recount for hours. Suffice it to say that for decades the men and women of the Iowa Ammunition Plant worked on a secret nuclear weapons program, handling highly radioactive materials with protective gear of only cotton gloves—gloves that were intended to protect the weapons material from contact with humans, not to protect humans from contact with dangerous radioactive materials.

After my office helped to uncover the long history of dangerous working conditions at the IAAP, we still had to address the needs of hundreds of men and women who were exposed to radioactive materials and to try and help them receive compensation and health care to deal with the high rates of cancer and respiratory disease associated with their work. For years we struggled with various Federal agencies. We tried to seek a legislative fix. We sought an administrative remedy. It was finally under Beth's leadership that the men and women of the IAAP were designated a special exposure cohort, which made them eligible for compensation and medical care to account for medical expenses and lost wages. It is not an exaggeration to say that, but for Beth's efforts, the former workers of the Iowa Army Ammunition Plant might still be waiting on the Federal Government to appropriately compensate them for their service to our nation.

So much did I value Beth's work that when she decided that she wanted to take a step back and spend more time with her kids, I convinced her not to leave the payroll entirely but to stay on to work on special projects. In that capacity, Beth played a critical role in one of my proudest achievements, the Americans with Disabilities Act Amendments Act of 2008. This law was written in response to several Supreme Court decisions narrowing the definition of disability under the Americans with Disabilities Act. These narrow interpretations led to the denial of the ADA's protections for many individuals that Congress intended to protect under the ADA. The ADAAA made a number of changes to restore the intent of the ADA and to ensure that its protections were broadly available to persons with disabilities. Though the ADAAA passed the Senate by unanimous consent, a fact that is a credit to the Senate, one should not take from this the idea that it was easy. It required long negotiations and difficult choices involving Congress, the administration, disability rights organizations, and business interests. Beth played a critical role in these negotiations, deftly managing both the politics and the policy. The result of her steady guiding hand is abundantly clear today: the ADA, as amended by the ADAAA, continues its impact as one of the landmark civil rights laws of the 20th century, the Emancipation Proclamation for Persons with Disabilities.

When I became chair of the Senate Committee on Health, Education, Labor, and Pensions, one of my first acts was to establish an investigative unit to provide critical oversight and investigations work. There was no question in my mind that Beth, with her relentlessness, eye for detail, and penchant for sifting through detritus to reveal the truth, was the person for the job. As my chief investigative counsel, she has delivered time and again, for example, uncovering labor abuses by government contractors that led to a White House Executive order clamping down on such abuses. Beth also played a key role in producing HELP Committee reports on the abusive use of seclusions and restraints in our Nation's schools, on barriers that stand in the way of the economic security of persons with disabilities, and on the rapid growth of e-cigarettes and their marketing.

Most noteworthy was Beth's leadership of the HELP Committee's investigation of abuses in the for-profit sector of higher education. This investigation spanned several years and culminated in the release of a multi-volume report detailing in remarkable detail the abuses by some for-profit colleges—in particular, their misuse of taxpayer funds, their poor educational outcomes, and the need for greater Federal oversight of these schools. This investigation was monumental both in its scale and in its level of detail. Beth oversaw every aspect of this very delicate investigation, which resulted in much greater scrutiny of the for-profit industry and which also put the investigations arm of the HELP Committee on the map.

About a year ago, I asked Beth to return to my personal office to serve as legislative director. In that capacity, she has done yeoman's work managing the legislative staff, helping in the unenviable job of closing our Senate office, and continuing to provide the excellent counsel that had made her indispensable for the past decade. And she has done all of this while continuing in her role as chief investigations counsel for the HELP Committee.

Mr. President, when I was growing up, my parents didn't talk politics. We didn't know politicians. But we knew this: When my family hit rock bottom in the late years of the Depression, with my father out of work and with no way to provide for his family, the government gave us a hand up. Dad got a postcard in the mail notifying him to report for employment with the Work Projects Administration, the WPA. Dad always said that Franklin Roosevelt gave him a job. That opportunity gave my father dignity and enough money to put food on the table, and, maybe most important of all, it gave him hope.

As a proud Midwestern progressive, I have fought to give opportunity and hope to those who truly need it and deserve it, including working families seeking affordable health care and childcare, family farmers struggling to stay on the land, young people paying for college, and seniors seeking financial security in their retirement years.

But I haven't done it alone. Every Senator stands on the foundation of his or her staff, and on my staff Beth Stein has been a rock-solid cornerstone in that foundation. For her counsel, intelligence, and excellent work, and for helping me to be the best servant I can be to the people of Iowa and the United States, for working alongside me to do our best to give people hope, I extend my deepest gratitude to my counselor and friend Beth Stein.

TRIBUTE TO MILDRED OTERO

Mr. HARKIN. Mr. President. As a boy growing up in rural Cumming, IA, population 150, I could never have imagined that I would one day serve in Congress. My father had a sixth-grade education. He spent most of his life working in coal mines, and all he had to show for it was a case of black lung disease. My mother was an immigrant, raising six kids in our little two-bedroom house. My parents did not talk politics. We did not know politicians. But we knew this: When my family hit rock bottom in the late years of the Depression, with my father out of work and with no way to provide for his family, the government gave us a hand up. Dad got a postcard in the mail, notifying him to report for employment with the Work Projects Administration, the WPA. Dad always said that Franklin Roosevelt gave him a job. That opportunity gave my father dignity, and enough money to put food on the table. Maybe most important of all, it gave him hope.

As a proud Midwestern progressive, my career has been guided by a desire to give hope to those who truly need it and deserve it, to provide a ladder of opportunity to working families seeking affordable health care and child care, family farmers struggling to stay on the land, and seniors seeking financial security in their retirement years. There is no rung on the ladder of opportunity more important than education, from rich early learning experiences, to college, and beyond.

As I have endeavored to give people hope and to provide them with a ladder of opportunity, I have not done it alone. I have been blessed to have one of the most capable staffs on Capitol Hill. I rise today to extend a personal thanks to one of the best, my chief

education counsel, Mildred Otero, who has stood stalwartly alongside me in my efforts to secure for every American a quality education from cradle to career.

Mildred came to Washington in 2003 as a Congressional Hispanic Caucus Institute Public Policy Fellow, working for then-Senator Hillary Clinton. Over the years, she has also worked at the Children's Defense Fund, for Senator JACK REED, and at the Department of State. Before joining the Health, Education, Labor, and Pensions Committee, Mildred served as Senior Policy Officer at the Bill and Melinda Gates Foundation, helping to lead its Federal advocacy efforts for U.S. programs.

When she arrived at the HELP Committee, she brought with her sterling credentials, unmatched knowledge of education policy, and a reputation as a tough but fair negotiator. Most importantly, she brought with her a commitment to children and a determination to confront the savage inequalities in America's public education system, and these priorities have been the foundation of all the work that she does. For Mildred, ''leave no child behind'' is not a slogan, it is an imperative, an obligation that motivates her every day to strive to do what is best for the children of our country, especially those who are born into disadvantage.

Mildred's commitment to our children and her determination to extend a hand up to the disadvantaged have borne fruit in significant accomplishments since she joined the HELP Committee.

Foremost among these accomplishments was passage last summer of the Workforce Innovation and Opportunity Act, a bill to update and strengthen our Nation's job training programs. Frankly, to call enactment of this bill an accomplishment is a huge understatement. This is a bill that had been stalled for years due to one disagreement after another, each seemingly as intractable as the next. But for Mildred, what others see as an intractable disagreement is just another challenge to work through with creativity and diplomacy. Work through them she did, one after another, until all that was left was final passage of the bill. It is testament to Mildred's determination, creativity, and skill that the final bill passed by a vote of 95–3. As a result of her work on this bill, millions of Americans will be able to upgrade their skills, obtain better jobs, and ultimately, better their lives and the economic security of their families.

Mildred and her team also successfully guided into the law improvements to the Child Care and Development Block Grant, which allocates more than $5 billion annually and supports more than 1.5 million children across the country. The last reauthorization of this program took place 18 years ago, at a time when child care was principally seen as a work-support activity and only incidentally as something that could have a positive impact on the development of children. Today, backed up by impressive scientific research, we know that this program can and should be much more. In addition to providing vital work support for parents, it should be a rich early-learning opportunity for children. These are exactly the kinds of improvements that Mildred shepherded into law. Among other things, the bill requires States to improve education and training requirements, strengthens licensing requirements, and stipulates that States must demonstrate how they are meeting the needs of the most vulnerable children, especially children with disabilities.

I would be remiss if I did not also mention Mildred's effort in the K–12 and higher education spaces. Last summer, the HELP Committee, under Mildred's guidance, passed the Strengthening America's Schools Act of 2013. This bill, an update to the Elementary and Secondary Education Act, provided a framework to ensure that all children graduate from high school with the knowledge and skills needed to succeed in college and their careers. With Mildred's guidance, the Strengthening America's Schools Act focused greater attention on early childhood, encouraged equity through fair distribution of resources, and maintained a laser focus on helping all children, but especially disadvantaged children, to succeed in school.

Mildred brought similar energy to her efforts this year on the reauthorization of the Higher Education Act, efforts that culminated with the introduction of the Higher Education Affordability Act. For generations, a college education has been the pathway to the middle class, but new challenges are threatening that promise for many families in Iowa and across the country. College affordability, skyrocketing student debt, transparency—these are high stakes issues for students and families. The Higher Education Affordability Act seeks changes to our system of higher education in order to make college more affordable and accessible, and to restore and strengthen the ladder of opportunity—a ladder that has been growing weaker and that is in need of repair.

Dr. Martin Luther King, Jr., said that ''life's most urgent and persistent question is: what are you doing for others?'' During her tenure as a senior counselor on the HELP Committee, Mildred has answered that question in powerful ways, and in particular through her tireless efforts to bring greater equity to public education at all levels. We respect her expertise, and we admire the strong moral voice that she has brought to the Committee. I am deeply grateful to Mildred for her superb leadership of the Committee's Education Office, and I wish her the very best in her future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO DON HOUSE

• Mr. BOOZMAN. Mr. President, I wish to honor Don House, who will retire as the Walnut Ridge Mayor after 4 years of public service to the citizens of the community.

Mayor House constantly stressed the spirit of cooperation within and between each city department, and the importance of good work ethic among its employees. That is why when he began his service as mayor he met with all of the community's employees.

Don led a reorganization of the police department in an effort to serve the needs of the community more responsibly, including a crackdown on drug dealers and drug manufacturers within the city. Don also oversaw the completion of the Northeast Arkansas Water Authority project, improving the water quality in Walnut Ridge.

In addition to serving as mayor, Don lived in Lawrence County most of his life, owned House-Gregg Funeral Home—a local funeral home and family business, and held office in the Arkansas State House of Representatives.

I applaud Don for his outstanding achievements and success as city mayor. My staff and I have enjoyed working with Mayor House on the projects important to Walnut Ridge. I am truly appreciative of his dedication, leadership, and eagerness to serve Arkansas.•

RECOGNIZING THE IDAHO FARM BUREAU FEDERATION

• Mr. CRAPO. Mr. President, I wish to recognize the Idaho Farm Bureau Federation's 75th year as an organization.

The Idaho Farm Bureau, which was started in 1939 in Murtaugh as an organization of farm and ranch families, has represented the interests of Idaho producers in addressing agriculture and natural resources issues. The organization is focused on ''formulating action to achieve educational improvement, economic opportunity, and social advancement and thereby, to promote the national well-being.''

Idaho is home to more than 25,000 farms and ranches. Farm families support our communities and are central to our economy and our State's culture. The pressures on these hardworking producers meeting the food needs of a growing world population are increasing as the pressures on our natural resources increase. Consideration of how policy changes affect this bedrock is critical to long-term economic growth and the success of our State and Nation.

From providing input on the farm bill, to transportation legislation and Federal regulation affecting the farm and ranch community, including Endangered Species Act concerns, the Idaho Farm Bureau has helped ensure that Idaho producers' voice is heard in a broad array of local and Federal policy discussions. I have greatly valued

the input of farm bureau leadership, staff and members. I look forward to continuing to work with this seasoned Idaho organization in shaping agriculture and natural resources policy to ensure that it best meets the needs of Idaho producers.

Congratulation to the Idaho Farm Bureau and its membership on this significant milestone. I wish you continued success.●

TRIBUTE TO BENJAMIN CHARLES STEELE

● Mr. TESTER. Mr. President, I wish to honor Benjamin Charles Steele, a veteran of World War II.

On behalf of all Montanans and all Americans, I stand to say ''thank you'' to Ben for his service to our Nation.

It is my honor to share the story of Ben's service in World War II, because no story of bravery—especially not one from our ''greatest generation''—should ever be forgotten.

Ben was born on November 11, 1917, in Roundup, MT. The son of ranchers, Ben loved the outdoors. Sometimes he would sneak out of school by pretending to go to the bathroom, but instead would jump on his horse and head for the ranch.

Ben was 22 when he enlisted in the Army Air Corps in Missoula, MT on September 9, 1940.

In September of 1941, Ben was assigned to serve in the Philippines.

Ben had barely arrived in country when the Army gave him a rifle and told Ben ''now you're in the infantry.''

The Japanese attacked on December 8. A few weeks later, Ben's unit was evacuated from Clark Field and ordered to the Bataan Peninsula. In January 1942, Ben was sent to the front lines.

Three months later, the front lines collapsed. Soon after, Ben's unit was captured and he and his fellow soldiers began the infamous Bataan Death March.

Ben marched for 6 days and was fed only two cups of rice. The American captives were tormented by the Japanese soldiers. They were forced to walk closely together, and if a prisoner stumbled, or worse, fell, they were bayoneted or shot and killed.

Ben was a prisoner for three and one-half years. During this time, at great risk to himself, he secretly made drawings of the torture and cruelty he and his fellow prisoners endured. On one construction project, 324 prisoners started work beside Ben. By the end, Ben was one of only 50 surviving prisoners.

Ben then was sent to Japan where he did hard labor in the Japanese mines. He was liberated once the atomic bomb was dropped on Hiroshima, with Ground Zero less than 80 miles from Ben's coal mine. When he was freed, Ben had dysentery, pneumonia, malaria, blood poisoning and beriberi.

Ben was discharged from the U.S. Air Force on July 10, 1946. After beginning his art career drawing on the concrete floor of a prison in the Philippines, Ben pursued a formal art education. In 1955, he received a master's in art from the University of Denver.

Ben then taught art at Montana State University-Billings. To this day, he continues to recreate the images of his imprisonment through drawings and paintings.

Ben was never ''officially'' assigned to the infantry; the military just handed him a weapon and told him to go fight—and he did. He fought for months before he was captured.

Ben is now 97 years old, living in a nursing home in Billings, MT, fighting his last battle—and still painting. Ben never requested any medals or recognition for his brave and incredible service. A true World War II veteran, Ben feels he simply did the job he was sent to the Philippines to do.

But today, it is my honor to honor Ben Steele's true heroism, sacrifice, and dedication to service by including his story in the CONGRESSIONAL RECORD.

Thank you, Ben.●

MESSAGE FROM THE HOUSE

At 2:56 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2759. An act 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.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1378. An act to designate the United States Federal Judicial Center located at 333 West Broadway in San Diego, California, as the ''John Rhoades Federal Judicial Center'' and to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the ''James M. Carter and Judith N. Keep United States Courthouse''.

H.R. 5059. An act to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, 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.

H.R. 5086. An act 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.

H.R. 5185. An act to reauthorize the Young Women's Breast Health Education and Awareness Requires Learning Young Act of 2009.

H.R. 5701. An act to require that certain Federal lands be held in trust by the United States for the benefit of federally recognized tribes in the State of Oregon, and for other purposes.

H.R. 5705. An act to modify certain provisions relating to the Propane Education and Research Council.

H.R. 5764. An act to authorize the Great Lakes Restoration Initiative, and for other purposes.

H.R. 5781. An act to provide short-term water supplies to drought-stricken California.

MEASURES DISCHARGED

The following measure was discharged from the Committee on Banking, Housing, and Urban Affairs and referred as indicated:

H.R. 5471. An act to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES REFERRED ON DECEMBER 9, 2014

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

H.R. 579. An act to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5146. An act to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis Jr. United States Courthouse''; to the Committee on Environment and Public Works.

H.R. 5385. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5562. An act to designate the facility of the United States Postal Service located at 801 West Ocean Avenue in Lompoc, California, as the ''Federal Correctional Officer Scott J. Williams Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5687. An act to designate the facility of the United States Postal Service located at 101 East Market Street in Long Beach, California, as the ''Juanita Millender-McDonald Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5794. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES REFERRED

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

H.R. 5086. An act 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.

H.R. 5781. An act to provide short-term water supplies to drought-stricken California; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2992. A bill to amend title 10, United States Code, to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

MEASURES READ THE FIRST TIME ON DECEMBER 9, 2014

The following bill was read the first time:

S. 2992. A bill to amend title 10, United States Code, to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 10, 2014, she had presented to the President of the United States the following enrolled bills:

S. 229. An act to designate the medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, as the ''Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center''.

S. 1434. An act to designate the Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, as the Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic.

S. 2673. An act to enhance the strategic partnership between the United States and Israel.

S. 2917. An act to expand the program of priority review to encourage treatments for tropical diseases.

S. 2921. An act to designate the community based outpatient clinic of the Department of Veterans Affairs located at 310 Home Boulevard in Galesburg, Illinois, as the ''Lane A. Evans VA Community Based Outpatient Clinic''.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 182. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City (Rept. No. 113–289).

S. 398. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes (Rept. No. 113–290).

S. 776. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes (Rept. No. 113–291).

S. 841. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes (Rept. No. 113–292).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 1328. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes (Rept. No. 113–293).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1419. A bill to promote research, development, and demonstration of marine and hydrokinetic renewable energy technologies, and for other purposes (Rept. No. 113–294).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 1750. A bill to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes (Rept. No. 113–295).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1971. A bill to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes (Rept. No. 113–296).

S. 2031. A bill to amend the Act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, to adjust the boundary of that National Lakeshore to include the lighthouse known as Ashland Harbor Breakwater Light, and for other purposes (Rept. No. 113–297).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 2104. A bill to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown (Rept. No. 113–298).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2379. 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 (Rept. No. 113–299).

S. 2602. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington (Rept. No. 113–300).

S. 2873. A bill to authorize the Secretary of the Interior to acknowledge contributions at units of the National Park System (Rept. No. 113–301).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

H.R. 885. To expand the boundary of the San Antonio Missions National Historical Park, and for other purposes (Rept. No. 113–302).

H.R. 1241. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes (Rept. No. 113–303).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 2094, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel (Rept. No. 113–304).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1317. A bill to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2014 through 2016 and for other purposes.

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. MURPHY (for himself and Mr. HARKIN):

S. 2993. A bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, and to authorize the establishment of an institutional risk-sharing commission; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 2994. A bill to amend the Tariff Act of 1930 to facilitate the administration and enforcement of antidumping and countervailing duty orders, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 2995. A bill to direct the Administrator of the Environmental Protection Agency to carry out a pilot program to work with municipalities that are seeking to develop and implement integrated plans to meet wastewater and stormwater obligations under the Federal Water Pollution Control Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself and Mr. HATCH):

S. 2996. A bill to create a limited population pathway for approval of certain antibacterial drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. GILLIBRAND):

S. 2997. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL of New Mexico:

S. Res. 596. A resolution expressing the sense of the Senate regarding the need for reconciliation in Indonesia and disclosure by the United States Government of events surrounding the mass killings during 1965–66; to the Committee on Foreign Relations.

By Mr. COONS (for himself and Mrs. SHAHEEN):

S. Res. 597. A resolution commemorating and supporting the goals of World AIDS day; to the Committee on Foreign Relations.

By Mr. DONNELLY (for himself and Mr. COATS):

S. Res. 598. A resolution expressing condolences to the family of Abdul-Rahman Peter Kassig and condemning the terrorist acts of the Islamic State of Iraq and the Levant; considered and agreed to.

ADDITIONAL COSPONSORS

S. 287

At the request of Mr. BEGICH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 287, a bill to amend title 38, United States Code, to improve assistance to homeless veterans, and for other purposes.

S. 610

At the request of Mr. HELLER, his name was added as a cosponsor of S. 610, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 877

At the request of Mr. BEGICH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 877, a bill to require the Secretary of Veterans Affairs to allow public access to research of the Department, and for other purposes.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1256, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases.

S. 1695

At the request of Ms. CANTWELL, the names of the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1695, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 2047

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2047, a bill to prohibit the marketing of electronic cigarettes to children, and for other purposes.

S. 2084

At the request of Mr. PRYOR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2084, 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.

S. 2581

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2581, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 2807

At the request of Mr. BLUMENTHAL, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2807, a bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

S. 2930

At the request of Mr. MCCAIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2930, a bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to provide for the conduct of an evaluation of mental health care and suicide prevention programs of the Department of Defense and the Department of Veterans Affairs, 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.

AMENDMENT NO. 3980

At the request of Mr. BROWN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of amendment No. 3980 intended to be proposed to H.R. 5771, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 596—EXPRESSING THE SENSE OF THE SENATE REGARDING THE NEED FOR RECONCILIATION IN INDONESIA AND DISCLOSURE BY THE UNITED STATES GOVERNMENT OF EVENTS SURROUNDING THE MASS KILLINGS DURING 1965–66

Mr. UDALL of New Mexico submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 596

Whereas, on October 1, 1965, six Indonesian Army generals were killed by military personnel, including members of Indonesia's Presidential Guard, and these killings were blamed on the Indonesian Communist Party and labeled an ''attempted Communist coup d'état'';

Whereas this alleged coup was used to justify the mass killing of alleged supporters of the Indonesian Communist Party, with estimates of the number of dead ranging from 500,000 to 1,000,000 killed;

Whereas the targeted individuals were predominantly unarmed civilians, and often included members of trade unions, intellectuals, teachers, ethnic Chinese, and those involved in the women's movement;

Whereas these killings and the imprisonment of up to 1,000,000 targeted individuals were done without due process of law;

Whereas the targeted individuals were subject to extrajudicial execution, torture, rape, forced disappearance, forced labor, and forced eviction;

Whereas the United States Central Intelligence Agency in a 1968 research study described the period as one of the worst mass murders of the twentieth century;

Whereas the United States Government provided the Indonesian Army with financial, military, and intelligence support during the period of the mass killings, and did so aware that such killings were taking place as recorded in partially declassified documents in the Department of State history, ''Foreign Relations of the United States'', pertaining to this period;

Whereas, within months of military leader Suharto's assumption of the presidency following the mass killing, the United States Government began sending economic and military support to Suharto's military regime, and played an indispensable role in its consolidation of power;

Whereas aid to the Suharto government continued for more than three decades, despite on-going crimes against humanity committed by the Suharto government, including mass killing and other gross violations of human rights during the invasion and subsequent 24-year occupation of East Timor;

Whereas perpetrators of the 1965–66 mass killings have largely lived with impunity, and the survivors and descendants of the victims suffer continuing discrimination economically and for decades had limited civil and political rights, as noted in the 2012 Indonesia National Commission on Human Rights report;

Whereas the United States Government has not yet fully declassified all relevant documents concerning this time period, and full disclosure could help bring historical clarity to atrocities committed in Indonesia between 1965 and 1966;

Whereas the United States Government has in recent years supported the declassification and release of documents in support of truth and reconciliation efforts following periods of violence in countries such as Chile and Brazil;

Whereas open dialogue about alleged past crimes against humanity and past human rights violations is important for continued efforts to reconcile populations of Indonesia and to ensure a stable, sustainable peace that will benefit the region and beyond;

Whereas, Indonesia has undergone a remarkable democratic transition over the last two decades, and is the world's third largest democracy with the largest Muslim population in the world;

Whereas through free and fair elections, the people of Indonesia have elected new leaders who now have the opportunity to establish a culture of accountability in partnership with the country's vibrant civil society, press, academia, and human rights activists;

Whereas the relationship between the United States and Indonesia is strong and involves many shared interests, as reflected in the 2010 United States-Indonesia Comprehensive Partnership, including democracy and civil society, education, security, climate and environment, energy, and trade and investment;

Whereas the economic relationship between the United States and Indonesia is strong, with bilateral goods trade exceeding $27,000,000,000 and with major United States companies making significant long-term investments in Indonesia; and

Whereas strong relations between the United States and Indonesia are mutually beneficial to both countries: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the mass murder in Indonesia in 1965–66;

(2) expresses great concern about the lack of accountability enjoyed by those who carried out crimes during this period;

(3) urges political leaders in Indonesia to consider a truth, justice, and reconciliation commission to address alleged crimes against humanity and other human rights violations, and to work to mend differences and animosity that remain after the 1965–66 mass killings; and

(4) calls on the Department of State, the Department of Defense, the Central Intelligence Agency, and others involved in developing and implementing policy towards Indonesia during this time period to establish an interagency working group to—

(A) locate, identify, inventory, recommend for declassification, and make available to the public all classified records and documents concerning the mass killings of 1965 and1966, including records and documents pertaining to covert operations in Indonesia from January 1, 1964 through March 30, 1966;

(B) coordinate with Federal agencies and take such actions as necessary to expedite the release of such records to the public; and

(C) submit a report to Congress describing all such records, the disposition of such records, and the activities of the Interagency Group.

Mr. UDALL of New Mexico. Mr. President, our Nation and Indonesia enjoy a strong relationship, reflected in the U.S.-Indonesia Comprehensive Partnership of 2010. This partnership is robust and growing. It serves both of our countries for bilateral, regional, and global cooperation. The election of President Widodo in July was a step forward—part of a great democratic tradition—over the past two decades in Indonesia. We are working together for economic growth, for the environment, and for our security.

This is progress—and to be encouraged. Indonesia has a major role to play as a regional and global leader, but in that role it must be an inclusive democracy. Key to this is to address past human rights abuses—specifically the mass murders committed in 1965 to 1966. Next year is the 50th anniversary of those killings.

I rise today, International Human Rights Day, to submit a resolution concerning those events, which Indonesia's own Human Rights Commission has labeled a crime against humanity. But let me be clear. This is not a censure of the people of Indonesia or Indonesia's new government; it is an opportunity for justice and for reconciliation.

The events took place decades ago. The reasons behind them are complex, but that cannot justify the past or forgetting those who suffered under it, nor can we ignore our own government's role during that time.

My resolution proposes two things:

First, I urge Indonesia's new government to create a truth and reconciliation commission to address these crimes. Second, I urge our own government to establish an interagency working group and to release relevant classified documents. We should make clear what was known to us, and we should make this information available.

It is a painful history to recall. On October 1, 1965, six Indonesian Army generals were killed. According to scholars, these generals were killed by military personnel, but their deaths were blamed on Indonesia's Communist Party, which was used to justify mass murders.

The next few months were horrific for the Indonesian people. The CIA has called it one of the worst periods of mass murder in the 20th century. Hundreds of thousands were killed. Many others were imprisoned, tortured, raped, starved, and disappeared across the country. These individuals were targeted for their alleged association with communism, but they came from all walks of life, including women's groups, teachers, intellectuals, and others. Most were unarmed, and none had due process of law.

The United States provided financial and military assistance during this time and later, according to documents released by the State Department, and General Suharto consolidated his power, ruling from 1967 to 1998.

Some may ask, why is this resolution needed? Why now? This is why. The survivors and descendents of victims continue to be marginalized. Many of the killers continue to live with impunity. Very few Americans are aware of these historical events or our government's actions during this time. These events demand our attention and resolution as we work together to build a strong Asia-Pacific partnership.

I am proud to serve on the Senate Foreign Relations Committee. An important goal is the development of peaceful, stable democracies—democracies that provide security and hope to their own people and economic opportunity for businesses in my State and across the United States.

Indonesia is the world's third-largest democracy. Its population is diverse. It has the largest Muslim majority population in the world. It has faced many challenges and continues to move forward. A strong U.S.-Indonesia relationship benefits both of our countries. I offer this resolution in support of that relationship and Indonesia's continued progress as a growing democracy and a vital U.S. ally.

SENATE RESOLUTION 597—COMMEMORATING AND SUPPORTING THE GOALS OF WORLD AIDS DAY

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

S. RES. 597

Whereas an estimated 35,000,000 people were living with HIV/AIDS as of the end of 2013;

Whereas the United Nations Millennium Development Goals established a global target of halting and beginning to reverse the spread of HIV/AIDS by 2015;

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations Political Declaration on HIV and AIDS provided an updated framework for intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria was launched in 2002 and, as of November 2013, supported programs in more than 140 countries that provided antiretroviral therapy to 6,600,000 people living with HIV/AIDS and antiretrovirals to 2,100,000 pregnant women to prevent transmission of HIV/AIDS to their babies;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

Whereas, for every dollar contributed to the Global Fund to Fight AIDS, Tuberculosis and Malaria by the United States, an additional $2 is leveraged from other donors;

Whereas the United States President's Emergency Plan for AIDS Relief (PEPFAR) initiative was proposed by President George W. Bush and passed Congress on a bipartisan vote in 2003, and remains the largest commitment in history by any nation to combat a single disease;

Whereas, as of the end of September 2014, PEPFAR supported treatment for 7,700,000 people, up from 1,700,000 in 2008, and in 2012, PEPFAR supported the provision of antiretroviral drugs to 750,000 pregnant women living with HIV to prevent the transmission of HIV from mother to child during birth;

Whereas PEPFAR directly supported HIV testing and counseling for more than 56,700,000 people in fiscal year 2014;

Whereas considerable progress has been made in the fight against HIV/AIDS, with the number of new HIV infections estimated at 2,100,000 in 2013, a 38 percent reduction since 2001, new HIV infections among children reduced to 240,000 in 2013, a reduction of 58 percent since 2001, and AIDS-related deaths reduced to 1,500,000 in 2013, a 35 percent reduction since 2005;

Whereas increased access to antiretroviral drugs is the major contributor to the reduction in deaths from HIV/AIDS, and HIV treatment reinforces prevention because it reduces, by up to 96 percent, the chance the virus can be spread;

Whereas the World Health Organization (WHO) has revised its guidelines for determining whether HIV positive individuals are eligible for treatment, thereby increasing the number of individuals eligible for treatment from about 15,900,000 to 28,600,000;

Whereas 13,600,000 people in low- and middle-income countries had access to antiretroviral therapy as of June 2014;

Whereas 19,000,000 of the 35,000,000 people living with HIV globally do not know their status, according to a 2014 UNAIDS report;

Whereas, although sub-Saharan Africa remains the epicenter of the epidemic with approximately 1,100,000 AIDS-related deaths in 2013, there have also been successes, with an approximate 33 percent decline in new HIV infections from 2005 to 2013 and a 39 percent decrease in the number of AIDS-related deaths in sub-Saharan Africa between 2005 and 2013;

Whereas stigma, gender inequality, and lack of respect for the rights of HIV positive individuals remain significant barriers to access to services for those most at risk of HIV infection;

Whereas President Barack Obama voiced commitment to realizing the promise of an AIDS-free generation and his belief that the

goal was within reach in his February 2013 State of the Union Address;

Whereas the international community is united in pursuit of achieving the goal of an AIDS-free generation;

Whereas a UNAIDS 2014 report on the state of the global epidemic assessed that AIDS could be ended as a public health threat by 2030 if a fast-track response is taken and certain targets are realized by 2020, and further noted that doing so would avert nearly 28,000,000 new HIV infections and 21,000,000 AIDS-related deaths by 2030;

Whereas, during the Ebola Virus Disease outbreak of 2014, countries with PEPFAR-strengthened lab capacity, human capacity, and health facility capacity were able to contain Ebola outbreaks;

Whereas, in August 2014, PEPFAR and the Children's Investment Fund Foundation (CIFF) launched an initiative to double the total number of children receiving treatment over the next two years in ten countries;

Whereas December 1 of each year is internationally recognized as World AIDS Day; and

Whereas, in 2014, the theme for World AIDS Day commemorations was ''Focus, Partner, Achieve: An AIDS-free Generation'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World AIDS Day, including seeking to get to zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(2) applauds the goals and approaches for achieving an AIDS-free generation set forth in the PEPFAR Blueprint: Creating an AIDS-free Generation, as well as the targets set by United Nations member states in the 2011 United Nations Political Declaration on HIV and AIDS;

(3) commends the dramatic progress in global AIDS programs supported through the efforts of PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and UNAIDS;

(4) urges, in order to ensure that an AIDS-free generation is within reach, rapid action by all nations towards—

(A) full implementation of the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keeping Their Mothers Alive to build on progress made to date; and

(B) further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications such as getting antiretroviral HIV medication to the 2,000,000 children with HIV currently unable to access them;

(5) calls for scaling up treatment to reach all individuals eligible for treatment under WHO guidelines;

(6) calls for greater focus on the HIV-related vulnerabilities of women and girls, including those at risk for or who have survived violence or faced discrimination as a result of the disease, and urges more directed efforts to ensure that they are connected to the information, care, support, and treatment they require;

(7) supports efforts to ensure inclusive access to programs and appropriate protections for all those most at risk of HIV/AIDS and hardest to reach;

(8) encourages additional private-public partnerships to research and develop better and more affordable tools for the diagnosis, treatment, vaccination, and cure of HIV;

(9) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to fight HIV;

(10) stresses the importance of ensuring that HIV and AIDS are central to the post-2015 United Nations development agenda and of advocating for the inclusion of targets under relevant goals towards achieving zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(11) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure sustainability of their domestic responses; and

(12) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV/AIDS.

SENATE RESOLUTION 598—EXPRESSING CONDOLENCES TO THE FAMILY OF ABDUL-RAHMAN PETER KASSIG AND CONDEMNING THE TERRORIST ACTS OF THE ISLAMIC STATE OF IRAQ AND THE LEVANT

Mr. DONNELLY (for himself and Mr. COATS) submitted the following resolution; which was considered and agreed to:

S. RES. 598

Whereas Abdul-Rahman Peter Kassig was a tireless humanitarian who devoted his life to helping those most in need;

Whereas Abdul-Rahman Peter Kassig saved lives across Lebanon, Turkey, and Syria, particularly through the nongovernmental organization he founded, Special Emergency Response and Assistance;

Whereas Abdul-Rahman Peter Kassig represented the best qualities of humanity through his work administering medical aid, food and shelter to the people most impacted by the war in Syria;

Whereas Abdul-Rahman Peter Kassig served with honor as a United States Army Ranger;

Whereas the Islamic State of Iraq and the Levant (referred to in this preamble as ''ISIL'') is a terrorist organization that has committed widespread acts of violence against innocent civilians throughout Iraq and Syria, forcing many people to flee their homeland;

Whereas ISIL has carried out grave atrocities targeting Muslims and religious and ethnic minorities in the region, including women and children, for enslavement, torture, and massacre;

Whereas ISIL has captured and assassinated journalists and humanitarian and health workers, deepening the suffering of a war-torn region;

Whereas ISIL is responsible for the murder of United States citizens; and

Whereas ISIL continues to hold hostages in contravention of international law: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE.

The Senate—

(1) mourns the death of Abdul-Rahman Peter Kassig;

(2) expresses condolences to the family and loved ones of Abdul-Rahman Peter Kassig;

(3) condemns the terrorist acts by the Islamic State of Iraq and the Levant (referred to in this resolution as ''ISIL''), including the targeting of innocent civilians, journalists, and aid workers; and

(4) urges the United States and the international community, working in partnership with the governments and citizens of the Middle East, to address the threat posed by ISIL and the suffering of innocent civilians impacted by the conflict.

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this resolution is a declaration of war or authorization to use force.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3996. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL of New Mexico, Mr. CRUZ, Mr. WHITEHOUSE, Ms. COLLINS, Mr. COONS, Mr. ROBERTS, Mr. FRANKEN, Mr. ENZI, Mr. HEINRICH, Mr. KIRK, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. MARKEY, Mr. NELSON, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3997. Mrs. BOXER (for Mr. ROCKEFELLER (for himself and Mr. THUNE)) proposed an amendment to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.

SA 3998. Mrs. BOXER (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 2444, supra.

SA 3999. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill S. 2519, to codify an existing operations center for cybersecurity.

SA 4000. Mrs. BOXER (for Mr. CARPER (for himself and Mr. CORBURN)) proposed an amendment to the bill H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program.

SA 4001. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, to require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes.

SA 4002. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, supra.

SA 4003. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 4004. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4005. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4006. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4007. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4008. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4009. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4010. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4011. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4012. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4013. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4014. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4015. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4016. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4017. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4018. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4019. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4020. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4021. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4022. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4023. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4024. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4025. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4026. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4027. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4028. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4029. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4030. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4031. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4032. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4033. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4034. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4035. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4036. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4037. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4038. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4039. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4040. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4041. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4042. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4043. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4044. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4045. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4046. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4047. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4048. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4049. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4050. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4051. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4052. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4053. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4054. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4055. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4056. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4057. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4058. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4059. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4060. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4061. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4062. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4063. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4064. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4065. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4066. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4067. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4068. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4069. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4070. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4071. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4072. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4073. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4074. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4075. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4076. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4077. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4078. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4079. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4080. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4081. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4082. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4083. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4084. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4087. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4088. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4091. Mr. SCHATZ (for himself, Mr. MURPHY, Ms. BALDWIN, Mr. BOOKER, Mrs. GILLIBRAND, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3996. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL of New Mexico, Mr. CRUZ, Mr. WHITEHOUSE, Ms. COLLINS, Mr. COONS, Mr. ROBERTS, Mr. FRANKEN, Mr. ENZI, Mr. HEINRICH, Mr. KIRK, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. MARKEY, Mr. NELSON, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1034. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

''(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an act of Congress that expressly authorizes such imprisonment or detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.

''(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 3997. Mrs. BOXER (for Mr. ROCKEFELLER (for himself and Mr. THUNE)) proposed an amendment to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Howard Coble Coast Guard and Maritime Transportation Act of 2014''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is the following:

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TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for fiscal year 2015 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, $6,981,036,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $1,546,448,000, to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $140,016,000.

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), $16,701,000, to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, $16,000,000.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for fiscal year 2015.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 165 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.

Section 42(a) of title 14, United States Code, is amended by striking ''7,200'' and inserting ''6,900''.

SEC. 202. COMMANDANT; APPOINTMENT.

Section 44 of title 14, United States Code, is amended by inserting after the first sentence the following: ''The term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends if the alteration does not result in the term exceeding a period of 4 years.''.

SEC. 203. PREVENTION AND RESPONSE WORKFORCES.

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking ''or'' at the end;

(B) in paragraph (3) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

''(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.'';

(2) in subsection (c) by striking ''or marine safety engineer'' and inserting ''marine safety engineer, waterways operations manager, or port and facility safety and security specialist''; and

(3) in subsection (f)(2) by striking ''investigator or marine safety engineer.'' and inserting ''investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.''.

SEC. 204. CENTERS OF EXPERTISE.

Section 58(b) of title 14, United States Code, is amended to read as follows:

''(b) MISSIONS.—Any center established under subsection (a) shall—

''(1) promote, facilitate, and conduct—

''(A) education;

''(B) training; and

''(C) activities authorized under section 93(a)(4);

''(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

''(3) perform and support the mission for which the center was established.''.

SEC. 205. PENALTIES.

(a) AIDS TO NAVIGATION AND FALSE DISTRESS MESSAGES.—Chapter 5 of title 14, United States Code, is amended—

(1) in section 83 by striking ''$100'' and inserting ''$1,500'';

(2) in section 84 by striking ''$500'' and inserting ''$1,500'';

(3) in section 85 by striking ''$100'' and inserting ''$1,500''; and

(4) in section 88(c)(2) by striking ''$5,000'' and inserting ''$10,000''.

(b) UNAUTHORIZED USE OF WORDS ''COAST GUARD''.—Section 639 of title 14, United States Code, is amended by striking ''$1,000'' and inserting ''$10,000''.

SEC. 206. AGREEMENTS.

(a) IN GENERAL.—Section 93(a)(4) of title 14, United States Code, is amended—

(1) by striking '', investigate'' and inserting ''and investigate''; and

(2) by striking '', and cooperate and coordinate such activities with other Government agencies and with private agencies''.

(b) AUTHORITY.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 102. Agreements

''(a) IN GENERAL.—In carrying out section 93(a)(4), the Commandant may—

''(1) enter into cooperative agreements, contracts, and other agreements with—

''(A) Federal entities;

''(B) other public or private entities in the United States, including academic entities; and

''(C) foreign governments with the concurrence of the Secretary of State; and

''(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

''(b) DEPOSIT AND USE OF FEES.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4).''.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''102. Agreements.''.

SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.

Section 93(a)(7) of title 14, United States Code, is amended by inserting ''and the textbooks, manuals, and other materials required as part of such training or course of instruction'' after ''correspondence courses''.

SEC. 208. COAST GUARD HOUSING.

(a) COMMANDANT; GENERAL POWERS.—Section 93(a)(13) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(b) LIGHTHOUSE PROPERTY.—Section 672a(b) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(c) CONFORMING AMENDMENT.—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

''(4) Monies received under section 93(a)(13).

''(5) Amounts received under section 672a(b).''.

SEC. 209. LEASE AUTHORITY.

Section 93 of title 14, United States Code, is amended by adding at the end the following:

''(f) LEASING OF TIDELANDS AND SUBMERGED LANDS.—

''(1) AUTHORITY.—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.

''(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

''(A) lease payments are—

''(i) received exclusively in the form of cash;

''(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and

''(iii) deposited in the fund established under section 687; and

''(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.''.

SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 103. Notification of certain determinations

''(a) IN GENERAL.—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to—

''(1) the Governor of each State in which such waterway, or portion thereof, is located;

''(2) the public; and

''(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(b) CONTENT REQUIREMENT.—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include—

''(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;

''(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to licensing or similar regulation by State or local officials; and

''(3) an estimate of the annual costs that the Coast Guard may incur in conducting operations on such waterway, or portion thereof.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''103. Notification of certain determinations.''.

SEC. 211. ANNUAL BOARD OF VISITORS.

Section 194 of title 14, United States Code, is amended to read as follows:

''§ 194. Annual Board of Visitors

''(a) IN GENERAL.—A Board of Visitors to the Coast Guard Academy is established to review and make recommendations on the operation of the Academy.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The membership of the Board shall consist of the following:

''(A) The chairman of the Committee on Commerce, Science, and Transportation of the Senate, or the chairman's designee.

''(B) The chairman of the Committee on Transportation and Infrastructure of the House of Representatives, or the chairman's designee.

''(C) 3 Members of the Senate designated by the Vice President.

''(D) 4 Members of the House of Representatives designated by the Speaker of the House of Representatives.

''(E) 6 individuals designated by the President.

''(2) LENGTH OF SERVICE.—

''(A) MEMBERS OF CONGRESS.—A Member of Congress designated under subparagraph (C) or (D) of paragraph (1) as a member of the Board shall be designated as a member in the First Session of a Congress and serve for the duration of that Congress.

''(B) INDIVIDUALS DESIGNATED BY THE PRESIDENT.—Each individual designated by the President under subparagraph (E) of paragraph (1) shall serve as a member of the Board for 3 years, except that any such member whose term of office has expired shall continue to serve until a successor is appointed.

''(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

''(c) ACADEMY VISITS.—

''(1) ANNUAL VISIT.—The Board shall visit the Academy annually to review the operation of the Academy.

''(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

''(d) SCOPE OF REVIEW.—The Board shall review, with respect to the Academy—

''(1) the state of morale and discipline;

''(2) the curriculum;

''(3) instruction;

''(4) physical equipment;

''(5) fiscal affairs; and

''(6) other matters relating to the Academy that the Board determines appropriate.

''(e) REPORT.—Not later than 60 days after the date of an annual visit of the Board under subsection (c)(1), the Board shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions of the Board during such visit and the recommendations of the Board pertaining to the Academy.

''(f) ADVISORS.—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

''(g) REIMBURSEMENT.—Each member of the Board and each adviser consulted by the Board under subsection (f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.''.

SEC. 212. FLAG OFFICERS.

(a) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 295 the following:

''§ 296. Flag officers

''During any period in which the Coast Guard is not operating as a service in the Navy, section 1216(d) of title 10 does not apply with respect to flag officers of the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following:

''296. Flag officers.''.

SEC. 213. REPEAL OF LIMITATION ON MEDALS OF HONOR.

Section 494 of title 14, United States Code, is amended by striking ''medal of honor,'' each place it appears.

SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after chapter 13 the following:

''CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.

''531. Work-life policies and programs.

''532. Surveys of Coast Guard families.

''SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

''542. Education and training opportunities for Coast Guard spouses.

''543. Youth sponsorship initiatives.

''SUBCHAPTER III—COAST GUARD CHILD CARE

''551. Definitions.

''553. Child development center standards and inspections.

''554. Child development center employees.

''555. Parent partnerships with child development centers.

''SUBCHAPTER I—GENERAL PROVISIONS

''§ 531. Work-life policies and programs

''The Commandant is authorized—

''(1) to establish an office for the purpose of developing, promulgating, and coordinating policies, programs, and activities related to the families of Coast Guard members;

''(2) to implement and oversee policies, programs, and activities described in paragraph (1) as the Commandant considers necessary; and

''(3) to perform such other duties as the Commandant considers necessary.

''§ 532. Surveys of Coast Guard families

''(a) AUTHORITY.—The Commandant, in order to determine the effectiveness of Federal policies, programs, and activities related to the families of Coast Guard members, may survey—

''(1) any Coast Guard member;

''(2) any retired Coast Guard member;

''(3) the immediate family of any Coast Guard member or retired Coast Guard member; and

''(4) any survivor of a deceased Coast Guard member.

''(b) VOLUNTARY PARTICIPATION.—Participation in any survey conducted under subsection (a) shall be voluntary.

''(c) FEDERAL RECORDKEEPING.—Each person surveyed under subsection (a) shall be considered an employee of the United States for purposes of section 3502(3)(A)(i) of title 44.

''SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

''§ 542. Education and training opportunities for Coast Guard spouses

''(a) TUITION ASSISTANCE.—The Commandant may provide, subject to the availability of appropriations, tuition assistance to an eligible spouse to facilitate the acquisition of—

''(1) education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

''(2) education prerequisites and a professional license or credential required, by a government or government-sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) ELIGIBLE SPOUSE.—

''(A) IN GENERAL.—The term 'eligible spouse' means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1059 of title 10.

''(B) EXCLUSION.—The term 'eligible spouse' does not include a person who—

''(i) is married to, but legally separated from, a member of the Coast Guard under a court order or statute of any State or territorial possession of the United States; or

''(ii) is eligible for tuition assistance as a member of the Armed Forces.

''(2) PORTABLE CAREER.—The term 'portable career' includes an occupation that requires education, training, or both that results in a credential that is recognized by an industry, profession, or specific type of business.

''§ 543. Youth sponsorship initiatives

''(a) IN GENERAL.—The Commandant is authorized to establish, within any Coast Guard unit, an initiative to help integrate into new surroundings the dependent children of members of the Coast Guard who received permanent change of station orders.

''(b) DESCRIPTION OF INITIATIVE.—An initiative established under subsection (a) shall—

''(1) provide for the involvement of a dependent child of a member of the Coast Guard in the dependent child's new Coast Guard community; and

''(2) primarily focus on preteen and teenaged children.

''(c) AUTHORITY.—In carrying out an initiative under subsection (a), the Commandant may—

''(1) provide to a dependent child of a member of the Coast Guard information on youth programs and activities available in the dependent child's new Coast Guard community; and

''(2) enter into agreements with nonprofit entities to provide youth programs and activities to such child.

''SUBCHAPTER III—COAST GUARD CHILD CARE

''§ 551. Definitions

''In this subchapter, the following definitions apply:

''(1) CHILD ABUSE AND NEGLECT.—The term 'child abuse and neglect' has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

''(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term 'child development center employee' means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

''(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term 'Coast Guard child development center' means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

''(4) COMPETITIVE SERVICE POSITION.—The term 'competitive service position' means a position in the competitive service (as defined in section 2102 of title 5).

''(5) FAMILY HOME DAYCARE.—The term 'family home daycare' means home-based child care services provided for a member of the Coast Guard by an individual who—

''(A) is certified by the Commandant as qualified to provide home-based child care services; and

''(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

''§ 553. Child development center standards and inspections

''(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

''(b) INSPECTIONS.—The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.

''(c) NATIONAL REPORTING.—

''(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

''(A) any suspected violation of—

''(i) standards established under subsection (a); or

''(ii) any other applicable law or standard;

''(B) suspected child abuse or neglect; or

''(C) any other deficiency.

''(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do so anonymously if so desired by the individual.

''(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

''§ 554. Child development center employees

''(a) TRAINING.—

''(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

''(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

''(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

''(A) early childhood development;

''(B) activities and disciplinary techniques appropriate to children of different ages;

''(C) child abuse and neglect prevention and detection; and

''(D) cardiopulmonary resuscitation and other emergency medical procedures.

''(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

''(b) TRAINING AND CURRICULUM SPECIALISTS.—

''(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

''(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

''(A) special teaching activities;

''(B) daily oversight and instruction of other child care employees;

''(C) daily assistance in the preparation of lesson plans;

''(D) assisting with child abuse and neglect prevention and detection; and

''(E) advising the director of the center on the performance of the other child care employees.

''(3) COMPETITIVE SERVICE.—Each specialist described in paragraph (1) shall be an employee in a competitive service position.

''§ 555. Parent partnerships with child development centers

''(a) PARENT BOARDS.—

''(1) FORMATION.—The Commandant shall require that there be formed at each Coast Guard child development center a board of parents, to be composed of parents of children attending the center.

''(2) FUNCTIONS.—Each board of parents formed under paragraph (1) shall—

''(A) meet periodically with the staff of the center at which the board is formed and the commander of the unit served by the center, for the purpose of discussing problems and concerns; and

''(B) be responsible, together with the staff of the center, for coordinating any parent participation initiative established under subsection (b).

''(3) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a board of parents formed under paragraph (1).

''(b) PARENT PARTICIPATION INITIATIVE.—The Commandant is authorized to establish a parent participation initiative at each Coast Guard child development center to encourage and facilitate parent participation in educational and related activities at the center.''.

(b) TRANSFER OF PROVISIONS.—

(1) IN GENERAL.—

(A) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 514 of title 14, United States Code, is redesignated as section 541 and transferred to appear before section 542 of such title, as added by subsection (a) of this section.

(B) CHILD DEVELOPMENT SERVICES.—Section 515 of title 14, United States Code—

(i) is redesignated as section 552 and transferred to appear after section 551 of such title, as added by subsection (a) of this section; and

(ii) is amended—

(I) in subsection (b)(2)(B) by inserting ''and whether a family is participating in an initiative established under section 555(b)'' after ''family income'';

(II) by striking subsections (c) and (e); and

(III) by redesignating subsection (d) as subsection (c).

(C) DEPENDENT SCHOOL CHILDREN.—Section 657 of title 14, United States Code—

(i) is redesignated as section 544 and transferred to appear after section 543 of such title, as added by subsection (a) of this section; and

(ii) is amended in subsection (a) by striking ''Except as otherwise'' and all that follows through ''the Secretary may'' and inserting ''The Secretary may''.

(2) CONFORMING AMENDMENTS.—

(A) PART I.—The analysis for part I of title 14, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Coast Guard Family Support and Child Care ..... 531''.

(B) CHAPTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended—

(i) by striking the item relating to section 514; and

(ii) by striking the item relating to section 515.

(C) CHAPTER 14.—The analysis for chapter 14 of title 14, United States Code, as added by subsection (a) of this section, is amended by inserting—

(i) before the item relating to section 542 the following:

''541. Reimbursement for adoption expenses.'';

(ii) after the item relating to section 551 the following:

''552. Child development services.''; and

(iii) after the item relating to section 543 the following:

''544. Dependent school children.''.

(D) CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the item relating to section 657.

(c) COMMANDANT; GENERAL POWERS.—Section 93(a)(7) of title 14, United States Code, as amended by this Act, is further amended by inserting '', and to eligible spouses as defined under section 542,'' after ''Coast Guard''.

(d) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the amount of funds appropriated for a fiscal year for operating expenses related to Coast Guard child development services should not be less than the amount of the child development center fee receipts estimated to be collected by the Coast Guard during that fiscal year.

(2) CHILD DEVELOPMENT CENTER FEE RECEIPTS DEFINED.—In this subsection, the term ''child development center fee receipts'' means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

SEC. 215. MISSION NEED STATEMENT.

(a) IN GENERAL.—Section 569 of title 14, United States Code, is amended to read as follows:

''§ 569. Mission need statement

''(a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) INTEGRATED MAJOR ACQUISITION MISSION NEED STATEMENT.—The term 'integrated major acquisition mission need statement' means a document that—

''(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

''(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

''(C) describes the missions the Coast Guard will not be able to achieve, by fiscal year, for each gap identified under subparagraph (A).

''(2) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' has the meaning given that term in section 569a(e).

''(3) CAPITAL INVESTMENT PLAN.—The term 'capital investment plan' means the plan required under section 663(a)(1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569 and inserting the following:

''569. Mission need statement.''.

SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 662 the following:

''§ 662a. Transmission of annual Coast Guard authorization request

''(a) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a Coast Guard authorization request with respect to such fiscal year.

''(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term 'Coast Guard authorization request' means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

''(1) recommends end strengths for personnel for that fiscal year, as described in section 661;

''(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and

''(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 662 the following:

''662a. Transmission of annual Coast Guard authorization request.''.

SEC. 217. INVENTORY OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 679. Inventory of real property

''(a) IN GENERAL.—Not later than September 30, 2015, the Commandant shall establish an inventory of all real property, including submerged lands, under the control of the Coast Guard, which shall include—

''(1) the size, the location, and any other appropriate description of each unit of such property;

''(2) an assessment of the physical condition of each unit of such property, excluding lands;

''(3) a determination of whether each unit of such property should be—

''(A) retained to fulfill a current or projected Coast Guard mission requirement; or

''(B) subject to divestiture; and

''(4) other information the Commandant considers appropriate.

''(b) INVENTORY MAINTENANCE.—The Commandant shall—

''(1) maintain the inventory required under subsection (a) on an ongoing basis; and

''(2) update information on each unit of real property included in such inventory not later than 30 days after any change relating to the control of such property.

''(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2016, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

''(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

''(2) recommendations for divestiture with respect to any units of such property; and

''(3) recommendations for consolidating any units of such property, including—

''(A) an estimate of the costs or savings associated with each recommended consolidation; and

''(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''679. Inventory of real property.''.

SEC. 218. RETIRED SERVICE MEMBERS AND DEPENDENTS SERVING ON ADVISORY COMMITTEES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 680. Retired service members and dependents serving on advisory committees

''A committee that—

''(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

''(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by inserting after the item relating to section 679 the following:

''680. Retired service members and dependents serving on advisory committees.''.

SEC. 219. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.

Section 712(a) of title 14, United States Code, is amended by striking ''not more than 60 days in any 4-month period and''.

SEC. 220. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2951) is amended by striking ''2015'' and inserting ''2017''.

SEC. 221. COAST GUARD ADMINISTRATIVE SAVINGS.

(a) ELIMINATION OF OUTDATED AND DUPLICATIVE REPORTS.—

(1) MARINE INDUSTRY TRAINING.—Section 59 of title 14, United States Code, is amended—

(A) by striking ''(a) IN GENERAL.—The Commandant'' and inserting ''The Commandant''; and

(B) by striking subsection (b).

(2) OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) DRUG INTERDICTION.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) NATIONAL DEFENSE.—Section 426 of the Maritime Transportation Security Act of 2002 (14 U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(5) LIVING MARINE RESOURCES.—Section 4(b) of the Cruise Vessel Security and Safety Act of 2010 (16 U.S.C. 1828 note) is amended by adding at the end the following: ''No report shall be required under this subsection, including that no report shall be required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 or section 804 of the Coast Guard and Maritime Transportation Act of 2006, for fiscal years beginning after fiscal year 2014.''.

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

(A) IN GENERAL.—Section 2116(d)(2)(B) of title 46, United States Code, is amended to read as follows:

''(B) on the program's mission performance in achieving numerical measurable goals established under subsection (b), including—

''(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

''(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and''.

(B) CONFORMING AMENDMENT.—Section 57 of title 14, United States Code, as amended by this Act, is further amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g) respectively.

(2) MINOR CONSTRUCTION.—Section 656(d)(2) of title 14, United States Code, is amended to read as follows:

''(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than $1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.''.

SEC. 222. TECHNICAL CORRECTIONS TO TITLE 14.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in section 93(b)(1) by striking ''Notwithstanding subsection (a)(14)'' and inserting ''Notwithstanding subsection (a)(13)''; and

(2) in section 197(b) by striking ''of Homeland Security''.

SEC. 223. MULTIYEAR PROCUREMENT AUTHORITY FOR OFFSHORE PATROL CUTTERS.

In fiscal year 2015 and each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating may enter into, in accordance with section 2306b of title 10, United States Code, multiyear contracts for the procurement of Offshore Patrol Cutters and associated equipment.

SEC. 224. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.

Not later than 120 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a schedule and plan for decommissioning, not later than September 30, 2029, each of the 210-foot, Reliance-Class Cutters operated by the Coast Guard on the date of enactment of this Act;

(2) a schedule and plan for enhancing the maintenance or extending the service life of each of the 270-foot, Famous-Class Cutters

operated by the Coast Guard on the date of enactment of this Act—

(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to such Cutters at the level of capability existing on September 30, 2013; and

(B) for the period beginning on the date of enactment of this Act and ending on the date on which the final Offshore Patrol Cutter is scheduled to be commissioned under paragraph (4);

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

(4) a schedule and plan for commissioning the number of Offshore Patrol Cutters identified under paragraph (3); and

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Offshore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

(B) the number of Offshore Patrol Cutters identified under paragraph (3).

SEC. 225. AVIATION CAPABILITY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may—

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H–60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard's Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH–60T configuration.

(b) PROHIBITION.—

(1) IN GENERAL.—The Coast Guard may not—

(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

(2) SUNSET.—This subsection is repealed effective January 1, 2016.

SEC. 226. GAPS IN WRITINGS ON COAST GUARD HISTORY.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 227. OFFICER EVALUATION REPORTS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard's officer evaluation reporting system.

(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include, at a minimum, an analysis of—

(1) the extent to which the Coast Guard's officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;

(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—

(A) the Coast Guard and the Navy; and

(B) the Coast Guard and other branches of the Armed Forces;

(3) the feasibility of more closely aligning and conforming the Coast Guard's officer evaluation reports with the officer fitness reports of the Navy and other branches of the Armed Forces; and

(4) the costs and benefits of the alignment and conformity described in paragraph (3), including with respect to—

(A) Coast Guard administrative efficiency;

(B) fairness and equity for Coast Guard officers; and

(C) carrying out the Coast Guard's statutory mission of defense readiness, including when operating as a service in the Navy.

SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 229. E–LORAN.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date on which the Secretary provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted.

(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system, including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.

SEC. 230. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER SECURITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report describing any Coast Guard resource deficiencies related to—

(1) securing maritime borders with respect to the Great Lakes and the coastal areas of the Southeastern and Southwestern United States, including with respect to Florida, California, Puerto Rico, and the United States Virgin Islands;

(2) patrolling and monitoring maritime approaches to the areas described in paragraph (1); and

(3) patrolling and monitoring relevant portions of the Western Hemisphere Drug Transit Zone.

(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—

(1) the Coast Guard's statutory missions with respect to migrant interdiction, drug interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;

(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;

(3) the number and types of cutters and other vessels required to effectively execute Coast Guard missions;

(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions;

(5) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;

(6) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and

(7) whether additional shoreside facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 231. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the Rescue 21 project in Alaska and in Coast Guard sectors Upper Mississippi River, Lower Mississippi River, and Ohio River Valley.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) describe what improvements are being made to the distress response system in the areas specified in subsection (a), including information on which areas will receive digital selective calling and direction finding capability;

(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

(4) include a list of all reported marine accidents, casualties, and fatalities occurring in the locations identified under paragraph (3) since 1990; and

(5) provide an estimate of the costs associated with installing the technology necessary to close communication gaps in the locations identified under paragraph (3).

SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL PRIORITIES ON THE MISSOURI RIVER.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that outlines a course of action to reconcile general maintenance priorities for cutters with operational priorities on the Missouri River.

SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.

(a) IN GENERAL.—The Commandant of the Coast Guard shall assess the Maritime Search and Rescue Assistance Policy as it relates to State and local responders.

(b) SCOPE.—The assessment under subsection (a) shall consider, at a minimum—

(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan;

(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and

(3) the extent to which Coast Guard sectors coordinate with 911 emergency centers, including ensuring the dissemination of appropriate maritime distress check-sheets.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. REPEAL.

Chapter 555 of title 46, United States Code, is amended—

(1) by repealing section 55501;

(2) by redesignating section 55502 as section 55501; and

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

''55501. United States Committee on the Marine Transportation System.''.

SEC. 302. DONATION OF HISTORICAL PROPERTY.

Section 51103 of title 46, United States Code, is amended by adding at the end the following:

''(e) DONATION FOR HISTORICAL PURPOSES.—

''(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

''(A) the Secretary determines that such property is not needed by the Maritime Administration; and

''(B) the recipient—

''(i) is a nonprofit organization, a State, or a political subdivision of a State;

''(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

''(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

''(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

''(v) agrees that when the recipient no longer requires the property, the recipient shall—

''(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

''(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

''(vi) agrees to any additional terms the Secretary considers appropriate.

''(2) REVERSION.—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).''.

SEC. 303. SMALL SHIPYARDS.

Section 54101(i) of title 46, United States Code, is amended by striking ''2009 through 2013'' and inserting ''2015 through 2017''.

SEC. 304. DRUG TESTING REPORTING.

Section 7706 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting ''an applicant for employment by a Federal agency,'' after ''Federal agency,''; and

(2) in subsection (c), by—

(A) inserting ''or an applicant for employment by a Federal agency'' after ''an employee''; and

(B) striking ''the employee.'' and inserting ''the employee or the applicant.''.

SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) ENDORSEMENTS FOR VETERANS.—Section 7101 of title 46, United States Code, is amended by adding at the end the following:

''(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

''(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10) of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and

''(2) satisfies all other requirements for such a license.''.

(b) SEA SERVICE LETTERS.—

(1) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 427 the following:

''§ 428. Sea service letters

''(a) IN GENERAL.—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

''(1) accumulated sea service on a vessel of the armed forces (as such term is defined in section 101(a) of title 10); and

''(2) requests such letter.

''(b) DEADLINE.—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 427 the following:

''428. Sea service letters.''.

(c) CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS.—

(1) MAXIMIZING CREDITABILITY.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

(2) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.

(d) MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.

SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.

Section 55305(e) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''provide armed personnel aboard'' and inserting ''reimburse, subject to the availability of appropriations, the owners or operators of''; and

(B) by inserting ''for the cost of providing armed personnel aboard such vessels'' before ''if''; and

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) In this subsection, the term 'high-risk waters' means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—

''(A) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or

''(B) in such period, issued an advisory warning that an act of piracy is possible in such waters.''.

SEC. 307. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking ''section 93(c)'' and inserting ''section 93(c) of title 14''.

(b) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 33 U.S.C. 1503 note) is amended by inserting ''and from'' before ''the United States''.

(c) DEEPWATER PORT ACT OF 1974.—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1503(i)) is amended by inserting ''or that will supply'' after ''be supplied with''.

SEC. 308. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquified natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

SEC. 309. FISHING SAFETY GRANT PROGRAMS.

(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

''§ 8108. Merchant Marine Personnel Advisory Committee

''(a) ESTABLISHMENT.—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as 'the Committee'). The Committee—

''(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

''(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

''(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

''(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

''(5) shall meet not less than twice each year; and

''(6) may make available to Congress recommendations that the Committee makes to the Secretary.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall consist of not more than 19 members who are appointed by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

''(2) REQUIRED MEMBERS.—Subject to paragraph (3), the Secretary shall appoint as members of the Committee—

''(A) 9 United States citizens with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

''(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

''(I) 2 shall be licensed for oceans any gross tons;

''(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

''(III) 2 shall have a master's license or a master of towing vessels license;

''(IV) 1 shall have significant tanker experience; and

''(V) to the extent practicable—

''(aa) 1 shall represent the viewpoint of labor; and

''(bb) another shall represent a management perspective;

''(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

''(I) 2 shall be licensed as chief engineer any horsepower;

''(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

''(III) to the extent practicable—

''(aa) 1 shall represent a labor viewpoint; and

''(bb) another shall represent a management perspective;

''(iii) 2 unlicensed seamen, of whom—

''(I) 1 shall represent the viewpoint of able-bodied seamen; and

''(II) another shall represent the viewpoint of qualified members of the engine department; and

''(iv) 1 pilot who represents the viewpoint of merchant marine pilots;

''(B) 6 marine educators, including—

''(i) 3 marine educators who represent the viewpoint of maritime academies, including—

''(I) 2 who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies; and

''(II) 1 who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

''(ii) 3 marine educators who represent the viewpoint of other maritime training institutions, 1 of whom shall represent the viewpoint of the small vessel industry;

''(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operation management; and

''(D) 2 members who are appointed from the general public.

''(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(B)(i)(II).

''(c) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member of the Committee as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

''(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

''(e) TERMINATION.—The Committee shall terminate on September 30, 2020.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''8108. Merchant Marine Personnel Advisory Committee.''.

SEC. 311. TRAVEL AND SUBSISTENCE.

(a) TITLE 46, UNITED STATES CODE.—Section 2110 of title 46, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b)(1) In addition to the collection of fees and charges established under subsection (a), in providing a service or thing of value under this subtitle the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''; and

(2) in subsection (c), by striking ''subsections (a) and (b),'' and inserting ''subsection (a),''.

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended by redesignating subsections (e) though (g) as subsections (f) through (h), respectively, and by inserting after subsection (d) the following:

''(e)(1) In addition to the collection of fees and charges established under this section, in the provision of a service or thing of value by the Coast Guard the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''.

(c) LIMITATION.—The Secretary of the Department in which the Coast Guard is operating may not accept in-kind transportation, travel, or subsistence under section 664(e) of title 14, United States Code, or section 2110(d)(4) of title 46, United States Code, as amended by this section, until the Commandant of the Coast Guard—

(1) amends the Standards of Ethical Conduct for members and employees of the Coast Guard to include regulations governing the acceptance of in-kind reimbursements; and

(2) notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amendments made under paragraph (1).

SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

Section 6101 of title 46, United States Code, is amended—

(1) by inserting after subsection (b) the following:

''(c) NOTICE TO STATE AND TRIBAL GOVERNMENTS.—Not later than 24 hours after receiving a notice of a major marine casualty under this section, the Secretary shall notify each State or federally recognized Indian tribe that is, or may reasonably be expected to be, affected by such marine casualty.'';

(2) in subsection (h)—

(A) by striking ''(1)''; and

(B) by redesignating subsection (h)(2) as subsection (i) of section 6101, and in such subsection—

(i) by striking ''paragraph,'' and inserting ''section,''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4); and

(3) by redesignating the last subsection as subsection (j).

SEC. 313. AREA CONTINGENCY PLANS.

Section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) is amended—

(1) in subparagraph (A), by striking ''qualified personnel of Federal, State, and local agencies.'' and inserting ''qualified—

''(i) personnel of Federal, State, and local agencies; and

''(ii) members of federally recognized Indian tribes, where applicable.'';

(2) in subparagraph (B)(ii)—

(A) by striking ''and local'' and inserting '', local, and tribal''; and

(B) by striking ''wildlife;'' and inserting ''wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge;'';

(3) in subparagraph (B)(iii), by striking ''and local'' and inserting '', local, and tribal''; and

(4) in subparagraph (C)—

(A) in clause (iv), by striking ''and Federal, State, and local agencies'' and inserting '', Federal, State, and local agencies, and tribal governments'';

(B) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(C) by inserting after clause (vi) the following:

''(vii) include a framework for advance planning and decisionmaking with respect to the closing and reopening of fishing areas following a discharge, including protocols and standards for the closing and reopening of fishing areas;''.

SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 803 of title 46, United States Code, is amended—

(1) in section 80301, by adding at the end the following:

''(c) PAYMENTS.—Payments received pursuant to subsection (b)(1) shall be credited to the appropriation for operating expenses of the Coast Guard.'';

(2) in section 80302—

(A) in subsection (b), by striking ''An ice patrol vessel'' and inserting ''The ice patrol'';

(B) in subsection (c)(1), by striking ''An ice patrol vessel'' and inserting ''The ice patrol''; and

(C) in the first sentence of subsection (d), by striking ''vessels'' and inserting ''aircraft''; and

(3) by adding at the end the following:

''§ 80304. Limitation on ice patrol data

''Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

''(1) documented under the laws of the United States; or

''(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''80304. Limitation on ice patrol data.''.

(c) EFFECTIVE DATE.—This section shall take effect on January 1, 2017.

SEC. 315. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPECTION.

Section 3316 of title 46, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following:

''(f)(1) Upon request of an owner or operator of an offshore supply vessel, the Secretary shall delegate the authorities set forth in paragraph (1) of subsection (b) with respect to such vessel to a classification society to which a delegation is authorized under that paragraph. A delegation by the Secretary under this subsection shall be used for any vessel inspection and examination function carried out by the Secretary, including the issuance of certificates of inspection and all other related documents.

''(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

''(3) Not later than 2 years after the date of the enactment of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

''(A) the number of vessels for which a delegation was made under paragraph (1);

''(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and

''(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.''.

SEC. 316. WATCHES.

Section 8104 of title 46, United States Code, is amended—

(1) in subsection (d), by striking ''coal passers, firemen, oilers, and water tenders'' and inserting ''and oilers''; and

(2) in subsection (g)(1), by striking ''(except the coal passers, firemen, oilers, and water tenders)''.

SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.

(a) VESSEL RESPONSE PLAN CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regarding the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

(1) MOBILE OFFSHORE DRILLING UNIT.—The term ''mobile offshore drilling unit'' has the meaning given that term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(2) RESPONSE PLAN.—The term ''response plan'' means a response plan prepared under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term ''worst case discharge'' has the meaning given that term under section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Coast Guard to review or approve a facility response plan for a mobile offshore drilling unit.

SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.

Section 5002(k)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking ''not more than $1,000,000'' and inserting ''not less than $1,400,000''.

SEC. 319. UNINSPECTED PASSENGER VESSELS IN THE UNITED STATES VIRGIN ISLANDS.

(a) IN GENERAL.—Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute '12 passengers' for '6 passengers' each place it appears in section 2101(42) if the Secretary determines that the vessel complies with, as applicable to the vessel—

''(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the 'Yellow Code'), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

''(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the 'Blue Code'), as published by such agency and in effect on such date.

''(2) If the Secretary establishes standards to carry out this subsection—

''(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

''(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).''.

(b) TECHNICAL CORRECTION.—Section 4105(c) of title 46, United States Code, as redesignated by subsection (a)(1) of this section, is amended by striking ''Within twenty-four months of the date of enactment of this subsection, the'' and inserting ''The''.

SEC. 320. TREATMENT OF ABANDONED SEAFARERS.

(a) IN GENERAL.—Chapter 111 of title 46, United States Code, is amended by adding at the end the following:

''§ 11113. Treatment of abandoned seafarers

''(a) ABANDONED SEAFARERS FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

''(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

''(A) to pay necessary support of a seafarer—

''(i) who—

''(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

''(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

''(ii) who—

''(I) is physically present in the United States;

''(II) the Secretary determines was abandoned in the United States; and

''(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

''(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

''(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

''(ii) the Secretary determines that reimbursement is appropriate.

''(3) CREDITING OF AMOUNTS TO FUND.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

''(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).

''(ii) Amounts reimbursed or recovered under subsection (c).

''(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A) only if the unobligated balance of the Fund is less than $5,000,000.

''(4) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

''(A) the amounts credited to the Fund under paragraph (2) for the preceding fiscal year; and

''(B) amounts in the Fund that were expended for the preceding fiscal year.

''(b) LIMITATION.—Nothing in this section shall be construed—

''(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

''(2) to compel the Secretary to pay or reimburse the cost of necessary support.

''(c) REIMBURSEMENT; RECOVERY.—

''(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

''(A) the vessel owner or operator—

''(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

''(ii) subsequently is—

''(I) convicted of a criminal offense related to such matter; or

''(II) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or

''(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

''(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1) within 60 days after receiving a written, itemized description of reimbursable expenses and a demand for payment, the Secretary may—

''(A) proceed in rem against the vessel on which the seafarer served in the Federal district court for the district in which the vessel is found; and

''(B) withhold or revoke the clearance required under section 60105 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a)) as the vessel on which the seafarer served.

''(3) OBTAINING CLEARANCE.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

''(A) reimburses the Fund the amount required under paragraph (1); or

''(B) provides a bond, or other evidence of financial responsibility, sufficient to meet the amount required to be reimbursed under paragraph (1).

''(4) NOTIFICATION REQUIRED.—The Secretary shall notify the vessel at least 72 hours before taking any action under paragraph (2)(B).

''(d) DEFINITIONS.—In this section:

''(1) ABANDONS; ABANDONED.—Each of the terms 'abandons' and 'abandoned' means—

''(A) a vessel owner's or operator's unilateral severance of ties with a seafarer; or

''(B) a vessel owner's or operator's failure to provide necessary support of a seafarer.

''(2) FUND.—The term 'Fund' means the Abandoned Seafarers Fund established under this section.

''(3) NECESSARY SUPPORT.—The term 'necessary support' means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

''(4) SEAFARER.—The term 'seafarer' means an alien crew member who is employed or engaged in any capacity on board a vessel subject to the jurisdiction of the United States.

''(5) VESSEL SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term 'vessel subject to the jurisdiction of the United States' has the meaning given that term in section 70502(c), except that it does not include a vessel that is—

''(A) owned, or operated under a bareboat charter, by the United States, a State or political subdivision thereof, or a foreign nation; and

''(B) not engaged in commerce.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''11113. Treatment of abandoned seafarers.''.

(c) CONFORMING AMENDMENT.—Section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908) is amended by adding at the end the following:

''(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 11113 of title 46, United States Code.''.

SEC. 321. WEBSITE.

(a) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section 3507(g)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking ''the incident to an Internet based portal maintained by the Secretary'' and inserting ''each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)''; and

(2) in clause (iii) by striking ''based portal maintained by the Secretary'' and inserting ''website maintained by the Secretary of Transportation under paragraph (4)(A)''.

(b) AVAILABILITY OF INCIDENT DATA ON INTERNET.—Section 3507(g)(4) of title 46, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) WEBSITE.—

''(i) IN GENERAL.—The Secretary of Transportation shall maintain a statistical compilation of all incidents on board a cruise vessel specified in paragraph (3)(A)(i) on an Internet website that provides a numerical accounting of the missing persons and alleged crimes reported under that paragraph without regard to the investigative status of the incident.

''(ii) UPDATES AND OTHER REQUIREMENTS.—The compilation under clause (i) shall—

''(I) be updated not less frequently than quarterly;

''(II) be able to be sorted by cruise line;

''(III) identify each cruise line by name;

''(IV) identify each crime or alleged crime committed or allegedly committed by a passenger or crewmember;

''(V) identify the number of individuals alleged overboard; and

''(VI) include the approximate number of passengers and crew carried by each cruise line during each quarterly reporting period.

''(iii) USER-FRIENDLY FORMAT.—The Secretary of Transportation shall ensure that the compilation, data, and any other information provided on the Internet website maintained under this subparagraph are in a user-friendly format. The Secretary shall, to the greatest extent practicable, use existing commercial off the shelf technology to transfer and establish the website, and shall not independently develop software, or acquire new hardware in operating the site.''; and

(2) in subparagraph (B) by striking ''Secretary'' and inserting ''Secretary of Transportation''.

SEC. 322. COAST GUARD REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the Coast Guard's proposed promulgation of safety and environmental management system requirements for vessels engaged in Outer Continental Shelf activities. The analysis shall include—

(1) a discussion of any new operational, management, design and construction, financial, and other mandates that would be imposed on vessel owners and operators;

(2) an estimate of all associated direct and indirect operational, management, personnel, training, vessel design and construction, record keeping, and other costs;

(3) an identification and justification of any of such proposed requirements that exceed those in international conventions applicable to the design, construction, operation, and management of vessels engaging in United States Outer Continental Shelf activities; and

(4) an identification of exemptions to the proposed requirements, that are based upon vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which noticed was published on September 10, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a).

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for fiscal year 2015.

SEC. 402. AWARD OF REPARATIONS.

Section 41305 of title 46, United States Code, is amended—

(1) in subsection (b), by striking '', plus reasonable attorney fees''; and

(2) by adding at the end the following:

''(e) ATTORNEY FEES.—In any action brought under section 41301, the prevailing party may be awarded reasonable attorney fees.''.

SEC. 403. TERMS OF COMMISSIONERS.

(a) IN GENERAL.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

''(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms.''; and

(2) by redesignating paragraph (3) as paragraph (5), and inserting after paragraph (2) the following:

''(3) VACANCIES.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

''(4) CONFLICTS OF INTEREST.—

''(A) LIMITATION ON RELATIONSHIPS WITH REGULATED ENTITIES.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

''(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in another business, vocation, or employment.''.

(b) APPLICABILITY.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of the enactment of this Act.

TITLE V—ARCTIC MARITIME TRANSPORTATION

SEC. 501. ARCTIC MARITIME TRANSPORTATION.

(a) ARCTIC MARITIME TRANSPORTATION.—Chapter 5 of title 14, United States Code, is amended by inserting after section 89 the following:

''§ 90. Arctic maritime transportation

''(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

''(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.—To carry out the purpose

of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

''(1) placement and maintenance of aids to navigation;

''(2) appropriate marine safety, tug, and salvage capabilities;

''(3) oil spill prevention and response capability;

''(4) maritime domain awareness, including long-range vessel tracking; and

''(5) search and rescue.

''(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

''(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

''(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

''(f) ARCTIC DEFINITION.—In this section, the term 'Arctic'? has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 89 the following:

''90. Arctic maritime transportation''.

(c) CONFORMING AMENDMENT.—Section 307 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 14 U.S.C. 92 note) is repealed.

SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''§ 154. Arctic maritime domain awareness

''(a) IN GENERAL.—The Commandant shall improve maritime domain awareness in the Arctic—

''(1) by promoting interagency cooperation and coordination;

''(2) by employing joint, interagency, and international capabilities; and

''(3) by facilitating the sharing of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and departments and agencies listed in subsection (b).

''(b) COORDINATION.—The Commandant shall seek to coordinate the collection, sharing, and use of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and the following:

''(1) The Department of Homeland Security.

''(2) The Department of Defense.

''(3) The Department of Transportation.

''(4) The Department of State.

''(5) The Department of the Interior.

''(6) The National Aeronautics and Space Administration.

''(7) The National Oceanic and Atmospheric Administration.

''(8) The Environmental Protection Agency.

''(9) The National Science Foundation.

''(10) The Arctic Research Commission.

''(11) Any Federal agency or commission or State the Commandant determines is appropriate.

''(c) COOPERATION.—The Commandant and the head of a department or agency listed in subsection (b) may by agreement, on a reimbursable basis or otherwise, share personnel, services, equipment, and facilities to carry out the requirements of this section.

''(d) 5-YEAR STRATEGIC PLAN.—Not later than January 1, 2016 and every 5 years thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic

''(e) DEFINITIONS.—In this section the term 'Arctic' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 153 the following:

''154. Arctic maritime domain awareness.''.

SEC. 503. IMO POLAR CODE NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the establishment of a draft international code of safety for ships operating in polar waters, popularly known as the Polar Code, and any amendments proposed by such a code to be made to the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships;

(2) the coming into effect of such a code and such amendments for nations that are parties to those conventions;

(3) impacts, for coastal communities located in the Arctic (as that term is defined in the section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments, on—

(A) the costs of delivering fuel and freight; and

(B) the safety of maritime transportation; and

(4) actions the Secretary must take to implement the requirements of such a code and such amendments.

SEC. 504. FORWARD OPERATING FACILITIES.

The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111). The facilities shall—

(1) support aircraft maintenance, including exhaust ventilation, heat, an engine wash system, fuel, ground support services, and electrical power;

(2) provide shelter for both current helicopter assets and those projected to be located at Air Station Kodiak, Alaska, for at least 20 years; and

(3) include accommodations for personnel.

SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking ''; BRIDGING STRATEGY''; and

(B) by striking ''Commandant of the Coast Guard'' and all that follows through the period at the end and inserting ''Commandant of the Coast Guard may decommission the Polar Sea.'';

(2) by adding at the end of subsection (d) the following:

''(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost effective to reactivate the Polar Sea, then—

''(A) the Commandant of the Coast Guard may decommission the Polar Sea; or

''(B) the Secretary may make such determination, not later than 90 days after the date of the enactment of Howard Coble Coast Guard and Maritime Transportation Act of 2014, and take actions in accordance with this subsection as though such determination was made in the analysis previously submitted.'';

(3) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(4) by inserting after subsection (d) the following:

''(e) STRATEGIES.—

''(1) IN GENERAL.—Not later than 180 days after the date on which the analysis required under subsection (a) is submitted, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) unless the Secretary makes a determination under this section that it is cost effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard's polar icebreaking services until at least September 30, 2024;

''(B) a strategy to meet the Coast Guard's Arctic ice operations needs through September 30, 2050; and

''(C) a strategy to meet the Coast Guard's Antarctic ice operations needs through September 30, 2050

''(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case analysis comparing the leasing and purchasing of icebreakers to maintain the needs and services described in that paragraph.''.

(b) CUTTER ''POLAR SEA''.—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560), the Secretary of the department in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter *Polar Sea* (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

(A) design activities related to a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of another Federal department or agency, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

(B) long-lead-time materials, production, or post-delivery activities related to such a capability.

(2) OTHER AMOUNTS.—Amounts made available to the Secretary under an agreement with another Federal department or agency and expended on a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of that or another Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation established under paragraph (1).

SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 86 the following:

"§ 87. Icebreaking in polar regions

''The President shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 86 the following:

''87. Icebreaking in polar regions.''.

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended—

(1) by striking subsections (c) and (e); and

(2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking ''2014'' and inserting ''2017''.

SEC. 603. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) Federal regulations and policies that reduce the competitiveness of United States flag vessels in international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States flag vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

(E) increase the use of short sea transportation routes, including routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

(F) enhance United States shipbuilding capability.

SEC. 604. WAIVERS.

(a) ''JOHN CRAIG''.—

(1) IN GENERAL.—Section 8902 of title 46, United States Code, shall not apply to the vessel *John Craig* (United States official number D1110613) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 158, in Pool Number 9, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established under Kentucky State law that applies to an operator of the vessel *John Craig*.

(b) ''F/V WESTERN CHALLENGER''.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the *F/V Western Challenger* (IMO number 5388108).

SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

(a) IN GENERAL.—The Commandant of the Coast Guard shall enter into an arrangement with the National Academy of Sciences to conduct an assessment of authorities under subtitle II of title 46, United States Code, that have been delegated to the Coast Guard and that impact the ability of vessels documented under the laws of the United States to effectively compete in international transportation markets.

(b) REVIEW OF DIFFERENCES WITH IMO STANDARDS.—The assessment under subsection (a) shall include a review of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and standards set by the International Maritime Organization governing the inspection of vessels.

(c) DEADLINE.—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment required under such subsection.

SEC. 606. VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE AND AUTOMATIC IDENTIFICATION SYSTEM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the status of the final rule that relates to the notice of proposed rulemaking titled ''Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System'' and published in the Federal Register on December 16, 2008 (73 Fed. Reg. 76295).

SEC. 607. CONVEYANCE OF COAST GUARD PROPERTY IN ROCHESTER, NEW YORK.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard is authorized to convey, at fair market value, all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 0.2 acres, that is under the administrative control of the Coast Guard and located at 527 River Street in Rochester, New York.

(b) RIGHT OF FIRST REFUSAL.—The City of Rochester, New York, shall have the right of first refusal with respect to the purchase, at fair market value, of the real property described in subsection (a).

(c) SURVEY.—The exact acreage and legal description of the property described in subsection (a) shall be determined by a survey satisfactory to the Commandant.

(d) FAIR MARKET VALUE.—The fair market value of the property described in subsection (a) shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

(e) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(g) DEPOSIT OF PROCEEDS.—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 687 of title 14, United States Code.

SEC. 608. CONVEYANCE OF CERTAIN PROPERTY IN GIG HARBOR, WASHINGTON.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CITY.—The term ''City'' means the city of Gig Harbor, Washington.

(2) PROPERTY.—The term ''Property'' means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of fast lands commonly identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Willamette Meridian, on the north side of the entrance of Gig Harbor, narrows of Puget Sound, Washington.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) CONVEYANCE.—

(1) AUTHORITY TO CONVEY.—Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating relinquishes the reservation of the Property for lighthouse purposes, at the request of the City and subject to the requirements of this section, the Secretary shall convey to the City all right, title, and interest of the United States in and to the Property, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713).

(2) TERMS OF CONVEYANCE.—A conveyance made under paragraph (1) shall be made—

(A) subject to valid existing rights;

(B) at the fair market value as described in subsection (c); and

(C) subject to any other condition that the Secretary may consider appropriate to protect the interests of the United States.

(3) COSTS.—The City shall pay any transaction or administrative costs associated with a conveyance under paragraph (1), including the costs of the appraisal, title searches, maps, and boundary and cadastral surveys.

(4) CONVEYANCE IS NOT A MAJOR FEDERAL ACTION.—A conveyance under paragraph (1) shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(c) FAIR MARKET VALUE.—

(1) DETERMINATION.—The fair market value of the Property shall be—

(A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and

(B) approved by the Secretary in accordance with paragraph (3).

(2) REQUIREMENTS.—An appraisal conducted under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) shall reflect the equitable considerations described in paragraph (3).

(3) EQUITABLE CONSIDERATIONS.—In approving the fair market value of the Property under this subsection, the Secretary shall take into consideration matters of equity and fairness, including the City's past and current lease of the Property, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

(d) REVOCATION; REVERSION.—Effective on and after the date on which a conveyance of the Property is made under subsection (b)(1)—

(1) Executive Order 3528, dated August 9, 1921, is revoked; and

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining and bordering the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 13, 1909, the same being chapter 110 of the Session Laws of 1909, shall revert to the State of Washington.

SEC. 609. VESSEL DETERMINATION.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may not prohibit a vessel operating within the existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve from taking up or discharging ballast water to allow for safe and efficient vessel operation if the uptake or discharge meets all Federal and State ballast water management requirements that would apply if the area were not a marine sanctuary.

SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

(1) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services, in coordination with the Commandant of the Coast Guard, shall allocate and assign the spaces in parking facilities at the Department of Homeland Security St. Elizabeths Campus to allow any member or employee of the Coast Guard, who is assigned to the Campus, to use such spaces.

(2) TIMING.—In carrying out paragraph (1), and in addition to the parking spaces allocated and assigned to Coast Guard members and employees in fiscal year 2014, the Administrator shall allocate and assign not less than—

(A) 300 parking spaces not later than September 30, 2015;

(B) 700 parking spaces not later than September 30, 2016; and

(C) 1,042 parking spaces not later than September 30, 2017.

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the impact of assigning and allocating parking spaces under subsection (a) on the congestion of roads connecting the St. Elizabeths Campus to the portions of Suitland Parkway and I–295 located in the Anacostia section of the District of Columbia; and

(2) progress made toward completion of essential transportation improvements identified in the Transportation Management Program for the St. Elizabeths Campus.

(c) REALLOCATION.—Notwithstanding subsection (a), the Administrator may revise the allocation and assignment of spaces to members and employees of the Coast Guard made under subsection (a) as necessary to accommodate employees of the Department of Homeland Security, other than the Coast Guard, when such employees are assigned to the St. Elizabeths Campus.

SA 3998. Mrs. BOXER (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes; as follows:

Amend the title so as to read: ''A bill to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.''.

SA 3999. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill S. 2519, to codify an existing operations center for cybersecurity; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Cybersecurity Protection Act of 2014''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Center'' means the national cybersecurity and communications integration center under section 226 of the Homeland Security Act of 2002, as added by section 3;

(2) the term ''critical infrastructure'' has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101);

(3) the term ''cybersecurity risk'' has the meaning given that term in section 226 of the Homeland Security Act of 2002, as added by section 3;

(4) the term ''information sharing and analysis organization'' has the meaning given that term in section 212(5) of the Homeland Security Act of 2002 (6 U.S.C. 131(5));

(5) the term ''information system'' has the meaning given that term in section 3502(8) of title 44, United States Code; and

(6) the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 3. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by adding at the end the following:

''SEC. 226. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

''(a) DEFINITIONS.—In this section—

''(1) the term 'cybersecurity risk' means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of information or information systems, including such related consequences caused by an act of terrorism;

''(2) the term 'incident' means an occurrence that—

''(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on 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 sharing and analysis organization' has the meaning given that term in section 212(5); and

''(4) the term 'information system' has the meaning given that term in section 3502(8) of title 44, United States Code.

''(b) CENTER.—There is in the Department a national cybersecurity and communications integration center (referred to in this section as the 'Center') to carry out certain responsibilities of the Under Secretary appointed under section 103(a)(1)(H).

''(c) FUNCTIONS.—The cybersecurity functions of the Center shall include—

''(1) being a Federal civilian interface for the multi-directional and cross-sector sharing of information related to cybersecurity risks, incidents, analysis, and warnings for Federal and non-Federal entities;

''(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government and non-Federal entities to address cybersecurity risks and incidents to Federal and non-Federal entities;

''(3) coordinating the sharing of information related to cybersecurity risks and incidents across the Federal Government;

''(4) facilitating cross-sector coordination to address cybersecurity risks and incidents, including cybersecurity risks and incidents that may be related or could have consequential impacts across multiple sectors;

''(5)(A) conducting integration and analysis, including cross-sector integration and analysis, of cybersecurity risks and incidents; and

''(B) sharing the analysis conducted under subparagraph (A) with Federal and non-Federal entities;

''(6) upon request, providing timely technical assistance, risk management support, and incident response capabilities to Federal and non-Federal entities with respect to cybersecurity risks and incidents, which may include attribution, mitigation, and remediation; and

''(7) providing information and recommendations on security and resilience measures to Federal and non-Federal entities, including information and recommendations to—

''(A) facilitate information security; and

''(B) strengthen information systems against cybersecurity risks and incidents.

''(d) COMPOSITION.—

''(1) IN GENERAL.—The Center shall be composed of—

''(A) appropriate representatives of Federal entities, such as—

''(i) sector-specific agencies;

''(ii) civilian and law enforcement agencies; and

''(iii) elements of the intelligence community, as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

''(B) appropriate representatives of non-Federal entities, such as—

''(i) State and local governments;

''(ii) information sharing and analysis organizations; and

''(iii) owners and operators of critical information systems;

''(C) components within the Center that carry out cybersecurity and communications activities;

''(D) a designated Federal official for operational coordination with and across each sector; and

''(E) other appropriate representatives or entities, as determined by the Secretary.

''(2) INCIDENTS.—In the event of an incident, during exigent circumstances the Secretary may grant a Federal or non-Federal entity immediate temporary access to the Center.

''(e) PRINCIPLES.—In carrying out the functions under subsection (c), the Center shall ensure—

''(1) to the extent practicable, that—

''(A) timely, actionable, and relevant information related to cybersecurity risks, incidents, and analysis is shared;

''(B) when appropriate, information related to cybersecurity risks, incidents, and analysis is integrated with other relevant information and tailored to the specific characteristics of a sector;

''(C) activities are prioritized and conducted based on the level of risk;

''(D) industry sector-specific, academic, and national laboratory expertise is sought and receives appropriate consideration;

''(E) continuous, collaborative, and inclusive coordination occurs—

''(i) across sectors; and

''(ii) with—

''(I) sector coordinating councils;

''(II) information sharing and analysis organizations; and

''(III) other appropriate non-Federal partners;

''(F) as appropriate, the Center works to develop and use mechanisms for sharing information related to cybersecurity risks and incidents that are technology-neutral, interoperable, real-time, cost-effective, and resilient; and

''(G) the Center works with other agencies to reduce unnecessarily duplicative sharing of information related to cybersecurity risks and incidents;

''(2) that information related to cybersecurity risks and incidents is appropriately safeguarded against unauthorized access; and

''(3) that activities conducted by the Center comply with all policies, regulations, and laws that protect the privacy and civil liberties of United States persons.

''(f) NO RIGHT OR BENEFIT.—

''(1) IN GENERAL.—The provision of assistance or information to, and inclusion in the Center of, governmental or private entities under this section shall be at the sole and unreviewable discretion of the Under Secretary appointed under section 103(a)(1)(H).

''(2) CERTAIN ASSISTANCE OR INFORMATION.—The provision of certain assistance or information to, or inclusion in the 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 225 the following:

''Sec. 226. National cybersecurity and communications integration center.''.

SEC. 4. RECOMMENDATIONS REGARDING NEW AGREEMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit recommendations on how to expedite the implementation of information-sharing agreements for cybersecurity purposes between the Center and non-Federal entities (referred to in this section as ''cybersecurity information-sharing agreements'') to—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and

(2) the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives.

(b) CONTENTS.—In submitting recommendations under subsection (a), the Secretary shall—

(1) address the development and utilization of a scalable form that retains all privacy and other protections in cybersecurity information-sharing agreements that are in effect as of the date on which the Secretary submits the recommendations, including Cooperative Research and Development Agreements; and

(2) include in the recommendations any additional authorities or resources that may be needed to carry out the implementation of any new cybersecurity information-sharing agreements.

SEC. 5. ANNUAL REPORT.

Not later than 1 year after the date of enactment of this Act, and every year thereafter for 3 years, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, and the Comptroller General of the United States a report on the Center, which shall include—

(a) information on the Center, including—

(1) an assessment of the capability and capacity of the Center to carry out its cybersecurity mission under this Act;

(2) the number of representatives from non-Federal entities that are participating in the Center, including the number of representatives from States, nonprofit organizations, and private sector entities, respectively;

(3) the number of requests from non-Federal entities to participate in the Center and the response to such requests;

(4) the average length of time taken to resolve requests described in paragraph (3);

(5) the identification of—

(A) any delay in resolving requests described in paragraph (3) involving security clearance processing; and

(B) the agency involved with a delay described in subparagraph (A);

(6) a description of any other obstacles or challenges to resolving requests described in paragraph (3) and a summary of the reasons for denials of any such requests;

(7) the extent to which the Department is engaged in information sharing with each critical infrastructure sector, including—

(A) the extent to which each sector has representatives at the Center;

(B) the extent to which owners and operators of critical infrastructure in each critical infrastructure sector participate in information sharing at the Center; and

(C) the volume and range of activities with respect to which the Secretary has collaborated with the sector coordinating councils and the sector-specific agencies to promote greater engagement with the Center; and

(8) the policies and procedures established by the Center to safeguard privacy and civil liberties.

SEC. 6. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, 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 Center in carrying out its cybersecurity mission.

SEC. 7. CYBER INCIDENT RESPONSE PLAN; CLEARANCES; BREACHES.

(a) CYBER INCIDENT RESPONSE PLAN; CLEARANCES.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), as amended by section 3, is amended by adding at the end the following:

''SEC. 227. CYBER INCIDENT RESPONSE PLAN.

''The Under Secretary appointed under section 103(a)(1)(H) shall, in coordination with appropriate Federal departments and agencies, State and local governments, sector coordinating councils, information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and other appropriate entities and individuals, develop, regularly update, maintain, and exercise adaptable cyber incident response plans to address cybersecurity risks (as defined in section 226) to critical infrastructure.

''SEC. 228. CLEARANCES.

''The Secretary shall make available the process of application for security clearances under Executive Order 13549 (75 Fed. Reg. 162; relating to a classified national security information program) or any successor Executive Order to appropriate representatives of sector coordinating councils, sector information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and any other person that the Secretary determines appropriate.''.

(b) BREACHES.—

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3544(c)(1) of title 44, United States Code, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, which shall—

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—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 paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) OMB REPORT.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

(A) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(B) include the assessment described in clause (i) in the report required under section 3543(a)(8) of title 44, United States Code.

(4) EXCEPTION.—Any 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)) that is required to provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) or in subsection (b)(1) shall be construed to alter any authority of a Federal agency or department.

(d) 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), as amended by section 3, is amended by inserting after the item relating to section 226 the following:

''Sec. 227. Cyber incident response plan.
''Sec. 228. Clearances.''.

SEC. 8. RULES OF CONSTRUCTION.

(a) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this Act or the amendments made by this Act shall be construed to grant the Secretary any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(b) PRIVATE ENTITIES.—Nothing in this Act or the amendments made by this Act shall be construed to require any private entity—

(1) to request assistance from the Secretary; or

(2) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

SA 4000. Mrs. BOXER (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014''.

SEC. 2. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

''TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

''SEC. 2101. DEFINITIONS.

''In this title—

''(1) the term 'CFATS regulation' means—

''(A) an existing CFATS regulation; and

''(B) any regulation or amendment to an existing CFATS regulation issued pursuant to the authority under section 2107;

''(2) the term 'chemical facility of interest' means a facility that—

''(A) holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles; and

''(B) is not an excluded facility;

''(3) the term 'covered chemical facility' means a facility that—

''(A) the Secretary—

''(i) identifies as a chemical facility of interest; and

''(ii) based upon review of the facility's Top-Screen, determines meets the risk criteria developed under section 2102(e)(2)(B); and

''(B) is not an excluded facility;

''(4) the term 'excluded facility' means—

''(A) a facility regulated under the Maritime Transportation Security Act of 2002 (Public Law 107–295; 116 Stat. 2064);

''(B) a public water system, as that term is defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f);

''(C) a Treatment Works, as that term is defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292);

''(D) a facility owned or operated by the Department of Defense or the Department of Energy; or

''(E) a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) to protect against unauthorized access of any material, activity, or structure licensed by the Nuclear Regulatory Commission;

''(5) the term 'existing CFATS regulation' means—

''(A) a regulation promulgated under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note) that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014; and

''(B) a Federal Register notice or other published guidance relating to section 550 of the Department of Homeland Security Appropriations Act, 2007 that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014;

''(6) the term 'expedited approval facility' means a covered chemical facility for which the owner or operator elects to submit a site security plan in accordance with section 2102(c)(4);

''(7) the term 'facially deficient', relating to a site security plan, means a site security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

''(A) the facility's site security plan;

''(B) the facility's Top-Screen;

''(C) the facility's security vulnerability assessment; or

''(D) any other information that—

''(i) the facility submits to the Department; or

''(ii) the Department obtains from a public source or other source;

''(8) the term 'guidance for expedited approval facilities' means the guidance issued under section 2102(c)(4)(B)(i);

''(9) the term 'risk assessment' means the Secretary's application of relevant risk criteria identified in section 2102(e)(2)(B);

''(10) the term 'terrorist screening database' means the terrorist screening database maintained by the Federal Government Terrorist Screening Center or its successor;

''(11) the term 'tier' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto;

''(12) the terms 'tiering' and 'tiering methodology' mean the procedure by which the Secretary assigns a tier to each covered chemical facility based on the risk assessment for that covered chemical facility;

''(13) the term 'Top-Screen' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto; and

''(14) the term 'vulnerability assessment' means the identification of weaknesses in the security of a chemical facility of interest.

''SEC. 2102. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

''(a) PROGRAM ESTABLISHED.—

''(1) IN GENERAL.—There is in the Department a Chemical Facility Anti-Terrorism Standards Program.

''(2) REQUIREMENTS.—In carrying out the Chemical Facility Anti-Terrorism Standards Program, the Secretary shall—

''(A) identify—

''(i) chemical facilities of interest; and

''(ii) covered chemical facilities;

''(B) require each chemical facility of interest to submit a Top-Screen and any other information the Secretary determines necessary to enable the Department to assess the security risks associated with the facility;

''(C) establish risk-based performance standards designed to address high levels of security risk at covered chemical facilities; and

''(D) require each covered chemical facility to—

''(i) submit a security vulnerability assessment; and

''(ii) develop, submit, and implement a site security plan.

''(b) SECURITY MEASURES.—

''(1) IN GENERAL.—A facility, in developing a site security plan as required under subsection (a), shall include security measures that, in combination, appropriately address the security vulnerability assessment and the risk-based performance standards for security for the facility.

''(2) EMPLOYEE INPUT.—To the greatest extent practicable, a facility's security vulnerability assessment and site security plan shall include input from at least 1 facility employee and, where applicable, 1 employee representative from the bargaining agent at that facility, each of whom possesses, in the determination of the facility's security officer, relevant knowledge, experience, training, or education as pertains to matters of site security.

''(c) APPROVAL OR DISAPPROVAL OF SITE SECURITY PLANS.—

''(1) IN GENERAL.—

''(A) REVIEW.—Except as provided in paragraph (4), the Secretary shall review and approve or disapprove each site security plan submitted pursuant to subsection (a).

''(B) BASES FOR DISAPPROVAL.—The Secretary—

''(i) may not disapprove a site security plan based on the presence or absence of a particular security measure; and

''(ii) shall disapprove a site security plan if the plan fails to satisfy the risk-based performance standards established pursuant to subsection (a)(2)(C).

''(2) ALTERNATIVE SECURITY PROGRAMS.—

''(A) AUTHORITY TO APPROVE.—

''(i) IN GENERAL.—The Secretary may approve an alternative security program established by a private sector entity or a Federal, State, or local authority or under other applicable laws, if the Secretary determines that the requirements of the program meet the requirements under this section.

''(ii) ADDITIONAL SECURITY MEASURES.—If the requirements of an alternative security program do not meet the requirements under

this section, the Secretary may recommend additional security measures to the program that will enable the Secretary to approve the program.

''(B) SATISFACTION OF SITE SECURITY PLAN REQUIREMENT.—A covered chemical facility may satisfy the site security plan requirement under subsection (a) by adopting an alternative security program that the Secretary has—

''(i) reviewed and approved under subparagraph (A); and

''(ii) determined to be appropriate for the operations and security concerns of the covered chemical facility.

''(3) SITE SECURITY PLAN ASSESSMENTS.—

''(A) RISK ASSESSMENT POLICIES AND PROCEDURES.—In approving or disapproving a site security plan under this subsection, the Secretary shall employ the risk assessment policies and procedures developed under this title.

''(B) PREVIOUSLY APPROVED PLANS.—In the case of a covered chemical facility for which the Secretary approved a site security plan before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary may not require the facility to resubmit the site security plan solely by reason of the enactment of this title.

''(4) EXPEDITED APPROVAL PROGRAM.—

''(A) IN GENERAL.—A covered chemical facility assigned to tier 3 or 4 may meet the requirement to develop and submit a site security plan under subsection (a)(2)(D) by developing and submitting to the Secretary—

''(i) a site security plan and the certification described in subparagraph (C); or

''(ii) a site security plan in conformance with a template authorized under subparagraph (H).

''(B) GUIDANCE FOR EXPEDITED APPROVAL FACILITIES.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall issue guidance for expedited approval facilities that identifies specific security measures that are sufficient to meet the risk-based performance standards.

''(ii) MATERIAL DEVIATION FROM GUIDANCE.—If a security measure in the site security plan of an expedited approval facility materially deviates from a security measure in the guidance for expedited approval facilities, the site security plan shall include an explanation of how such security measure meets the risk-based performance standards.

''(iii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL GUIDANCE.—During the period before the Secretary has met the deadline under clause (i), in developing and issuing, or amending, the guidance for expedited approval facilities under this subparagraph and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

''(I) section 553 of title 5, United States Code;

''(II) subchapter I of chapter 35 of title 44, United States Code; or

''(III) section 2107(b) of this title.

''(C) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

''(i) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

''(ii) the site security plan includes the security measures required by subsection (b);

''(iii)(I) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan;

''(II) any deviations from the guidance for expedited approval facilities in the site security plan meet the risk-based performance standards for the tier to which the facility is assigned; and

''(III) the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for any material deviation;

''(iv) the owner or operator has visited, examined, documented, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

''(v) the expedited approval facility has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

''(vi) each individual responsible for implementing the site security plan has been made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry out those requirements;

''(vii) the owner or operator has committed, or, in the case of planned measures will commit, the necessary resources to fully implement the site security plan; and

''(viii) the planned measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures.

''(D) DEADLINE.—

''(i) IN GENERAL.—Not later than 120 days after the date described in clause (ii), the owner or operator of an expedited approval facility shall submit to the Secretary the site security plan and the certification described in subparagraph (C).

''(ii) DATE.—The date described in this clause is—

''(I) for an expedited approval facility that was assigned to tier 3 or 4 under existing CFATS regulations before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the date that is 210 days after the date of enactment of that Act; and

''(II) for any expedited approval facility not described in subclause (I), the later of—

''(aa) the date on which the expedited approval facility is assigned to tier 3 or 4 under subsection (e)(2)(A); or

''(bb) the date that is 210 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014.

''(iii) NOTICE.—An owner or operator of an expedited approval facility shall notify the Secretary of the intent of the owner or operator to certify the site security plan for the expedited approval facility not later than 30 days before the date on which the owner or operator submits the site security plan and certification described in subparagraph (C).

''(E) COMPLIANCE.—

''(i) IN GENERAL.—For an expedited approval facility submitting a site security plan and certification in accordance with subparagraphs (A), (B), (C), and (D)—

''(I) the expedited approval facility shall comply with all of the requirements of its site security plan; and

''(II) the Secretary—

''(aa) except as provided in subparagraph (G), may not disapprove the site security plan; and

''(bb) may audit and inspect the expedited approval facility under subsection (d) to verify compliance with its site security plan.

''(ii) NONCOMPLIANCE.—If the Secretary determines an expedited approval facility is not in compliance with the requirements of the site security plan or is otherwise in violation of this title, the Secretary may enforce compliance in accordance with section 2104.

''(F) AMENDMENTS TO SITE SECURITY PLAN.—

''(i) REQUIREMENT.—

''(I) IN GENERAL.—If the owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit the amended site security plan and a certification relating to the amended site security plan that contains the information described in subparagraph (C).

''(II) TECHNICAL AMENDMENTS.—For purposes of this clause, an amendment to a site security plan includes any technical amendment to the site security plan.

''(ii) AMENDMENT REQUIRED.—The owner or operator of an expedited approval facility shall amend the site security plan if—

''(I) there is a change in the design, construction, operation, or maintenance of the expedited approval facility that affects the site security plan;

''(II) the Secretary requires additional security measures or suspends a certification and recommends additional security measures under subparagraph (G); or

''(III) the owner or operator receives notice from the Secretary of a change in tiering under subsection (e)(3).

''(iii) DEADLINE.—An amended site security plan and certification shall be submitted under clause (i)—

''(I) in the case of a change in design, construction, operation, or maintenance of the expedited approval facility that affects the security plan, not later than 120 days after the date on which the change in design, construction, operation, or maintenance occurred;

''(II) in the case of the Secretary requiring additional security measures or suspending a certification and recommending additional security measures under subparagraph (G), not later than 120 days after the date on which the owner or operator receives notice of the requirement for additional security measures or suspension of the certification and recommendation of additional security measures; and

''(III) in the case of a change in tiering, not later than 120 days after the date on which the owner or operator receives notice under subsection (e)(3).

''(G) FACIALLY DEFICIENT SITE SECURITY PLANS.—

''(i) PROHIBITION.—Notwithstanding subparagraph (A) or (E), the Secretary may suspend the authority of a covered chemical facility to certify a site security plan if the Secretary—

''(I) determines the certified site security plan or an amended site security plan is facially deficient; and

''(II) not later than 100 days after the date on which the Secretary receives the site security plan and certification, provides the covered chemical facility with written notification that the site security plan is facially deficient, including a clear explanation of each deficiency in the site security plan.

''(ii) ADDITIONAL SECURITY MEASURES.—

''(I) IN GENERAL.—If, during or after a compliance inspection of an expedited approval facility, the Secretary determines that planned or implemented security measures in the site security plan of the facility are insufficient to meet the risk-based performance standards based on misrepresentation, omission, or an inadequate description of the site, the Secretary may—

''(aa) require additional security measures; or

''(bb) suspend the certification of the facility.

''(II) RECOMMENDATION OF ADDITIONAL SECURITY MEASURES.—If the Secretary suspends

the certification of an expedited approval facility under subclause (I), the Secretary shall—

''(aa) recommend specific additional security measures that, if made part of the site security plan by the facility, would enable the Secretary to approve the site security plan; and

''(bb) provide the facility an opportunity to submit a new or modified site security plan and certification under subparagraph (A).

''(III) SUBMISSION; REVIEW.—If an expedited approval facility determines to submit a new or modified site security plan and certification as authorized under subclause (II)(bb)—

''(aa) not later than 90 days after the date on which the facility receives recommendations under subclause (II)(aa), the facility shall submit the new or modified plan and certification; and

''(bb) not later than 45 days after the date on which the Secretary receives the new or modified plan under item (aa), the Secretary shall review the plan and determine whether the plan is facially deficient.

''(IV) DETERMINATION NOT TO INCLUDE ADDITIONAL SECURITY MEASURES.—

''(aa) REVOCATION OF CERTIFICATION.—If an expedited approval facility does not agree to include in its site security plan specific additional security measures recommended by the Secretary under subclause (II)(aa), or does not submit a new or modified site security plan in accordance with subclause (III), the Secretary may revoke the certification of the facility by issuing an order under section 2104(a)(1)(B).

''(bb) EFFECT OF REVOCATION.—If the Secretary revokes the certification of an expedited approval facility under item (aa) by issuing an order under section 2104(a)(1)(B)—

''(AA) the order shall require the owner or operator of the facility to submit a site security plan or alternative security program for review by the Secretary review under subsection (c)(1); and

''(BB) the facility shall no longer be eligible to certify a site security plan under this paragraph.

''(V) FACIAL DEFICIENCY.—If the Secretary determines that a new or modified site security plan submitted by an expedited approval facility under subclause (III) is facially deficient—

''(aa) not later than 120 days after the date of the determination, the owner or operator of the facility shall submit a site security plan or alternative security program for review by the Secretary under subsection (c)(1); and

''(bb) the facility shall no longer be eligible to certify a site security plan under this paragraph.

''(H) TEMPLATES.—

''(i) IN GENERAL.—The Secretary may develop prescriptive site security plan templates with specific security measures to meet the risk-based performance standards under subsection (a)(2)(C) for adoption and certification by a covered chemical facility assigned to tier 3 or 4 in lieu of developing and certifying its own plan.

''(ii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL SITE SECURITY PLAN TEMPLATES AND RELATED GUIDANCE.—During the period before the Secretary has met the deadline under subparagraph (B)(i), in developing and issuing, or amending, the site security plan templates under this subparagraph, in issuing guidance for implementation of the templates, and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

''(I) section 553 of title 5, United States Code;

''(II) subchapter I of chapter 35 of title 44, United States Code; or

''(III) section 2107(b) of this title.

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to prevent a covered chemical facility from developing and certifying its own security plan in accordance with subparagraph (A).

''(I) EVALUATION.—

''(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall take any appropriate action necessary for a full evaluation of the expedited approval program authorized under this paragraph, including conducting an appropriate number of inspections, as authorized under subsection (d), of expedited approval facilities.

''(ii) REPORT.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that contains—

''(I)(aa) the number of eligible facilities using the expedited approval program authorized under this paragraph; and

''(bb) the number of facilities that are eligible for the expedited approval program but are using the standard process for developing and submitting a site security plan under subsection (a)(2)(D);

''(II) any costs and efficiencies associated with the expedited approval program;

''(III) the impact of the expedited approval program on the backlog for site security plan approval and authorization inspections;

''(IV) an assessment of the ability of expedited approval facilities to submit facially sufficient site security plans;

''(V) an assessment of any impact of the expedited approval program on the security of chemical facilities; and

''(VI) a recommendation by the Secretary on the frequency of compliance inspections that may be required for expedited approval facilities.

''(d) COMPLIANCE.—

''(1) AUDITS AND INSPECTIONS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'nondepartmental'—

''(I) with respect to personnel, means personnel that is not employed by the Department; and

''(II) with respect to an entity, means an entity that is not a component or other authority of the Department; and

''(ii) the term 'nongovernmental'—

''(I) with respect to personnel, means personnel that is not employed by the Federal Government; and

''(II) with respect to an entity, means an entity that is not an agency, department, or other authority of the Federal Government.

''(B) AUTHORITY TO CONDUCT AUDITS AND INSPECTIONS.—The Secretary shall conduct audits or inspections under this title using—

''(i) employees of the Department;

''(ii) nondepartmental or nongovernmental personnel approved by the Secretary; or

''(iii) a combination of individuals described in clauses (i) and (ii).

''(C) SUPPORT PERSONNEL.—The Secretary may use nongovernmental personnel to provide administrative and logistical services in support of audits and inspections under this title.

''(D) REPORTING STRUCTURE.—

''(i) NONDEPARTMENTAL AND NONGOVERNMENTAL AUDITS AND INSPECTIONS.—Any audit or inspection conducted by an individual employed by a nondepartmental or nongovernmental entity shall be assigned in coordination with a regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the audit or inspection is to be conducted.

''(ii) REQUIREMENT TO REPORT.—While an individual employed by a nondepartmental or nongovernmental entity is in the field conducting an audit or inspection under this subsection, the individual shall report to the regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the individual is operating.

''(iii) APPROVAL.—The authority to approve a site security plan under subsection (c) or determine if a covered chemical facility is in compliance with an approved site security plan shall be exercised solely by the Secretary or a designee of the Secretary within the Department.

''(E) STANDARDS FOR AUDITORS AND INSPECTORS.—The Secretary shall prescribe standards for the training and retraining of each individual used by the Department as an auditor or inspector, including each individual employed by the Department and all nondepartmental or nongovernmental personnel, including—

''(i) minimum training requirements for new auditors and inspectors;

''(ii) retraining requirements;

''(iii) minimum education and experience levels;

''(iv) the submission of information as required by the Secretary to enable determination of whether the auditor or inspector has a conflict of interest;

''(v) the proper certification or certifications necessary to handle chemical-terrorism vulnerability information (as defined in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto);

''(vi) the reporting of any issue of non-compliance with this section to the Secretary within 24 hours; and

''(vii) any additional qualifications for fitness of duty as the Secretary may require.

''(F) CONDITIONS FOR NONGOVERNMENTAL AUDITORS AND INSPECTORS.—If the Secretary arranges for an audit or inspection under subparagraph (B) to be carried out by a nongovernmental entity, the Secretary shall—

''(i) prescribe standards for the qualification of the individuals who carry out such audits and inspections that are commensurate with the standards for similar Government auditors or inspectors; and

''(ii) ensure that any duties carried out by a nongovernmental entity are not inherently governmental functions.

''(2) PERSONNEL SURETY.—

''(A) PERSONNEL SURETY PROGRAM.—For purposes of this title, the Secretary shall establish and carry out a Personnel Surety Program that—

''(i) does not require an owner or operator of a covered chemical facility that voluntarily participates in the program to submit information about an individual more than 1 time;

''(ii) provides a participating owner or operator of a covered chemical facility with relevant information about an individual based on vetting the individual against the terrorist screening database, to the extent that such feedback is necessary for the facility to be in compliance with regulations promulgated under this title; and

''(iii) provides redress to an individual—

''(I) whose information was vetted against the terrorist screening database under the program; and

''(II) who believes that the personally identifiable information submitted to the Department for such vetting by a covered

chemical facility, or its designated representative, was inaccurate.

''(B) PERSONNEL SURETY PROGRAM IMPLEMENTATION.—To the extent that a risk-based performance standard established under subsection (a) requires identifying individuals with ties to terrorism—

''(i) a covered chemical facility—

''(I) may satisfy its obligation under the standard by using any Federal screening program that periodically vets individuals against the terrorist screening database, or any successor program, including the Personnel Surety Program established under subparagraph (A); and

''(II) shall—

''(aa) accept a credential from a Federal screening program described in subclause (I) if an individual who is required to be screened presents such a credential; and

''(bb) address in its site security plan or alternative security program the measures it will take to verify that a credential or documentation from a Federal screening program described in subclause (I) is current;

''(ii) visual inspection shall be sufficient to meet the requirement under clause (i)(II)(bb), but the facility should consider other means of verification, consistent with the facility's assessment of the threat posed by acceptance of such credentials; and

''(iii) the Secretary may not require a covered chemical facility to submit any information about an individual unless the individual—

''(I) is to be vetted under the Personnel Surety Program; or

''(II) has been identified as presenting a terrorism security risk.

''(C) RIGHTS UNAFFECTED.—Nothing in this section shall supersede the ability—

''(i) of a facility to maintain its own policies regarding the access of individuals to restricted areas or critical assets; or

''(ii) of an employing facility and a bargaining agent, where applicable, to negotiate as to how the results of a background check may be used by the facility with respect to employment status.

''(3) AVAILABILITY OF INFORMATION.—The Secretary shall share with the owner or operator of a covered chemical facility any information that the owner or operator needs to comply with this section.

''(e) RESPONSIBILITIES OF THE SECRETARY.—

''(1) IDENTIFICATION OF CHEMICAL FACILITIES OF INTEREST.—In carrying out this title, the Secretary shall consult with the heads of other Federal agencies, States and political subdivisions thereof, relevant business associations, and public and private labor organizations to identify all chemical facilities of interest.

''(2) RISK ASSESSMENT.—

''(A) IN GENERAL.—For purposes of this title, the Secretary shall develop a security risk assessment approach and corresponding tiering methodology for covered chemical facilities that incorporates the relevant elements of risk, including threat, vulnerability, and consequence.

''(B) CRITERIA FOR DETERMINING SECURITY RISK.—The criteria for determining the security risk of terrorism associated with a covered chemical facility shall take into account—

''(i) relevant threat information;

''(ii) potential severe economic consequences and the potential loss of human life in the event of the facility being subject to attack, compromise, infiltration, or exploitation by terrorists; and

''(iii) vulnerability of the facility to attack, compromise, infiltration, or exploitation by terrorists.

''(3) CHANGES IN TIERING.—

''(A) MAINTENANCE OF RECORDS.—The Secretary shall document the basis for each instance in which—

''(i) tiering for a covered chemical facility is changed; or

''(ii) a covered chemical facility is determined to no longer be subject to the requirements under this title.

''(B) REQUIRED INFORMATION.—The records maintained under subparagraph (A) shall include information on whether and how the Secretary confirmed the information that was the basis for the change or determination described in subparagraph (A).

''(4) SEMIANNUAL PERFORMANCE REPORTING.—Not later than 6 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, and not less frequently than once every 6 months thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that includes, for the period covered by the report—

''(A) the number of covered chemical facilities in the United States;

''(B) information—

''(i) describing—

''(I) the number of instances in which the Secretary—

''(aa) placed a covered chemical facility in a lower risk tier; or

''(bb) determined that a facility that had previously met the criteria for a covered chemical facility under section 2101(3) no longer met the criteria; and

''(II) the basis, in summary form, for each action or determination under subclause (I); and

''(ii) that is provided in a sufficiently anonymized form to ensure that the information does not identify any specific facility or company as the source of the information when viewed alone or in combination with other public information;

''(C) the average number of days spent reviewing site security or an alternative security program for a covered chemical facility prior to approval;

''(D) the number of covered chemical facilities inspected;

''(E) the average number of covered chemical facilities inspected per inspector; and

''(F) any other information that the Secretary determines will be helpful to Congress in evaluating the performance of the Chemical Facility Anti-Terrorism Standards Program.

''SEC. 2103. PROTECTION AND SHARING OF INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, information developed under this title, including vulnerability assessments, site security plans, and other security related information, records, and documents shall be given protections from public disclosure consistent with the protection of similar information under section 70103(d) of title 46, United States Code.

''(b) SHARING OF INFORMATION WITH STATES AND LOCAL GOVERNMENTS.—Nothing in this section shall be construed to prohibit the sharing of information developed under this title, as the Secretary determines appropriate, with State and local government officials possessing a need to know and the necessary security clearances, including law enforcement officials and first responders, for the purpose of carrying out this title, provided that such information may not be disclosed pursuant to any State or local law.

''(c) SHARING OF INFORMATION WITH FIRST RESPONDERS.—

''(1) REQUIREMENT.—The Secretary shall provide to State, local, and regional fusion centers (as that term is defined in section 210A(j)(1)) and State and local government officials, as the Secretary determines appropriate, such information as is necessary to help ensure that first responders are properly prepared and provided with the situational awareness needed to respond to security incidents at covered chemical facilities.

''(2) DISSEMINATION.—The Secretary shall disseminate information under paragraph (1) through a medium or system determined by the Secretary to be appropriate to ensure the secure and expeditious dissemination of such information to necessary selected individuals.

''(d) ENFORCEMENT PROCEEDINGS.—In any proceeding to enforce this section, vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this title, and related vulnerability or security information, shall be treated as if the information were classified information.

''(e) AVAILABILITY OF INFORMATION.—Notwithstanding any other provision of law (including section 552(b)(3) of title 5, United States Code), section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') shall not apply to information protected from public disclosure pursuant to subsection (a) of this section.

''(f) SHARING OF INFORMATION WITH MEMBERS OF CONGRESS.—Nothing in this section shall prohibit the Secretary from disclosing information developed under this title to a Member of Congress in response to a request by a Member of Congress.

''SEC. 2104. CIVIL ENFORCEMENT.

''(a) NOTICE OF NONCOMPLIANCE.—

''(1) NOTICE.—If the Secretary determines that a covered chemical facility is not in compliance with this title, the Secretary shall—

''(A) provide the owner or operator of the facility with—

''(i) not later than 14 days after date on which the Secretary makes the determination, a written notification of noncompliance that includes a clear explanation of any deficiency in the security vulnerability assessment or site security plan; and

''(ii) an opportunity for consultation with the Secretary or the Secretary's designee; and

''(B) issue to the owner or operator of the facility an order to comply with this title by a date specified by the Secretary in the order, which date shall be not later than 180 days after the date on which the Secretary issues the order.

''(2) CONTINUED NONCOMPLIANCE.—If an owner or operator remains noncompliant after the procedures outlined in paragraph (1) have been executed, or demonstrates repeated violations of this title, the Secretary may enter an order in accordance with this section assessing a civil penalty, an order to cease operations, or both.

''(b) CIVIL PENALTIES.—

''(1) VIOLATIONS OF ORDERS.—Any person who violates an order issued under this title shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

''(2) NON-REPORTING CHEMICAL FACILITIES OF INTEREST.—Any owner of a chemical facility of interest who fails to comply with, or knowingly submits false information under, this title or the CFATS regulations shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

''(c) EMERGENCY ORDERS.—

''(1) IN GENERAL.—Notwithstanding subsection (a) or any site security plan or alternative security program approved under this title, if the Secretary determines that there is an imminent threat of death, serious illness, or severe personal injury, due to a violation of this title or the risk of a terrorist

incident that may affect a chemical facility of interest, the Secretary—

''(A) shall consult with the facility, if practicable, on steps to mitigate the risk; and

''(B) may order the facility, without notice or opportunity for a hearing, effective immediately or as soon as practicable, to—

''(i) implement appropriate emergency security measures; or

''(ii) cease or reduce some or all operations, in accordance with safe shutdown procedures, if the Secretary determines that such a cessation or reduction of operations is the most appropriate means to address the risk.

''(2) LIMITATION ON DELEGATION.—The Secretary may not delegate the authority under paragraph (1) to any official other than the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H).

''(3) LIMITATION ON AUTHORITY.—The Secretary may exercise the authority under this subsection only to the extent necessary to abate the imminent threat determination under paragraph (1).

''(4) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

''(A) WRITTEN ORDERS.—An order issued by the Secretary under paragraph (1) shall be in the form of a written emergency order that—

''(i) describes the violation or risk that creates the imminent threat;

''(ii) states the security measures or order issued or imposed; and

''(iii) describes the standards and procedures for obtaining relief from the order.

''(B) OPPORTUNITY FOR REVIEW.—After issuing an order under paragraph (1) with respect to a chemical facility of interest, the Secretary shall provide for review of the order under section 554 of title 5 if a petition for review is filed not later than 20 days after the date on which the Secretary issues the order.

''(C) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an order is filed under subparagraph (B) and the review under that paragraph is not completed by the last day of the 30-day period beginning on the date on which the petition is filed, the order shall vacate automatically at the end of that period unless the Secretary determines, in writing, that the imminent threat providing a basis for the order continues to exist.

''(d) RIGHT OF ACTION.—Nothing in this title confers upon any person except the Secretary or his or her designee a right of action against an owner or operator of a covered chemical facility to enforce any provision of this title.

''SEC. 2105. WHISTLEBLOWER PROTECTIONS.

''(a) PROCEDURE FOR REPORTING PROBLEMS.—

''(1) ESTABLISHMENT OF A REPORTING PROCEDURE.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish, and provide information to the public regarding, a procedure under which any employee or contractor of a chemical facility of interest may submit a report to the Secretary regarding a violation of a requirement under this title.

''(2) CONFIDENTIALITY.—The Secretary shall keep confidential the identity of an individual who submits a report under paragraph (1) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of publicly available information.

''(3) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies the individual making the report, the Secretary shall promptly respond to the individual directly and shall promptly acknowledge receipt of the report.

''(4) STEPS TO ADDRESS PROBLEMS.—The Secretary—

''(A) shall review and consider the information provided in any report submitted under paragraph (1); and

''(B) may take action under section 2104 of this title if necessary to address any substantiated violation of a requirement under this title identified in the report.

''(5) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

''(A) IN GENERAL.—If, upon the review described in paragraph (4), the Secretary determines that a violation of a provision of this title, or a regulation prescribed under this title, has occurred, the Secretary may—

''(i) institute a civil enforcement under section 2104(a) of this title; or

''(ii) if the Secretary makes the determination under section 2104(c), issue an emergency order.

''(B) WRITTEN ORDERS.—The action of the Secretary under paragraph (4) shall be in a written form that—

''(i) describes the violation;

''(ii) states the authority under which the Secretary is proceeding; and

''(iii) describes the standards and procedures for obtaining relief from the order.

''(C) OPPORTUNITY FOR REVIEW.—After taking action under paragraph (4), the Secretary shall provide for review of the action if a petition for review is filed within 20 calendar days of the date of issuance of the order for the action.

''(D) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an action is filed under subparagraph (C) and the review under that subparagraph is not completed by the end of the 30-day period beginning on the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

''(6) RETALIATION PROHIBITED.—

''(A) IN GENERAL.—An owner or operator of a chemical facility of interest or agent thereof may not discharge an employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).

''(B) EXCEPTION.—An employee shall not be entitled to the protections under this section if the employee—

''(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

''(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

''(b) PROTECTED DISCLOSURES.—Nothing in this title shall be construed to limit the right of an individual to make any disclosure—

''(1) protected or authorized under section 2302(b)(8) or 7211 of title 5, United States Code;

''(2) protected under any other Federal or State law that shields the disclosing individual against retaliation or discrimination for having made the disclosure in the public interest; or

''(3) to the Special Counsel of an agency, the inspector general of an agency, or any other employee designated by the head of an agency to receive disclosures similar to the disclosures described in paragraphs (1) and (2).

''(c) PUBLICATION OF RIGHTS.—The Secretary, in partnership with industry associations and labor organizations, shall make publicly available both physically and online the rights that an individual who discloses information, including security-sensitive information, regarding problems, deficiencies, or vulnerabilities at a covered chemical facility would have under Federal whistleblower protection laws or this title.

''(d) PROTECTED INFORMATION.—All information contained in a report made under this subsection (a) shall be protected in accordance with section 2103.

''SEC. 2106. RELATIONSHIP TO OTHER LAWS.

''(a) OTHER FEDERAL LAWS.—Nothing in this title shall be construed to supersede, amend, alter, or affect any Federal law that—

''(1) regulates (including by requiring information to be submitted or made available) the manufacture, distribution in commerce, use, handling, sale, other treatment, or disposal of chemical substances or mixtures; or

''(2) authorizes or requires the disclosure of any record or information obtained from a chemical facility under any law other than this title.

''(b) STATES AND POLITICAL SUBDIVISIONS.—This title shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.

''SEC. 2107. CFATS REGULATIONS.

''(a) GENERAL AUTHORITY.—The Secretary may, in accordance with chapter 5 of title 5, United States Code, promulgate regulations or amend existing CFATS regulations to implement the provisions under this title.

''(b) EXISTING CFATS REGULATIONS.—

''(1) IN GENERAL.—Notwithstanding section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, each existing CFATS regulation shall remain in effect unless the Secretary amends, consolidates, or repeals the regulation.

''(2) REPEAL.—Not later than 30 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall repeal any existing CFATS regulation that the Secretary determines is duplicative of, or conflicts with, this title.

''(c) AUTHORITY.—The Secretary shall exclusively rely upon authority provided under this title in—

''(1) determining compliance with this title;

''(2) identifying chemicals of interest; and

''(3) determining security risk associated with a chemical facility.

''SEC. 2108. SMALL COVERED CHEMICAL FACILITIES.

''(a) DEFINITION.—In this section, the term 'small covered chemical facility' means a covered chemical facility that—

''(1) has fewer than 100 employees employed at the covered chemical facility; and

''(2) is owned and operated by a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

''(b) ASSISTANCE TO FACILITIES.—The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this title.

''(c) REPORT.—The Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

''SEC. 2109. OUTREACH TO CHEMICAL FACILITIES OF INTEREST.

''Not later than 90 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish an outreach implementation plan, in coordination with the heads of other appropriate Federal and State agencies, relevant business associations, and public and private labor organizations, to—

''(1) identify chemical facilities of interest; and

''(2) make available compliance assistance materials and information on education and training.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–196; 116 Stat. 2135) is amended by adding at the end the following:

''TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

''Sec. 2101. Definitions.
''Sec. 2102. Chemical Facility Anti-Terrorism Standards Program.
''Sec. 2103. Protection and sharing of information.
''Sec. 2104. Civil enforcement.
''Sec. 2105. Whistleblower protections.
''Sec. 2106. Relationship to other laws.
''Sec. 2107. CFATS regulations.
''Sec. 2108. Small covered chemical facilities.
''Sec. 2109. Outreach to chemical facilities of interest.''.

SEC. 3. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term ''Chemical Facility Anti-Terrorism Standards Program'' means—

(A) the Chemical Facility Anti-Terrorism Standards program initially authorized under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note); and

(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102(a) of the Homeland Security Act of 2002, as added by section 2;

(2) the term ''Department'' means the Department of Homeland Security; and

(3) the term ''Secretary'' means the Secretary of Homeland Security.

(b) THIRD-PARTY ASSESSMENT.—Using amounts appropriated to the Department before the date of enactment of this Act, the Secretary shall commission a third-party study to assess vulnerabilities of covered chemical facilities, as defined in section 2101 of the Homeland Security Act of 2002 (as added by section 2), to acts of terrorism.

(c) REPORTS.—

(1) REPORT TO CONGRESS.—Not later than 18 months after the date of 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 and the Committee on Energy and Commerce of the House of Representatives a report on the Chemical Facility Anti-Terrorism Standards Program that includes—

(A) a certification by the Secretary that the Secretary has made significant progress in the identification of all chemical facilities of interest under section 2102(e)(1) of the Homeland Security Act of 2002, as added by section 2, including—

(i) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

(ii) information on whether facilities that submitted Top-Screens as a result of the identification of chemical facilities of interest were tiered and in what tiers those facilities were placed; and

(iii) an action plan to better identify chemical facilities of interest and bring those facilities into compliance with title XXI of the Homeland Security Act of 2002, as added by section 2;

(B) a certification by the Secretary that the Secretary has developed a risk assessment approach and corresponding tiering methodology under section 2102(e)(2) of the Homeland Security Act of 2002, as added by section 2;

(C) an assessment by the Secretary of the implementation by the Department of the recommendations made by the Homeland Security Studies and Analysis Institute as outlined in the Institute's Tiering Methodology Peer Review (Publication Number: RP12–22–02); and

(D) a description of best practices that may assist small covered chemical facilities, as defined in section 2108(a) of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

(2) ANNUAL GAO REPORT.—

(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress the first report under subparagraph (A).

(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (a)(1) of such section 2105; and

(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

(D) THIRD ANNUAL REPORT.—Not later than 1 year after the date on which the Comptroller General submits the second report required under subparagraph (A), the Comptroller General shall submit to Congress the third report under subparagraph (A), which shall include an assessment of—

(i) the expedited approval program authorized under section 2102(c)(4) of the Homeland Security Act of 2002, as added by section 2; and

(ii) the report on the expedited approval program submitted by the Secretary under subparagraph (I)(ii) of such section 2102(c)(4).

SEC. 4. EFFECTIVE DATE; CONFORMING REPEAL.

(a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

(b) CONFORMING REPEAL.—Section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1388), is repealed as of the effective date of this Act.

SEC. 5. TERMINATION.

The authority provided under title XXI of the Homeland Security Act of 2002, as added by section 2(a), shall terminate on the date that is 4 years after the effective date of this Act.

SA 4001. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, to require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cybersecurity Workforce Assessment Act''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Cybersecurity Category'' means a position's or incumbent's primary work function involving cybersecurity, which is further defined by Specialty Area;

(2) the term ''Department'' means the Department of Homeland Security;

(3) the term ''Secretary'' means the Secretary of Homeland Security; and

(4) the term ''Specialty Area'' means any of the common types of cybersecurity work as recognized by the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report.

SEC. 3. CYBERSECURITY WORKFORCE ASSESSMENT AND STRATEGY.

(a) WORKFORCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for 3 years, the Secretary shall assess the cybersecurity workforce of the Department.

(2) CONTENTS.—The assessment required under paragraph (1) shall include, at a minimum—

(A) an assessment of the readiness and capacity of the workforce of the Department to meet its cybersecurity mission;

(B) information on where cybersecurity workforce positions are located within the Department;

(C) information on which cybersecurity workforce positions are—

(i) performed by—

(I) permanent full-time equivalent employees of the Department, including, to the greatest extent practicable, demographic information about such employees;

(II) independent contractors; and

(III) individuals employed by other Federal agencies, including the National Security Agency; or

(ii) vacant; and

(D) information on—

(i) the percentage of individuals within each Cybersecurity Category and Specialty Area who received essential training to perform their jobs; and

(ii) in cases in which such essential training was not received, what challenges, if any, were encountered with respect to the provision of such essential training.

(b) WORKFORCE STRATEGY.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 1 year after the date of enactment of this Act, develop a comprehensive workforce strategy to enhance the readiness, capacity, training, recruitment, and retention of the cybersecurity workforce of the Department; and

(B) maintain and, as necessary, update the comprehensive workforce strategy developed under subparagraph (A).

(2) CONTENTS.—The comprehensive workforce strategy developed under paragraph (1) shall include a description of—

(A) a multi-phased recruitment plan, including with respect to experienced professionals, members of disadvantaged or underserved communities, the unemployed, and veterans;

(B) a 5-year implementation plan;

(C) a 10-year projection of the cybersecurity workforce needs of the Department;

(D) any obstacle impeding the hiring and development of a cybersecurity workforce in the Department; and

(E) any gap in the existing cybersecurity workforce of the Department and a plan to fill any such gap.

(c) UPDATES.—The Secretary submit to the appropriate congressional committees annual updates on—

(1) the cybersecurity workforce assessment required under subsection (a); and

(2) the progress of the Secretary in carrying out the comprehensive workforce strategy required to be developed under subsection (b).

SEC. 4. CYBERSECURITY FELLOWSHIP PROGRAM.

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility, cost, and benefits of establishing a Cybersecurity Fellowship Program to offer a tuition payment plan for individuals pursuing undergraduate and doctoral degrees who agree to work for the Department for an agreed-upon period of time.

SA 4002. Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, to require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes; as follows:

Amend the title so as to read: ''To require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes.''.

SA 4003. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 30___. DEFERRED MAINTENANCE BACKLOG ON FEDERAL LAND.

Section 7(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–9(a)) is amended by adding at the end the following:

''(4) To address the maintenance backlog on Federal land.''.

SA 4004. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 30____. ELIGIBILITY FOR PAYMENTS IN LIEU OF TAXES.

Any land designated as a unit of the National Park System or a component of the National Wilderness Preservation System under this title shall not be subject to chapter 69 of title 31, United States Code.

SA 4005. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 30___. PROHIBITION ON AVAILABILITY OF FUNDS FOR FEDERAL LAND ACQUISITION.

None of the funds authorized to be appropriated by this Act (or an amendment made by this Act) may be obligated or expended to establish a new unit of the National Park System or to acquire Federal land until the date on which the Secretary of the Interior certifies that the maintenance backlog on Federal land has declined for at least 2 consecutive years.

SA 4006. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—EFFECT OF CERTAIN PROVISIONS

SEC. 5001. SEALASKA LAND ENTITLEMENT FINALIZATION.

Notwithstanding any other provision of this Act, section 3002 shall have no force or effect.

SEC. 5002. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3031 shall have no force or effect.

SEC. 5003. COLTSVILLE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3032 shall have no force or effect.

SEC. 5004. FIRST STATE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3033 shall have no force or effect.

SEC. 5005. HINCHLIFFE STADIUM ADDITION TO PATERSON GREAT FALLS NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3037 shall have no force or effect.

SEC. 5006. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3039 shall have no force or effect.

SEC. 5007. VALLES CALDERA NATIONAL PRESERVE, NEW MEXICO.

Notwithstanding any other provision of this Act, section 3043 shall have no force or effect.

SEC. 5008. VICKSBURG NATIONAL MILITARY PARK.

Notwithstanding any other provision of this Act, section 3044 shall have no force or effect.

SEC. 5009. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION PROGRAM.

Notwithstanding any other provision of this Act, section 3050 shall have no force or effect.

SEC. 5010. SPECIAL RESOURCE STUDIES.

Notwithstanding any other provision of this Act, section 3051 shall have no force or effect.

SEC. 5011. NATIONAL HERITAGE AREAS AND CORRIDORS.

Notwithstanding any other provision of this Act, section 3052 shall have no force or effect.

SEC. 5012. COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL WOMEN'S HISTORY MUSEUM.

Notwithstanding any other provision of this Act, section 3056 shall have no force or effect.

SEC. 5013. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.

Notwithstanding any other provision of this Act, section 3060 shall have no force or effect.

SEC. 5014. COLUMBINE-HONDO WILDERNESS.

Notwithstanding any other provision of this Act, section 3061 shall have no force or effect.

SEC. 5015. HERMOSA CREEK WATERSHED PROTECTION.

Notwithstanding any other provision of this Act, section 3062 shall have no force or effect.

SEC. 5016. NORTH FORK FEDERAL LANDS WITHDRAWAL AREA.

Notwithstanding any other provision of this Act, section 3063 shall have no force or effect.

SEC. 5017. PINE FOREST RANGE WILDERNESS.

Notwithstanding any other provision of this Act, section 3064 shall have no force or effect.

SEC. 5018. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.

Notwithstanding any other provision of this Act, section 3065 shall have no force or effect.

SEC. 5019. WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3066 shall have no force or effect.

SEC. 5020. WITHDRAWAL AREA RELATED TO WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3067 shall have no force or effect.

SEC. 5021. ILLABOT CREEK, WASHINGTON, WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3071 shall have no force or effect.

SEC. 5022. MISSISQUOI AND TROUT WILD AND SCENIC RIVERS, VERMONT.

Notwithstanding any other provision of this Act, section 3072 shall have no force or effect.

SEC. 5023. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.

Notwithstanding any other provision of this Act, section 3073 shall have no force or effect.

SEC. 5024. STUDIES OF WILD AND SCENIC RIVERS.

Notwithstanding any other provision of this Act, section 3074 shall have no force or effect.

SEC. 5025. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

SEC. 5026. REFINANCING OF PACIFIC COAST GROUNDFISH FISHING CAPACITY REDUCTION LOAN.

Notwithstanding any other provision of this Act, section 3095 shall have no force or effect.

SEC. 5027. PAYMENTS IN LIEU OF TAXES.

Notwithstanding any other provision of this Act, section 3096 shall have no force or effect.

SA 4007. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CRITERIA FOR OCO FUNDING REQUESTS.

(a) CERTIFICATION BY DIRECTOR OF OMB.—

(1) IN GENERAL.—Any request of the President for funds for overseas contingency operations to be carried out by the Armed Forces (including any request for supplemental funding for a fiscal year for such purpose) shall include, for each program, project, activity, or other item for which funds are so requested, a certification by the Director of the Office of Management and Budget whether such program, project, activity, or item meets one or more of the criteria specified in paragraph (3).

(2) SCOPE OF CERTIFICATION.—Each certification under paragraph (1) for a program, project, activity, or item that meets more than one of the criteria specified in paragraph (3) shall specify each of the criteria which such program, project, activity, or item meets.

(3) CRITERIA.—The criteria specified in this paragraph are as follows:

(A) MAJOR EQUIPMENT.—That the program, project, activity, or item is for major equipment as follows:

(i) Replacement of loses that have occurred, other than—

(I) items already programmed for replacement in the future-years defense program; and

(II) accelerations of replacements.

(ii) Replacement or repair to original capability (to upgraded capability if currently available) of equipment returning from a theater operations—

(I) including replacement by a similar end item if the original item is no longer in production; but

(II) excluding incremental cost of non-war related upgrades.

(iii) Procurement of specialized, theater-specific equipment.

(B) GROUND EQUIPMENT REPLACEMENT.—That the program, project, activity, or item is for replacement of ground equipment as follows:

(i) Replacement of combat losses and returning equipment that is not economical to repair, including replacement of equipment to be given to coalition partners.

(ii) Replacement of in-theater stocks above customary equipping levels, if jointly determined by the Director and the Secretary of Defense to be consistent with the purposes of certification under paragraph (1).

(C) EQUIPMENT MODIFICATIONS.—That the program, project, activity, or item is for operationally-required modifications to equipment used in a theater of operations or in direct support of combat operations, other than modifications already programmed in the future-years defense program.

(D) MUNITIONS.—That the program, project, activity, or item is for munitions as follows:

(i) Replenishment of munitions expended in combat operations in a theater of operations.

(ii) Procurement of training ammunition for training events unique to a theater of operations.

(iii) Anticipated procurement of munitions where existing stocks are insufficient to sustain combat operations in a theater of operations, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(E) AIRCRAFT REPLACEMENT.—That the program, project, activity, or item is for replacement of aircraft as follows:

(i) Replacement of combat losses by accident that occur in a theater of operations.

(ii) Replacement of combat losses by enemy action that occur in a theater of operations.

(F) MILITARY CONSTRUCTION.—That the program, project, activity, or item is for military construction as follows:

(i) Construction of facilities and infrastructure in a theater of operations in direct support of combat operations.

(ii) Construction at non-enduring locations of facilities, and infrastructure for temporary use.

(iii) Construction at enduring locations of facilities and infrastructure for temporary use.

(iv) Construction an enduring locations for surge operations or major changes in operational requirements, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(G) RESEARCH AND DEVELOPMENT.—That the program, project, activity, or item is for research and development for combat operations that can be delivered in 12 months.

(H) OPERATIONS.—That the item is for operations as follows:

(i) Direct war costs, including the following:

(I) Transport of personnel, equipment, and supplies to, from, and within a theater of operations.

(II) Deployment-specific training and preparation for units and personnel (whether military or civilian) to assume their directed missions as defined in the orders for deployment into a theater of operations.

(ii) Within a theater of operations, incremental costs for purposes as follows:

(I) To support commanders in the conduct of their directed missions (including Emergency Response Programs).

(II) To build and maintain temporary facilities.

(III) To provide food, fuel, supplies, contracted services and other support.

(IV) To cover the operational costs of coalition partners supporting military missions of the United States Armed Forces.

(iii) Indirect war costs incurred outside a theater of operations, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(I) HEALTH CARE.—That the program, project, activity, or item is for health care as follows:

(i) Provision of short-term care directly related to combat.

(ii) Procurement of infrastructure that is only to be used during the current conflict.

(J) PERSONNEL.—That the item is for pay and allowances for members of the Armed Forces as follows:

(i) Payment of incremental special pays and allowances for members of the Armed Forces and civilians deployed to a combat zone.

(ii) Payment of incremental pay, special pays, and allowances for members of the reserve components of the Armed Forces who are mobilized to support war missions.

(K) SPECIAL OPERATIONS COMMAND.—That the program, project, activity, or item is for the United States Special Operations Command as follows:

(i) Operations certifiable under another subparagraph of this paragraph.

(ii) Equipment certifiable under another subparagraph of this paragraph.

(L) PREPOSITIONED SUPPLIED AND EQUIPMENT.—That the program, project, activity, or item is for procurement of prepositioned supplies and equipment for resetting in-theater stocks of supplies and equipment to preconflict levels.

(M) SECURITY FORCES.—That the program, project, activity, or item is for training, equipping, and sustaining military and police forces of countries in a theater of operations.

(N) FUEL.—That the program, project, activity, or item is for fuel as follows:

(i) Procurement of fuel for logistical support for combat operations.

(ii) Maintenance of Defense Working Capital Funds to cover seven-day disbursements for base fuel shortfalls attributable to fuel price increases.

(b) SENATE POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes amounts designated for overseas contingency operations unless such amounts are for a program, project, activity, or other item that meets one or more of the criteria specified in subsection (a)(3).

(2) WAIVER AND APPEAL.—

(A) WAIVER.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(c) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—Notwithstanding section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), if, for any fiscal year, appropriations for discretionary accounts are enacted that the Congress designates for Overseas Contingency Operations/Global War on Terrorism, the adjustment to discretionary spending limits under such section 251(b)(2)(A) for Overseas Contingency Operations/Global War on Terrorism shall be the total of only such appropriations in discretionary accounts that are certified by the Director of the Office of Management and Budget to be for a program, project, activity, or other item that meets one or more criteria specified in subsection (a)(3).

SA 4008. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the

Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ___. INSTALLATION RENEWABLE ENERGY PROJECT DATABASE.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a searchable database to uniformly report information regarding installation renewable energy projects undertaken since 2010.

(b) ELEMENTS.—The database established under subsection (a) shall include, for each installation energy project—

(1) the estimated project costs;

(2) estimated power generation;

(3) estimated total cost savings;

(4) estimated payback period;

(5) total project costs;

(6) actual power generation;

(7) actual cost savings to date;

(8) current operational status; and

(9) access to relevant business case documents, including the economic viability assessment.

(c) UPDATES.—The database established under subsection (a) shall be updated not less than quarterly.

SA 4009. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. ___. ENHANCED WHISTLEBLOWER PROTECTION FOR CONTRACTOR EMPLOYEES.

(a) PROHIBITION ON PREVENTION OF WHISTLEBLOWER DISCLOSURES.—

(1) DEFENSE CONTRACTS.—Section 2409(a)(1) of title 10, United States Code, is amended by striking ''may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing'' and inserting ''may not be prohibited in any way from, or discharged, demoted, or otherwise discriminated against as a reprisal for, disclosing''.

(2) CIVILIAN CONTRACTS.—Section 4705(b) of title 41, United States Code, is amended by striking ''may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing'' and inserting ''may not be prohibited in any way from, or discharged, demoted, or otherwise discriminated against as a reprisal for, disclosing''.

(b) CONTRACT CLAUSE REQUIREMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation shall be amended to require that any contract entered into after such date by an executive agency, and any subcontract at any tier, include the following clause: ''The contractor shall not enter into any agreement with an employee performing work under this contract that would prohibit that employee from disclosing information as described in subparagraph (A), (B), or (C) of section 2409(a)(1) of title 10, United States Code or section 4705(b) of title 41, United States Code, to officials described in such sections.''.

(2) EXECUTIVE AGENCY DEFINED.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SA 4010. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—AUDIT OF THE DEPARTMENT OF DEFENSE

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Audit the Pentagon Act of 2014''.

SEC. ___02. FINDINGS.

Congress makes the following findings:

(1) Section 9 of Article I of the Constitution of the United States requires all agencies of the Federal Government, including the Department of Defense, to publish ''a regular statement and account of the receipts and expenditures of all public money''.

(2) Section 3515 of title 31, United States Code, requires the agencies of the Federal Government, including the Department of Defense, to present auditable financial statements beginning not later than March 1, 1997. The Department has not complied with this law.

(3) The Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) requires financial systems acquired by the Federal Government, including the Department of Defense, to be able to provide information to leaders to manage and control the cost of Government. The Department has not complied with this law.

(4) The financial management of the Department of Defense has been on the ''High-Risk'' list of the Government Accountability Office, which means that the Department is not consistently able to ''control costs; ensure basic accountability; anticipate future costs and claims on the budget; measure performance; maintain funds control; [and] prevent and detect fraud, waste, and abuse''.

(5) The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) requires the Secretary of Defense to report to Congress annually on the reliability of the financial statements of the Department of Defense, to minimize resources spent on producing unreliable financial statements, and to use resources saved to improve financial management policies, procedures, and internal controls.

(6) In 2005, the Department of Defense created a Financial Improvement and Audit Readiness (FIAR) Plan, overseen by a directorate within the office of the Under Secretary of Defense (Comptroller), to improve Department business processes with the goal of producing timely, reliable, and accurate financial information that could generate an audit-ready annual financial statement. In December 2005, that directorate, known as the FIAR Directorate, issued the first of a series of semiannual reports on the status of the Financial Improvement and Audit Readiness Plan.

(7) The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) requires regular status reports on the Financial Improvement and Audit Readiness Plan described in paragraph (6), and codified as a statutory requirement the goal of the Plan in ensuring that Department of Defense financial statements are validated as ready for audit not later than September 30, 2017. In addition, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) requires that the statement of budgetary resources of the Department of Defense be validated as ready for audit by not later than September 30, 2014.

(8) At a September 2010 hearing of the Senate, the Government Accountability Office stated that past expenditures by the Department of Defense of $5,800,000,000 to improve financial information, and billions of dollars more of anticipated expenditures on new information technology systems for that purpose, may not suffice to achieve full audit readiness of the financial statement of the Department. At that hearing, the Government Accountability Office could not predict when the Department would achieve full audit readiness of such statements.

(9) At a 2013 hearing of the Senate, Secretary of Defense Chuck Hagel affirmed his commitment to audit-ready budget statements for the Department of Defense by the end of 2014, and stated that he ''will do everything he can to fulfill this commitment''. At that hearing, Secretary Hagel noted that auditable financial statements were essential to the Department not only for improving the quality of its financial information, but also for reassuring the public and Congress that it is a good steward of public funds.

SEC. ___03. CESSATION OF APPLICABILITY OF REPORTING REQUIREMENTS REGARDING THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) CESSATION OF APPLICABILITY.—

(1) MILITARY DEPARTMENTS.—The financial statements of a military department shall cease to be covered by the reporting requirements specified in subsection (b) upon the issuance of an unqualified audit opinion on such financial statements.

(2) DEPARTMENT OF DEFENSE.—The reporting requirements specified in subsection (b) shall cease to be effective when an unqualified audit opinion is issued on the financial statements of the Department of Defense, including each of the military departments and the other reporting entities defined by the Office of Management and Budget.

(b) REPORTING REQUIREMENTS.—The reporting requirements specified in this subsection are the following:

(1) The requirement for annual reports in section 892(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4311; 10 U.S.C. 2306a note).

(2) The requirement for semi-annual reports in section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2440; 10 U.S.C. 2222 note).

(3) The requirement for annual reports in section 817(d) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2306a note).

(4) The requirement for annual reports in section 1008(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1204; 10 U.S.C. 113 note).

(5) The requirement for periodic reports in section 908(b) of the Defense Acquisition Improvement Act of 1986 (Public Law 99–500; 100 Stat. 1783–140; 10 U.S.C. 2326 note) and duplicate requirements as provided for in section 6 of the Defense Technical Corrections Act of

1987 (Public Law 100–26; 101 Stat. 274; 10 U.S.C. 2302 note).

SEC. ___04. ENHANCED REPROGRAMMING AUTHORITY FOLLOWING ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF AUDIT WITH UNQUALIFIED OPINION OF STATEMENT OF BUDGETARY RESOURCES FOR FISCAL YEARS AFTER FISCAL YEAR 2014.

(a) DEPARTMENT OF DEFENSE GENERALLY.—Subject to section ___06(1), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the limitation on the total amount of authorizations that the Secretary of Defense may transfer pursuant to general transfer authority available to the Secretary in the national interest in the succeeding fiscal year shall be $8,000,000,000.

(b) MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND DEFENSE FIELD ACTIVITIES.—Subject to section ___07(a), if a military department, Defense Agency, or defense field activity obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the thresholds for reprogramming of funds of such military department, Defense Agency, or defense field activity, as the case may be, without prior notice to Congress for the succeeding fiscal year shall be deemed to be the thresholds as follows:

(1) In the case of an increase or decrease to the program base amount for a procurement program, $60,000,000.

(2) In the case of an increase or decrease to the program base amount for a research program, $30,000,000.

(3) In the case of an increase or decrease to the amount for a budget activity for operation and maintenance, $45,000,000.

(4) In the case of an increase or decrease to the amount for a budget activity for military personnel, $30,000,000.

(c) CONSTRUCTION.—Nothing in this section shall be construed to alter or revise any requirement (other than a threshold amount) for notice to Congress on transfers covered by subsection (a) or reprogrammings covered by subsection (b) under any other provision of law.

(d) DEFINITIONS.—In this section, the terms ''program base amount'', ''procurement program'', ''research program'', and ''budget activity'' have the meanings given such terms in chapter 6 of volume 3 of the Financial Management Regulation of the Department of Defense (DoD 7000.14R), dated March 2011, or any successor document.

SEC. ___05. FAILURE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2015 GENERAL FUND STATEMENT OF BUDGETARY RESOURCES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2015 by December 31, 2015, the following shall take effect on January 1, 2016:

(1) ADDITIONAL QUALIFICATIONS AND DUTIES OF USD (COMPTROLLER).—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Under Secretary of Defense (Comptroller) under section 135 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) DUTIES AND POWERS.—The duties and powers of the individual serving as Under Secretary of Defense (Comptroller) shall include, in addition to the duties and powers specified in section 135(c) of title 10, United States Code, such duties and powers with respect to the financial management of the Department of Defense as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(2) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASA FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Army for Financial Management under section 3016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Army for Financial Management shall include, in addition to the responsibilities specified in section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASN FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Navy for Financial Management under section 5016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Navy for Financial Management shall include, in addition to the responsibilities specified in section 5016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(4) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASAF FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 8016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Air Force for Financial Management shall include, in addition to the responsibilities specified in section 8016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(b) PUBLIC COMPANY DEFINED.—In this section, the term ''public company'' has the meaning given the term ''issuer'' in section 2(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)).

SEC. ___06. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2018 by December 31, 2018:

(1) PERMANENT CESSATION OF ENHANCED GENERAL TRANSFER AUTHORITY.—Effective as of January 1, 2019, the authority in section ___04(a) shall cease to be available to the Department of Defense for fiscal year 2018 and any fiscal year thereafter.

(2) REORGANIZATION OF RESPONSIBILITIES OF CHIEF MANAGEMENT OFFICER.—Effective as of April 1, 2019:

(A) POSITION OF CHIEF MANAGEMENT OFFICER.—Section 132a of title 10, United States Code, is amended to read as follows:

''§ 132a. Chief Management Officer

''(a) IN GENERAL.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) Any individual nominated for appointment as Chief Management Officer shall be an individual who has—

''(A) extensive executive level leadership and management experience in the public or private sector;

''(B) strong leadership skills;

''(C) a demonstrated ability to manage large and complex organizations; and

''(D) a proven record in achieving positive operational results.

''(b) POWERS AND DUTIES.—The Chief Management Officer shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

''(c) SERVICE AS CHIEF MANAGEMENT OFFICER.—(1) The Chief Management Officer is the Chief Management Officer of the Department of Defense.

''(2) In serving as the Chief Management Officer of the Department of Defense, the Chief Management Officer shall be responsible for the management and administration of the Department of Defense with respect to the following:

''(A) The expenditure of funds, accounting, and finance.

''(B) Procurement, including procurement of any enterprise resource planning (ERP) system and any information technology (IT) system that is a financial feeder system, human resources system, or logistics system.

''(C) Facilities, property, nonmilitary equipment, and other resources.

''(D) Strategic planning, annual performance planning, and identification and tracking of performance measures.

''(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

''(F) Such other areas or matters as the Secretary of Defense may designate.

''(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer.

''(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 131(b) of title 10, United States Code, is amended—

(I) by striking paragraph (3);

(II) by redesignating paragraph (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(ii) Section 132 of such title is amended—

(I) by striking subsection (c); and

(II) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133(e)(1) of such title is amended by striking ''and the Deputy Secretary of Defense'' and inserting '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense''.

(iv) Such title is further amended by inserting ''the Chief Management Officer of the Department of Defense,'' after ''the Deputy Secretary of Defense,'' each place it appears in the provisions as follows:

(I) Section 133(e)(2).

(II) Section 134(c).

(v) Section 137a(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the Under Secretaries of Defense.''.

(vi) Section 138(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows through the period and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Director of Defense Research and Engineering.''.

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

''132a. Chief Management Officer.''.

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Management Officer of the Department of Defense.''.

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code (as amended by this paragraph).

(3) JURISDICTION OF DFAS.—Effective as of April 1, 2019:

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—Jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of the personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Accounting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

SEC. ____07. FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2018.

(a) PERMANENT CESSATION OF AUTHORITIES ON REPROGRAMMING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2018 by December 31, 2018, effective as of January 1, 2019, the authorities in section ____04(b) shall cease to be available to the military department for fiscal year 2018 and any fiscal year thereafter.

(b) ANNUAL PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN MDAPS PAST MILESTONE B IN CONNECTION WITH FAILURE.—

(1) PROHIBITION.—Effective for fiscal years after fiscal year 2017, if a military department fails to obtain an audit with an unqualified opinion on its financial statements for any fiscal year, effective as of the date of the issuance of the opinion on such audit, amounts available to the military department for the following fiscal year may not be obligated by the military department for a weapon or weapon system or platform being acquired as a major defense acquisition program for any activity beyond Milestone B approval unless such program has already achieved Milestone B approval of the date of the issuance of the opinion on such audit.

(2) DEFINITIONS.—In this subsection:

(A) The term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

(B) The term ''Milestone B approval'' has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

SEC. ____08. ENTERPRISE RESOURCE PLANNING.

The Secretary of Defense shall amend the acquisition guidance of the Department of Defense to provide for the following:

(1) The Defense Business System Management Committee may not approve procurement of any Enterprise Resource Planning (ERP) business system that is independently estimated to take longer than three years to procure from initial obligation of funds to full deployment and sustainment.

(2) Any contract for the acquisition of an Enterprise Resource Planning business system shall include a provision authorizing termination of the contract at no cost to the Government if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(3) Any implementation of an Enterprise Resource Planning system shall comply with each of the following:

(A) The current Business Enterprise Architecture established by the Chief Management Officer of the Department of Defense.

(B) The provisions of section 2222 of title 10, United States Code.

(4) The Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) shall have the authority to replace any program manager (whether in a military department or a Defense Agency) for the procurement of an Enterprise Resource Planning business system if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(5) Any integrator contract for the implementation of an Enterprise Resource Planning business system shall only be awarded to companies that have a history of successful implementation of other Enterprise Resource Planning business systems for the Federal Government (whether with the Department of Defense or another department or agency of the Federal Government), including meeting cost and schedule goals.

SA 4011. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EMPLOYMENT BY THE DEPARTMENT OF DEFENSE OF INDIVIDUALS AND CONTRACTORS WITH SERIOUSLY DELINQUENT TAX DEBTS.

(a) PROHIBITION.—An individual or contractor with a seriously delinquent tax debt may not be appointed to, or continue serving in, a position within or funded by the Department of Defense.

(b) SERIOUSLY DELINQUENT TAX DEBT DEFINED.—In this section, the term ''seriously delinquent tax debt'' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(2) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

SA 4012. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the heads of other departments and agencies of the Federal Government—

(1) use available administrative authority to eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to further eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—

(A) will accrue to each department, agency, and office effected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office effected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SA 4013. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TERMINATION OF US FAMILY HEALTH PLAN.

(a) TERMINATION.—The US Family Health Plan (USFHP) is hereby terminated.

(b) WIND-UP OF ACTIVITIES.—The Secretary of Defense shall take appropriate actions to wind up the activities of the US Family Health Plan as soon as practicable after the date of the enactment of this Act.

SA 4014. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DATABASE ON PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES REGARDING HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) PUBLICLY AVAILABLE DATABASE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures for health care provided by the Department of Defense that are tracked by the Secretary.

(2) UPDATES.—The Secretary shall update the database required by paragraph (1) not less frequently than once every six months.

(3) UNAVAILABLE MEASURES.—For any measure that the Secretary would otherwise publish in the database required by paragraph (1) but has not done so because such measure is not available, the Secretary shall publish notice in the database of the reason for such unavailability and a timeline for making such measure available in the database.

(4) ACCESSIBILITY.—The Secretary shall ensure that the database required by paragraph (1) is accessible to the public through the primary Internet website of the Department and through each primary Internet website of a Department medical center.

(b) SHARING OF INFORMATION BETWEEN DEPARTMENT MEDICAL CENTERS AND DEFENSE HEALTH AGENCY.—The Secretary of Defense shall take appropriate actions to facilitate and enhance sharing between the medical centers of the Department of Defense and the Defense Health Agency on information on patient safety, quality of care, and outcomes for health care provided by such medical centers, including information obtained through the measures developed pursuant to subsection (a).

(c) HOSPITAL COMPARE WEBSITE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) AGREEMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with the Secretary of Health and Human Services for the provision by the Secretary of Defense of such information as the Secretary of Health and Human Services may require to report and make publicly available patient quality and outcome information concerning Department of Defense medical centers through the Hospital Compare Internet website of the Department of Health and Human Services or any successor Internet website.

(2) INFORMATION PROVIDED.—The information provided by the Secretary of Defense to the Secretary of Health and Human Services under paragraph (1) shall include the following:

(A) Measures of timely and effective health care.

(B) Measures of readmissions, complications of death, including with respect to 30-day mortality rates and 30-day readmission rates, surgical complication measures, and health care related infection measures.

(C) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar successor survey developed by the Department of Health and Human Services.

(D) Any other measures required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) UNAVAILABLE INFORMATION.—For any applicable metric collected by the Department of Defense or required to be provided under paragraph (2) and withheld from or unavailable in the Hospital Compare Internet website or successor Internet website, the Secretary of Defense shall publish a notice on such Internet website stating the reason why such metric was withheld from public disclosure and a timeline for making such metric available, if applicable.

(d) COMPTROLLER GENERAL REVIEW OF PUBLICLY AVAILABLE SAFETY AND QUALITY METRICS.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the safety and quality metrics made publicly available by the Secretary of Defense under this section to assess the degree to which the Secretary is complying with the provisions of this section.

SA 4015. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON GOVERNMENT AGENCY EXPENDITURES ON CONFERENCES.

(a) CONFERENCE LIMITATIONS.—

(1) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than $500,000 to support a single conference, unless the head of the agency and the Chief Financial Officer of the agency submits to Congress before the conference a written certification that the conference is in the national interest, which shall include—

(i) an estimate of the total cost of the conference;

(ii) the dates of the conference;

(iii) an estimate of the number of full-time equivalent employees attending the conference;

(iv) any costs associated with planning for the conference; and

(v) an explanation of how the conference advances the mission of the agency.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference.

(2) LIMITATION ON CONFERENCE POLICIES.—An agency may not establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination.

(b) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given that term under section 5701(1) of title 5, United States Code; and

(2) the term ''conference'' means a meeting, retreat, seminar, symposium, or event that involves attendee travel.

SA 4016. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON ARMY NATIONAL GUARD SPONSORSHIP OF PROFESSIONAL WRESTLING ENTERTAINMENT OR MOTOR SPORTS.

Section 503(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Recruiting and advertising campaigns authorized by paragraphs (1) and (2) or by any other provision of law, including section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001

(as enacted into law by Public Law 106–398; 10 U.S.C. 503 note), for the purposes of branding or marketing of, or promoting enlistment in, the Army National Guard may not include payments for professional wrestling entertainment sponsorships or motor sports sponsorships. Nothing in this paragraph shall be construed to prohibit recruiters from making direct, personal contact with secondary school students and other prospective recruits.''.

SA 4017. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1212. INCREASED MILITARY ASSISTANCE FOR THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant provisions of law.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the anticipated defense articles, defense services, and training to be provided pursuant to this section;

(2) a timeline for the provision of such defense articles, defense services, and training; and

(3) a list of defense articles, defense services, and training authorized to be provided by subsection (a) that have been requested by the Government of Ukraine but are not being provided and an explanation with respect to why such defense articles, defense services, and training are not being provided.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State $350,000,000 for fiscal year 2015 to carry out activities under this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2017.

(d) AUTHORITY FOR THE USE OF FUNDS.—The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Armed Services of the House of Representatives.

(2) DEFENSE ARTICLE; DEFENSE SERVICE; TRAINING.—The terms ''defense article'', ''defense service'', and ''training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SA 4018. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle F—Palestinian Authority Reform

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Palestinian and United Nations Anti-Terrorism Act of 2014''.

SEC. 1282. FINDINGS.

Congress makes the following findings:

(1) On April 23, 2014, representatives of the Palestinian Liberation Organization and Hamas, a designated terrorist organization, signed an agreement to form a government of national consensus.

(2) On June 2, 2014, Palestinian President Mahmoud Abbas announced a unity government as a result of the April 23, 2014, agreement.

(3) United States law requires that any Palestinian government that ''includes Hamas as a member'', or over which Hamas exercises ''undue influence'', only receive United States assistance if certain certifications are made to Congress.

(4) The President has taken the position that the current Palestinian government does not include members of Hamas or is influenced by Hamas and has thus not made the certifications required under current law.

(5) The leadership of the Palestinian Authority has failed to completely denounce and distance itself from Hamas' campaign of terrorism against Israel.

(6) President Abbas has refused to dissolve the power-sharing agreement with Hamas even as more than 2,300 rockets have targeted Israel since July 2, 2014.

(7) President Abbas and other Palestinian Authority officials have failed to condemn Hamas' extensive use of the Palestinian people as human shields.

(8) The Israeli Defense Forces have gone to unprecedented lengths for a modern military to limit civilian casualties.

(9) On July 23, 2014, the United Nations Human Rights Council adopted a one-sided resolution criticizing Israel's ongoing military operations in Gaza.

(10) The United Nations Human Rights Council has a long history of taking anti-Israel actions while ignoring the widespread and egregious human rights violations of many other countries, including some of its own members.

(11) On July 16, 2014, officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) discovered 20 rockets in one of the organization's schools in Gaza, before returning the weapons to local Palestinian officials rather than dismantling them.

(12) On multiple occasions during the conflict in Gaza, Hamas has used the facilities and the areas surrounding UNRWA locations to store weapons, harbor their fighters, and conduct attacks.

SEC. 1283. DECLARATION OF POLICY.

It shall be the policy of the United States—

(1) to deny United States assistance to any entity or international organization that harbors or collaborates with Hamas, a designated terrorist organization, until Hamas agrees to recognize Israel, renounces violence, disarms, and accepts prior Israeli-Palestinian agreements;

(2) to seek a negotiated settlement of this conflict only under the condition that Hamas and any United States-designated terrorist groups are required to entirely disarm; and

(3) to continue to provide security assistance to the Government of Israel to assist its efforts to defend its territory and people from rockets, missiles, and other threats.

SEC. 1284. RESTRICTIONS ON AID TO THE PALESTINIAN AUTHORITY.

For purposes of section 620K of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b), any power-sharing government, including the current government, formed in connection with the agreement signed on April 23, 2014, between the Palestinian Liberation Organization and Hamas is considered a ''Hamas-controlled Palestinian Authority''.

SEC. 1285. REFORM OF UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) IN GENERAL.—Until the Secretary of State submits to the appropriate congressional committees a certification that the requirements described in subsection (b) have been satisfied—

(1) the United States contribution to the regular budget of the United Nations shall be reduced by an amount equal to the percentage of such contribution that the Secretary determines would be allocated by the United Nations to support the United Nations Human Rights Council or any of its Special Procedures;

(2) the Secretary shall not make a voluntary contribution to the United Nations Human Rights Council; and

(3) the United States shall not run for a seat on the United Nations Human Rights Council.

(b) CERTIFICATION.—The annual certification referred to in subsection (a) is a certification made by the Secretary of State to Congress that the United Nations Human Rights Council's agenda does not include a permanent item related to the State of Israel or the Palestinian territories.

(c) REVERSION OF FUNDS.—Funds appropriated and available for a United States contribution to the United Nations but withheld from obligation and expenditure pursuant to this section shall immediately revert to the United States Treasury and the United States Government shall not consider them arrears to be repaid to any United Nations entity.

SEC. 1286. UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA).

Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(c)) is amended to read as follows:

''(c) PALESTINE REFUGEES; CONSIDERATIONS AND CONDITIONS FOR FURNISHING ASSISTANCE.—

''(1) IN GENERAL.—No contributions by the United States to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for programs in the West Bank and Gaza, a successor entity or any related entity, or to the regular budget of the United Nations for the support of

UNRWA or a successor entity for programs in the West Bank and Gaza, may be provided until the Secretary certifies to the appropriate congressional committees that—

''(A) no official, employee, consultant, contractor, subcontractor, representative, or affiliate of UNRWA—

''(i) is a member of Hamas or any United States-designated terrorist group; or

''(ii) has propagated, disseminated, or incited anti-Israel, or anti-Semitic rhetoric or propaganda;

''(B) no UNRWA school, hospital, clinic, other facility, or other infrastructure or resource is being used by Hamas or an affiliated group for operations, planning, training, recruitment, fundraising, indoctrination, communications, sanctuary, storage of weapons or other materials, or any other purposes;

''(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm and has implemented an effective system of vetting and oversight to prevent the use, receipt, or diversion of any UNRWA resources by Hamas or any United States-designated terrorist group, or their members; and

''(D) no recipient of UNRWA funds or loans is a member of Hamas or any United States-designated terrorist group.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committees on Foreign Relations, Appropriations, and Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committees on Foreign Affairs, Appropriations, and Oversight and Government Reform of the House of Representatives.''.

SEC. 1287. ISRAELI SECURITY ASSISTANCE.

The equivalent amount of all United States contributions withheld from the Palestinian Authority, the United Nations Human Rights Council, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East under this subtitle is authorized to be provided to—

(1) the Government of Israel for the Iron Dome missile defense system and other missile defense programs; and

(2) underground warfare training and technology and assistance to identify and deter tunneling from Palestinian-controlled territories into Israel.

SA 4019. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 333. REPORT ON SUPPORT FOR LAUNCHES IN SUPPORT OF NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the requirements and investments needed to modernize Department of Defense space launch facilities and supporting infrastructure at Cape Canaveral Air Force Station and Vandenberg Air Force Base.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) The results of the investigation into the failure of the radar system supporting the Eastern range in March 2014, including the causes for the failure.

(2) An assessment of each current radar and other system as well as supporting infrastructure required to support the mission requirement of the range, including back-up systems.

(3) An estimate of the annual level of dedicated funding required to maintain and modernize the range infrastructure in adequate condition to meet national security requirements.

(4) A review of requirements to repair, upgrade, and modernize the radars and other mission support systems to current technologies.

(5) A prioritized list of projects, costs, and projected funding schedules needed to carry out the maintenance, repair, and modernization requirements.

SA 4020. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1080. SENSE OF CONGRESS ON BENEFITS OF USING SIMULATORS.

(a) FINDINGS.—Congress makes the following findings:

(1) The use of technologies such as virtual reality and modeling and simulation tools provides cutting-edge, cost-effective training and technology development for members of the Armed Forces.

(2) Leveraging such technologies is an especially relevant supplement to live training given the future of declining defense budgets.

(3) The implementation by the Air Force Agency for Modeling and Simulation of virtual reality centers is part of a coordinated effort to broaden the use of virtual training methods.

(4) Those centers use of a variety of training tools that give members of the Armed Forces and developers alike a realistic training experience that contributes to improved readiness and system effectiveness.

(5) Organizations like the United States Army Program Executive Office for Simulation, Training, and Instrumentation would benefit from increased utilization of virtual reality and modeling and simulations tools.

(6) Modeling and simulation tools can provide powerful planning and training capabilities to expose a member of the Armed Forces to the complexities and uncertainties of combat before ever leaving the member's home station. For example, the Naval Air Warfare Center Training Systems Division integrates the science of learning with performance-based training focused on improving the performance of members of the Army and Marine Corps and measures the effectiveness of such training. The Naval Air Warfare Center Training Systems Division continually engages members of the Army and Marine Corps to understand challenges, solve problems, create new capabilities, and provide essential support.

(7) The use of simulation training has yielded military units that are better trained, more capable, and more confident when compared to units that do not have access to modern simulation training devices.

(8) Simulation training can be a cost-effective means for units to improve combat readiness and tactical decisionmaking skills and ultimately to save lives.

(9) The Department of Defense could meet the training challenges of the future in a fiscally austere environment by leveraging simulation training that uses simulators owned and operated by the Federal Government combined with simulation training services provided by universities and industry.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the use of simulators offers cost savings and provides members of the Armed Forces exceptional preparation for combat; and

(2) existing synergies between the Department of Defense and entities in the private sector should be maintained and cultivated to provide members of the Armed Forces with the best simulation experience possible.

SA 4021. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 601 and insert the following:

SEC. 601. FISCAL YEAR 2015 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2015 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2015, the rates of monthly basic pay for members of the uniformed services are increased by 1.8 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O–7.

(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O–7 through O–10 during calendar year 2015 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

(d) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2015 by section 421 for military personnel is hereby increased by $600,000,000.

SA 4022. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 30____. PAYMENT IN LIEU OF TAXES REFORM.

(a) AMENDMENTS TO PILT.—

(1) DEFINITION OF ENTITLEMENT LAND.—Section 6901(1) of title 31, United States Code, is amended—

(A) in subparagraph (A), by striking ''the National Park System or''; and

(B) in subparagraph (H), by inserting '', other than land that is a unit of the National Park System'' before the period at the end.

(2) ADDITIONAL PAYMENTS.—Section 6904(a) of title 31, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) the United States acquired for the National Forest Wilderness Areas; and''.

(3) REDWOOD NATIONAL PARK.—Section 6905 of title 31, United States Code, is repealed.

(4) CONFORMING AMENDMENTS.—

(A) Section 501 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (16 U.S.C. 471j) is amended by striking subsection (f).

(B) The chapter analysis for chapter 69 of title 31, United States Code, is amended by striking the item relating to section 6905.

(b) DEFERRED MAINTENANCE BACKLOG.—Any amounts saved as a result of the amendments made by subsection (a) shall be made available to the Secretary of the Interior, without further appropriation, to address the maintenance backlog on National Park System land.

SA 4023. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.

Notwithstanding any other provision of this Act, section 3081 shall have no force or effect.

SA 4024. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ANCHORAGE, ALASKA, CONVEYANCE OF REVERSIONARY INTERESTS.

Notwithstanding any other provision of this Act, section 3082 shall have no force or effect.

SA 4025. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. RELEASE OF PROPERTY INTERESTS IN BUREAU OF LAND MANAGEMENT LAND CONVEYED TO THE STATE OF OREGON FOR ESTABLISHMENT OF HERMISTON AGRICULTURAL RESEARCH AND EXTENSION CENTER.

Notwithstanding any other provision of this Act, section 3083 shall have no force or effect.

SA 4026. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. BUREAU OF RECLAMATION HYDROPOWER DEVELOPMENT.

Notwithstanding any other provision of this Act, section 3087 shall have no force or effect.

SA 4027. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. TOLEDO BEND HYDROELECTRIC PROJECT.

Notwithstanding any other provision of this Act, section 3088 shall have no force or effect.

SA 4028. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. EAST BENCH IRRIGATION DISTRICT CONTRACT EXTENSION.

Notwithstanding any other provision of this Act, section 3089 shall have no force or effect.

SA 4029. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. COMMEMORATION OF CENTENNIAL OF WORLD WAR I.

Notwithstanding any other provision of this Act, section 3091 shall have no force or effect.

SA 4030. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

SA 4031. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.

Notwithstanding any other provision of this Act, section 3093 shall have no force or effect.

SA 4032. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. EXTENSION OF LEGISLATIVE AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF FORMER PRESIDENT JOHN ADAMS.

Notwithstanding any other provision of this Act, section 3094 shall have no force or effect.

SA 4033. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. REFINANCING OF PACIFIC COAST GROUNDFISH FISHING CAPACITY REDUCTION LOAN.

Notwithstanding any other provision of this Act, section 3095 shall have no force or effect.

SA 4034. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. PAYMENTS IN LIEU OF TAXES.

Notwithstanding any other provision of this Act, section 3096 shall have no force or effect.

SA 4035. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ILLABOT CREEK, WASHINGTON, WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3071 shall have no force or effect.

SA 4036. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. MISSISQUOI AND TROUT WILD AND SCENIC RIVERS, VERMONT.

Notwithstanding any other provision of this Act, section 3072 shall have no force or effect.

SA 4037. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.

Notwithstanding any other provision of this Act, section 3073 shall have no force or effect.

SA 4038. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. STUDIES OF WILD AND SCENIC RIVERS.

Notwithstanding any other provision of this Act, section 3074 shall have no force or effect.

SA 4039. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND TAKEN INTO TRUST FOR BENEFIT OF THE NORTHERN CHEYENNE TRIBE.

Notwithstanding any other provision of this Act, section 3077 shall have no force or effect.

SA 4040. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. TRANSFER OF ADMINISTRATIVE JURISDICTION, BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

Notwithstanding any other provision of this Act, section 3078 shall have no force or effect.

SA 4041. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5044. HERMOSA CREEK WATERSHED PROTECTION.

Notwithstanding any other provision of this Act, section 3062 shall have no force or effect.

SA 4042. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5045. NORTH FORK FEDERAL LANDS WITHDRAWAL AREA.

Notwithstanding any other provision of this Act, section 3063 shall have no force or effect.

SA 4043. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. PINE FOREST RANGE WILDERNESS.

Notwithstanding any other provision of this Act, section 3064 shall have no force or effect.

SA 4044. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.

Notwithstanding any other provision of this Act, section 3065 shall have no force or effect.

SA 4045. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3066 shall have no force or effect.

SA 4046. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient

Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WITHDRAWAL AREA RELATED TO WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3067 shall have no force or effect.

SA 4047. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WITHDRAWAL AND RESERVATION OF ADDITIONAL PUBLIC LAND FOR NAVAL AIR WEAPONS STATION, CHINA LAKE, CALIFORNIA.

Notwithstanding any other provision of this Act, section 3068 shall have no force or effect.

SA 4048. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5043. COLUMBINE-HONDO WILDERNESS.

Notwithstanding any other provision of this Act, section 3061 shall have no force or effect.

SA 4049. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5037. NATIONAL HISTORIC SITE SUPPORT FACILITY IMPROVEMENTS.

Notwithstanding any other provision of this Act, section 3053 shall have no force or effect.

SA 4050. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5038. NATIONAL PARK SYSTEM DONOR ACKNOWLEDGMENT.

Notwithstanding any other provision of this Act, section 3054 shall have no force or effect.

SA 4051. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5039. COIN TO COMMEMORATE 100TH ANNIVERSARY OF THE NATIONAL PARK SERVICE.

Notwithstanding any other provision of this Act, section 3055 shall have no force or effect.

SA 4052. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5040. COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL WOMEN'S HISTORY MUSEUM.

Notwithstanding any other provision of this Act, section 3056 shall have no force or effect.

SA 4053. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5041. CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA.

Notwithstanding any other provision of this Act, section 3057 shall have no force or effect.

SA 4054. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5042. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.

Notwithstanding any other provision of this Act, section 3060 shall have no force or effect.

SA 4055. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5031. SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3042 shall have no force or effect.

SA 4056. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5032. VALLES CALDERA NATIONAL PRESERVE, NEW MEXICO.

Notwithstanding any other provision of this Act, section 3043 shall have no force or effect.

SA 4057. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5033. VICKSBURG NATIONAL MILITARY PARK.

Notwithstanding any other provision of this Act, section 3044 shall have no force or effect.

SA 4058. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5034. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION PROGRAM.

Notwithstanding any other provision of this Act, section 3050 shall have no force or effect.

SA 4059. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5035. SPECIAL RESOURCE STUDIES.

Notwithstanding any other provision of this Act, section 3051 shall have no force or effect.

SA 4060. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5036. NATIONAL HERITAGE AREAS AND CORRIDORS.

Notwithstanding any other provision of this Act, section 3052 shall have no force or effect.

SA 4061. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5030. OREGON CAVES NATIONAL MONUMENT AND PRESERVE.

Notwithstanding any other provision of this Act, section 3041 shall have no force or effect.

SA 4062. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

Notwithstanding any other provision of this Act, section 3022 shall have no force or effect.

SA 4063. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. GRAZING PERMITS AND LEASES.

Notwithstanding any other provision of this Act, section 3023 shall have no force or effect.

SA 4064. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. CABIN USER AND TRANSFER FEES.

Notwithstanding any other provision of this Act, section 3024 shall have no force or effect.

SA 4065. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ADDITION OF ASHLAND HARBOR BREAKWATER LIGHT TO THE APOSTLE ISLANDS NATIONAL SEASHORE.

Notwithstanding any other provision of this Act, section 3030 shall have no force or effect.

SA 4066. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3031 shall have no force or effect.

SA 4067. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. COLTSVILLE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3032 shall have no force or effect.

SA 4068. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. FIRST STATE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3033 shall have no force or effect.

SA 4069. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. GETTYSBURG NATIONAL MILITARY PARK.

Notwithstanding any other provision of this Act, section 3034 shall have no force or effect.

SA 4070. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK, MARYLAND.

Notwithstanding any other provision of this Act, section 3035 shall have no force or effect.

SA 4071. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. HARRIET TUBMAN NATIONAL HISTORICAL PARK, AUBURN, NEW YORK.

Notwithstanding any other provision of this Act, section 3036 shall have no force or effect.

SA 4072. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. HINCHLIFFE STADIUM ADDITION TO PATERSON GREAT FALLS NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3037 shall have no force or effect.

SA 4073. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5027. LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE.

Notwithstanding any other provision of this Act, section 3038 shall have no force or effect.

SA 4074. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5028. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3039 shall have no force or effect.

SA 4075. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5029. NORTH CASCADES NATIONAL PARK AND STEPHEN MATHER WILDERNESS.

Notwithstanding any other provision of this Act, section 3040 shall have no force or effect.

SA 4076. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND CONVEYANCE, WAINWRIGHT, ALASKA.

Notwithstanding any other provision of this Act, section 3001 shall have no force or effect.

SA 4077. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SEALASKA LAND ENTITLEMENT FINALIZATION.

Notwithstanding any other provision of this Act, section 3002 shall have no force or effect.

SA 4078. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION.

Notwithstanding any other provision of this Act, section 3003 shall have no force or effect

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SA 4079. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND EXCHANGE, CIBOLA NATIONAL WILDLIFE REFUGE, ARIZONA, AND BUREAU OF LAND MANAGEMENT LAND IN RIVERSIDE COUNTY, CALIFORNIA.

Notwithstanding any other provision of this Act, section 3004 shall have no force or effect.

SA 4080. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SPECIAL RULES FOR INYO NATIONAL FOREST, CALIFORNIA, LAND EXCHANGE.

Notwithstanding any other provision of this Act, section 3005 shall have no force or effect.

SA 4081. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND EXCHANGE, TRINITY PUBLIC UTILITIES DISTRICT, TRINITY COUNTY, CALIFORNIA, THE BUREAU OF LAND MANAGEMENT, AND THE FOREST SERVICE.

Notwithstanding any other provision of this Act, section 3006 shall have no force or effect.

SA 4082. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. IDAHO COUNTY, IDAHO, SHOOTING RANGE LAND CONVEYANCE.

Notwithstanding any other provision of this Act, section 3007 shall have no force or effect.

SA 4083. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SCHOOL DISTRICT 318, MINNESOTA, LAND EXCHANGE.

Notwithstanding any other provision of this Act, section 3008 shall have no force or effect.

SA 4084. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees

under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. NORTHERN NEVADA LAND CONVEYANCES.

Notwithstanding any other provision of this Act, section 3009 shall have no force or effect.

SA 4085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SAN JUAN COUNTY, NEW MEXICO, FEDERAL LAND CONVEYANCE.

Notwithstanding any other provision of this Act, section 3010 shall have no force or effect.

SA 4086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

Notwithstanding any other provision of this Act, section 3011 shall have no force or effect.

SA 4087. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.

Notwithstanding any other provision of this Act, section 3012 shall have no force or effect.

SA 4088. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND CONVEYANCE, HANFORD SITE, WASHINGTON.

Notwithstanding any other provision of this Act, section 3013 shall have no force or effect.

SA 4089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. BUREAU OF LAND MANAGEMENT PERMIT PROCESSING.

Notwithstanding any other provision of this Act, section 3021 shall have no force or effect.

SA 4090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. RANCH A WYOMING CONSOLIDATION AND MANAGEMENT IMPROVEMENT.

Notwithstanding any other provision of this Act, section 3014 shall have no force or effect.

SA 4091. Mr. SCHATZ (for himself, Mr. MURPHY, Ms. BALDWIN, Mr. BOOKER, Mrs. GILLIBRAND, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 1209.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''The Commodity Futures Trading Commission: Effective Enforcement and the Future of Derivatives Regulation.''

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. 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 December 10, 2014, at 10 a.m., to conduct a hearing entitled ''Cybersecurity: Enhancing Coordination To Protect the Financial Sector.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. 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 December 10, 2014, at 2:30 p.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Passenger Rail: Investing in our Nation's Future.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2014, at 10:30 a.m., to hold a Subcommittee on African Affairs hearing entitled, ''The Ebola Epidemic: The Keys to Success for the International Response.''

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Executive Nominations.''

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Keeping Families Together: The President's Executive Action On Immigration And The Need To Pass Comprehensive Reform.''

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

PRIVILEGES OF THE FLOOR

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that Deepa Ghosh, a foreign affairs fellow in my office, and Kaveh Sadeghzadeh, a natural resources fellow, be granted floor privileges for the remainder of the Congress.

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

Mr. BEGICH. Mr. President, I ask unanimous consent that the following people from my office be granted floor privileges for the remainder of the 113th Congress: Military Fellow, Chief Master Sergeant Lavor Kirkpatrick; Interns Lee Kearns, Eleanor Murphy, Morgan Mena, and Joy Demmert.

The PRESIDING OFFICER. Without objection.

Ms. LANDRIEU. I ask unanimous consent that Jonathon Burpee, a National Park Service fellow on the staff of the Energy and Natural Resources Committee, be granted floor privileges for the duration of the 113th Congress.

RECOGNIZING 20 YEARS SINCE THE GENOCIDE IN RWANDA

On Tuesday, December 9, 2014, the Senate adopted S. Res. 413, as amended, with its preamble, as amended, as follows:

S. RES. 413

Whereas in the aftermath of the Holocaust, the United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide declaring that genocide, whether committed in a time of peace or war, is a crime under international law;

Whereas the United States was the first country to sign the Convention on the Prevention and Punishment of the Crime of Genocide, and the Senate voted to ratify the Convention on the Prevention and Punishment of the Crime of Genocide on February 11, 1986;

Whereas, for approximately 100 days between April 7, 1994, and July 1994, more than 800,000 civilians were killed in a genocide in Rwanda that targeted members of the Tutsi, moderate Hutu, and Twa populations, resulting in the horrific deaths of nearly 70 percent of the Tutsi population living in Rwanda;

Whereas the massacres of innocent Rwandan civilians were premeditated and systematic attempts to eliminate the Tutsi population by Hutu extremists, fueled by hatred and incitement propagated by newspapers and radio;

Whereas in addition to systematic targeting of an ethnic minority in Rwanda resulting in the mass slaughter of innocent civilians, rape was also used as a weapon of war;

Whereas, despite the deployment of the United Nations Assistance Mission for Rwanda (UNAMIR) in October 1993 following the end of the Rwandan Civil War, its mandate was insufficient to ensure the protection of large swathes of the population, demonstrating the inability of the United Nations to effectively respond to the unfolding genocide and stop or mitigate its impact;

Whereas, on July 4, 1994, the Rwandan Patriotic Front, a trained military group consisting of formerly exiled Tutsis, began its takeover of the country, which resulted in an ending of the genocide, though not a complete end to the violence, including retribution;

Whereas, in October 1994, the International Criminal Tribunal for Rwanda (ICTR) was established as the first international tribunal with the mandate to prosecute the crime of genocide and ultimately prosecuted 63 individuals for war crimes, including genocide and crimes against humanity as well as the first convictions for rape as a weapon of war;

Whereas the United States Government supports initiatives to ensure that victims of genocide and mass atrocities are not forgotten, and has committed to work with international partners to help prevent genocide and mass atrocities and identify and support a range of actions to protect civilian populations at risk;

Whereas, in July 2004, the Senate adopted Senate Concurrent Resolution 133 and the House of Representatives adopted House Concurrent Resolution 467, declaring that ''the atrocities unfolding in Darfur, Sudan, are genocide'', and calling on the United States Government and the international community to take measures to address the situation immediately;

Whereas, in September 2004, the United States Government, in testimony by Secretary of State Colin Powell before the Committee on Foreign Relations of the Senate, declared the ongoing conflict in Darfur, Sudan, a ''genocide'' perpetrated by the government based in Khartoum against its own people and affecting over 2,400,000 people in Sudan, including an estimated 200,000 fatalities;

Whereas, in September 2005, the United States joined other members of the United Nations in adopting United Nations General Assembly Resolution 60/1, which affirmed that the international community has a responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity;

Whereas, in December 2011, the Senate unanimously passed Senate Concurrent Resolution 71, recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and urging the development of a whole of government approach to prevent and mitigate such acts;

Whereas, in April 2012, President Barack Obama established the Atrocities Prevention Board within the United States inter-agency structure, chaired by National Security staff, to help identify and more effectively address atrocity threats, including genocide, as a core national security interest and core moral responsibility;

Whereas, in July 2013, the National Intelligence Council completed the first ever National Intelligence Estimate on the global risk for mass atrocities and genocide;

Whereas, in January 2014, the National Director of Intelligence testified before the Select Committee on Intelligence of the Senate, stating that ''the overall risk of mass atrocities worldwide will probably increase in 2014 and beyond. . . . Much of the world will almost certainly turn to the United States for leadership to prevent and respond to mass atrocities.'';

Whereas, despite measures taken by the United States Government and other governments since 1994, the international community still faces the challenges of responding to escalation of violence, atrocities, and religious-based conflict in many corners of the globe, including Syria and the Central African Republic, and a failure of the international community to appropriately respond to and address the rapidly deteriorating situation could result in further atrocities;

Whereas the United Nations Security Council was unable to pass a resolution condemning the Government of Bashar al Assad of Syria for the use of chemical weapons against civilians, killing more than 1,400 of his own people in August 2013; and

Whereas United Nations Secretary-General Ban Ki-moon recommended to the United Nations Security Council the establishment of a United Nations peacekeeping mission in the Central African Republic with the primary mandate to protect civilians: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the United Nations designation of April 7th as the International Day of Reflection on the Genocide in Rwanda;

(2) honors the memory of the more than 800,000 victims of the Rwandan genocide and expresses sympathy for those whose lives were forever changed by this horrific event;

(3) expresses support for the people of Rwanda as they remember the victims of genocide;

(4) affirms it is in the national interest of the United States to work in close coordination with international partners to prevent and mitigate acts of genocide and mass atrocities;

(5) condemns ongoing acts of violence and mass atrocities perpetrated against innocent civilians in Syria, the Central African Republic, South Sudan, Sudan and elsewhere;

(6) urges the President to confer with Congress on an ongoing basis regarding the priorities and objectives of the Atrocities Prevention Board;

(7) urges the President to work with Congress to strengthen the United States Government's ability to identify and more rapidly respond to genocide and mass atrocities in order to prevent where possible and mitigate the impact of such events;

(8) clarifies that nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war; and

(9) supports ongoing United States and international efforts to—

(A) strengthen multilateral peacekeeping capacities;

(B) build capacity for democratic rule of law, security sector reform, and other measures to improve civilian protection in areas of conflict;

(C) ensure measures of accountability for per-petrators of mass atrocities and crimes against humanity; and

(D) strengthen the work of United States and international institutions, such as the Holocaust Memorial Museum, which are working to document, identify, and prevent mass atrocities and inspire citizens and leaders worldwide to confront hatred and prevent genocide.

DEATH IN CUSTODY REPORTING ACT OF 2013

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 604, H.R. 1447.

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

The assistant legislative clerk read as follows:

A bill (H.R. 1447) to encourage States to report to the Attorney General certain information regarding the death of individuals in the custody of law enforcement agencies, and for other purposes.

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

Mr. LEAHY. Mr. President, today Senators have finally come together to pass the Death in Custody Reporting Act, which will provide important transparency to law enforcement efforts and our prison system. At a time

when our Nation is having an important conversation about police encounters that result in the loss of life, we know that hundreds of police-related deaths are unaccounted for in Federal statistics. The Death in Custody Reporting Act will require that State and Federal law enforcement officials report deaths in their custody, including those that occur during arrest. The Justice Department will then have the opportunity to analyze the data and see what we can learn from it. The American people deserve as much.

Too many communities across our country are losing faith in our justice system. This bill provides a step toward accountability, and it is my hope that it may ultimately lead to restoring some measure of trust in these communities. If we are ever able to truly embody the words engraved in Vermont marble above the United States Supreme Court building, ''Equal Justice Under the Law,'' then more of course must be done. I look forward to continuing these efforts in the next Congress.

The prior authorization for the Death in Custody Reporting Act expired in 2006, and after too many years of inaction, I am glad that Democrats and Republicans have come together and sent this reauthorization bill to the President for signature. My appreciation goes to Congressman BOBBY SCOTT, who sponsored and has long championed this legislation, as well Senator RICHARD BLUMENTHAL, who sponsored a Senate version.

This has been an important week for transparency. On Monday, the Senate came together to pass my bipartisan FOIA Improvement Act and I hope the House will soon take up this bill. On Tuesday, I spoke on the Senate floor in favor of the release of the executive summary of the Senate Intelligence Committee Study of the CIA's Detention and Interrogation Program. Both of these actions did not come easily, but in both instances the interests of the American public and our values as a democracy prevailed. Today, we have again come together in the interest of transparency for the betterment of our Nation.

Mr. BENNET. Mr. President, I ask unanimous consent 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. Without objection, it is so ordered.

The bill (H.R. 1447) was ordered to a third reading, was read the third time, and passed.

AMERICAN SAVINGS PROMOTION ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Banking, Housing, and Urban Affairs Committee be discharged from further consideration of H.R. 3374 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3374) to provide for the use of savings promotion raffle products by financial institutions to encourage savings, and for other purposes.

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

Mr. BENNET. Mr. President, I ask unanimous consent 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. Without objection, it is so ordered.

The bill (H.R. 3374) was ordered to a third reading, was read the third time, and passed.

SMART SAVINGS ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4193, which was received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 4193) to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes.

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

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 4193) was ordered to a third reading, was read the third time, and passed.

JAMES L. OBERSTAR MEMORIAL HIGHWAY

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4926, which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 4926) to designate a segment of Interstate Route 35 in the State of Minnesota as the ''James L. Oberstar Memorial Highway.''

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

Mr. BENNET. I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 4926) was ordered to a third reading, was read the third time, and passed.

PROPANE EDUCATION AND RESEARCH ENHANCEMENT ACT OF 2014

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5705, which was received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 5705) to modify certain provisions relating to the Propane Education and Research Council.

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

Mr. BENNET. I ask unanimous consent 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. Without objection, it is so ordered.

The bill (H.R. 5705) was ordered to a third reading, was read the third time, and passed.

DIGNIFIED INTERMENT OF OUR VETERANS ACT OF 2014

Mr. BENNET. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of S. 2822 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2822) to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes.

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

Mr. BENNET. I further ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be made and laid upon the table with no intervening action or debate.

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

The bill (S. 2822) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2822

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 ''Dignified Interment of Our Veterans Act of 2014''.

SEC. 2. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO BURIAL OF UNCLAIMED REMAINS OF VETERANS IN NATIONAL CEMETERIES.

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the interring of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) MATTERS STUDIED.—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for working with persons or entities having custody of unclaimed remains to facilitate interment of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(3) Assessing State and local laws that affect the ability of the Secretary to inter unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate.

(c) METHODOLOGY.—

(1) NUMBER OF UNCLAIMED REMAINS.—In estimating the number of unclaimed remains of veterans under subsection (b)(1), the Secretary may review such subset of applicable entities as the Secretary considers appropriate, including a subset of funeral homes and coroner offices that possess unclaimed veterans remains.

(2) ASSESSMENT OF STATE AND LOCAL LAWS.—In assessing State and local laws under subsection (b)(3), the Secretary may assess such sample of applicable State and local laws as the Secretary considers appropriate in lieu of reviewing all applicable State and local laws.

EXPRESSING CONDOLENCES TO THE FAMILY OF ABDUL-RAHMAN PETER KASSIG AND CONDEMNING THE TERRORIST ACTS OF THE ISLAMIC STATE OF IRAQ AND THE LEVANT

Mr. BENNET. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 598, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 598) expressing condolences to the family of Abdul-Rahman Peter Kassig and condemning the terrorist acts of the Islamic State of Iraq and the Levant.

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

Mr. BENNET. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 598) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE PLACED ON THE CALENDAR—S. 2992

Mr. BENNET. Mr. President, I understand that S. 2992 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2992) to amend title 10, United States Code, to reform procedures for determinations to proceed in trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

Mr. BENNET. I object to any further proceedings with respect to the bill.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

ORDER FOR PRINTING OF SENATE DOCUMENT

Mr. BENNET. I ask unanimous consent that the tributes to retiring Senators be printed as a Senate document and that Senators be permitted to submit tributes until December 23, 2014.

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

DISCHARGE AND REFERRAL—H.R. 5471

Mr. BENNET. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 5471, and the bill be referred to the Committee on Agriculture.

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

ORDERS FOR THURSDAY, DECEMBER 11, 2014

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, December 11, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of the motion to concur in the House amendment to the Senate amendment to accompany H.R. 3979, NDAA.

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

PROGRAM

Mr. BENNET. For the information of all Senators, there will be a cloture vote on the motion to concur on the Defense authorization bill at 10:30 a.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNET. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:55 p.m., adjourned until Thursday, December 11, 2014, at 9:30 a.m.