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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

God, our fortress, we live under Your protection. Keep America safe from the forces of evil that come against it. Lead our Senators away from the trap of trusting only in their resources so that they will never forget that nothing truly succeeds without You. You do great things, O Lord. Your thoughts are too deep for us to comprehend without the gift of Your discernment. Give Your spirit's discernment to our lawmakers. Show them Your ways and teach them Your paths. Be their strength and shield this day and always.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 7, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ 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 leader remarks, the Senate will resume executive session to consider the nomination of John Brennan to be the Director of the Central Intelligence Agency. I ask unanimous consent that the time until 12:30 and the time from 2:00 until 3:00 be equally divided in the usual form, and that I be recognized at 3 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, the Senate will recess from 12:30 until 2 p.m. today. Both the majority and minority have caucus meetings. Cloture was filed on the nomination this morning. If no agreement is reached, we are going to vote Saturday morning. I hope we can arrive at an earlier vote, but everyone should note we have sent directives to all of the Senators on this side indicating we may need a vote on Saturday. We need to do this because we have to be on the continuing resolution on Monday, and we have to finish that next week because the next week is the budget and we have to do that before the break we take for Easter.

REGULAR ORDER

Mr. REID. Mr. President, my Republican colleagues love to extol the virtues of regular order. If only we could get back to regular order, they say, we could function again. Yesterday, we saw both sides of that.

On the one hand, my Republican colleagues did practice regular order. On the other, they didn't. Let's take the one they didn't.

They demanded a 60-vote threshold for confirmation of a very qualified nominee, Caitlin Halligan, to be United States Court of Appeals Judge for the DC Circuit. Republicans once again hid behind a cloture vote—filibuster, by another term—to prevent a simple up-or-down vote on this important nomination. They took the easy way out.

On the other hand, one Republican Senator did return to regular order. As is his right, he spoke for as long as he was able to speak. And that is a filibuster. After 12 hours standing and talking, this is how Senator PAUL ended his filibuster:

I would go for another 12 hours to try to break Strom Thurmond's record, but I've discovered there are some limits to filibustering and I'm going to have to take care of one of those in a few minutes here.

Well, I have been involved in a few filibusters, as RAND PAUL was yesterday, and what I have learned from my experiences with talking filibusters is this: To succeed, you need strong convictions but also a strong bladder. It is obvious Senator PAUL has both.

We should all reflect on what happened yesterday as we proceed with other nominations, including a lot of judicial nominations. This can be a Senate where ideas are debated in full public view and obstruction happens in full public view as well or it can be a Senate where a couple Senators obstruct from behind closed doors without ever coming to the Senate floor.

BLOODY SUNDAY

Mr. REID. Mr. President, forty-eight years ago today, a young man by the name of JOHN LEWIS set out on a march across Alabama, from Selma to Montgomery. By his side were a few hundred

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

freedom-loving men and women calling for an end to discrimination violence against African Americans.

Today, JOHN LEWIS is a distinguished member of the U.S. House of Representatives, but back then when he was a young civil rights leader, he was determined to fight injustice and force the United States to live up to its founding principle that all people are created equal.

I had the good fortune to go—not this year but a year or two ago—down to Selma and participate in this reenactment. JOHN LEWIS was there, as I saw on TV a few days ago. It was a cold day when I went there, and you saw them all bundled a few days ago. And on the day of the march, you see the TV pictures of JOHN LEWIS with a long coat, and he had a backpack. I asked him what was in the backpack. He said, I thought I would be arrested and I would be put in jail. I had in that backpack an apple and a book I was reading.

After being viciously beaten, JOHN LEWIS doesn't know what happened to his apple, his book, or his backpack. But what a legend he has become. He wasn't arrested that day. Instead, JOHN and the peaceful protesters by his side were met a few blocks into their march by State troopers with dogs, fire hoses, and clubs, and they used every one of them against these marchers. Many of the marchers, including JOHN LEWIS, were viciously beaten.

The terrible violence of that day, known as Bloody Sunday, was broadcast across the country. For the first time the bloody reality of the struggle for equal rights was beamed into America's living rooms. Bloody Sunday marked the turning point in the civil rights movement as Americans cried out against the injustice and bloodshed they saw on the television screens.

Later that month protesters finally completed that march from Selma to Montgomery, and more than 25,000 patriots converged on the Alabama State Capitol Building. From the steps of the Alabama capitol, Dr. Martin Luther King spoke of the power of peaceful resistance. This is what he said:

> Selma, Alabama, became a shining moment in the conscience of man. If the worst in American life lurked in its dark street, the best of American instincts arose passionately from across the nation to overcome it.

Six months later President Johnson signed the Voting Rights Act of 1965, and that is where Senator Thurmond, whom I had the good fortune of serving with here, took to the floor and gave that speech for 24 hours.

I may disagree with Strom Thurmond, but he had a right to talk. RAND PAUL had a right to talk.

The Supreme Court last week considered striking sections of the law barring areas with a history of discrimination from changing voting practices without Federal approval. That is what the Voting Rights Act was all about. Critics say those protections are no longer necessary. But anyone who waited hours to cast a ballot in 2012 knows that is not true. A 102-year-old woman waited 8 hours to vote. And anyone who has watched the State legislature pass laws designed to intimidate eligible voters and keep the poor, minorities, and the elderly from the polls knows the fight for freedom is not over.

America has made great strides to eradicate racism, thanks to legends such as JOHN LEWIS. But, together, we must guard that progress with vigilance, keeping in mind the sacrifices made by so many 48 years ago today.

RECOGNITION OF THE MINORITY LEADER

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

BRENNAN NOMINATION

Mr. MCCONNELL. Mr. President, yesterday the junior the Senator from Kentucky took to the Senate floor to exercise his rights as an individual Senator in pursuit of an answer from the Attorney General concerning the rights of U.S. citizens.

The filibuster was extended, heartfelt, and important, and I wish to say a few words in reaction to that effort and, as well, on the nomination of John Brennan to be Director of the Central Intelligence Agency.

The question he raised was entirely appropriate and should have already been answered by the Obama administration.

First, I wish to state for the RECORD and to correct any misimpression that yesterday's long debate was a criticism of the Senate's oversight of our Nation's intelligence activities. In fact, the Senate Select Committee on Intelligence is responsible for conducting vigorous oversight of our Nation's intelligence activities, and I want to make clear that they were not the subject of last night's debate. The members of that committee conduct that oversight in a professional, responsible manner, and selflessly serve the rest of the Senate in that capacity.

Let me assure the Senate, the activities of the intelligence community are closely monitored and overseen by the Intelligence Committee, to include all counterterrorism activities.

Most recently, the committee has conducted a serious and much-needed inquiry into the terrorist attack on the temporary mission facility in Benghazi, Libya, and has conducted a thorough review of John Brennan's nomination to be Director of the Central Intelligence Agency. Thanks to the leadership of Chairman FEINSTEIN and Vice Chairman CHAMBLISS, the committee has made significant progress in reviewing Mr. Brennan's record, the intelligence related to the terrorist threat in Libya, and in reviewing the administration's legal opinions concerning some overseas activities.

Second, in reviewing Mr. Brennan's nomination, Senator PAUL has asked a series of questions of the executive branch. Senator PAUL has a right to ask questions of the administration, and the administration has a responsibility to answer in keeping with the rules established for oversight of intelligence activities and for protecting sensitive information.

The specific question, however, is not an intelligence-related question but a straightforward legal question: Does the President have the authority to order the use of lethal force against a U.S. citizen who is not a combatant on U.S. soil without due process of law?

To his credit, John Brennan directly answered the question motivating Senator PAUL's filibuster: The Central Intelligence Agency does not conduct lethal operations inside the United States, nor does it have the authority to do so. What is befuddling is why the Attorney General has not directly and clearly answered the question.

The U.S. military no more has the right to kill a U.S. citizen on U.S. soil who is not a combatant with an armed unmanned aerial vehicle than it does with an M–16. The technology is beside the point. It simply doesn't have that right, and the administration should simply answer the question. There is no reason we cannot get this question answered today. And we should get the question answered today. Frankly, it should have been answered a long time ago.

Last, during Senator PAUL's filibuster, I noted that I cannot support John Brennan's confirmation. During January of 2009, the President issued a series of Executive orders which, in my judgment, weakened the ability of our intelligence community to find, capture, detain, and interrogate terrorists. As President Obama's senior adviser on counterterrorism, Mr. Brennan has been a fierce defender of the administration's approach to counterterrorism as articulated by the Executive orders I just referred to. He has been a loyal, dogged defender of the administration's policies, policies with which I seriously disagree. My greatest concern is that the Director of Central Intelligence must be entirely independent of partisan politics in developing objective analysis and advice that he gives to the President. After 4 years of working within the White House, confronting difficult policy matters on a daily basis, and having attempted to defend the administration's policies—sometimes publicly, sometimes to the media, and occasionally to the Senate—I question whether Mr. Brennan can detach himself from those experiences.

For that reason I will oppose his nomination.

I yield the floor.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF JOHN OWEN BRENNAN TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 12 minutes.

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

ECONOMIC GROWTH

Mr. THUNE. Mr. President, I come to the floor to speak about spending and its impact on economic growth. I think it is important Washington closely considers the true impact Federal spending and our soaring national debt are having on economic growth.

Over the past few weeks, the White House and the President have been out campaigning across the country and making statements aimed at causing fear and anxiety about the sequester. The White House has painted the sequester—which, keep in mind, amounts to just 2.4 percent of all Federal spending—as something which would lead to an economic disaster in this country.

The White House attempts to cause fear and anxiety have fallen flat. What is more, many of the claims which were made were simply false. In fact, the critics agree.

Bill Keller wrote in the New York Times: ''The White House spent last week in full campaign hysteria.''

The Washington Post issued four Pinocchios with regard to false claims made by Education Secretary Arne Duncan about the sequester's impact on teachers' jobs.

The National Journal states: ''The White House's strategy to exaggerate the immediate impact of the cuts has backfired.''

In Politico: ''For all the hype, spin and blame exchanged over the across-the-board cuts, the reality is they don't mean the sudden economic collapse of America.''

It is important to see the sequester in its overall context. All the hype associated with this could be analogous, I suppose, to all the hype we had yesterday about the weather. Everybody expected we were going to have the blizzard of 2013, and it never materialized. All of the predictions with regard to doom and gloom relating to sequester have also not amounted to very much.

The American people have picked up on that. I think most of them agree, if you look at public opinion polls, that Washington does need to tighten its belt. Washington does need to reduce its spending. Washington needs to lessen the appetite it has to take more of the American taxpayers' money and spend it on what most taxpayers view to be not really necessary.

When you talk about a 2.4-percent reduction in overall Federal spending, most Americans, when they evaluate their own financial situations, come to the conclusion most of them probably could absorb, if they had to, a 2.4-percent reduction in their own spending. They would look at their budgets in very realistic ways. They would scrutinize and examine where they could find spending which is low priority, things they could live without. What we have seen here in Washington from the administration is various heads of agencies and departments going out and trying to identify the biggest, most high-profile thing for dramatic effect in an attempt to scare and frighten the American people.

The American people recognize, and hopefully the administration has come to the conclusion as well, a 2.4-percent reduction in overall Federal spending is something we need to absorb here in Washington, DC, and demonstrate to the American people we are serious about getting Washington's fiscal house in order.

I have long maintained the sequester is not the best way to rein in Federal spending. There is a better way to do so. The reductions called for in the sequester disproportionately impact certain areas of the budget. We all know about the impact on the national security budget, which represents only 20 percent of Federal spending but gets 50 percent of the cuts in the sequester.

I would have preferred a different approach. Given the refusal of President Obama and Senate Democrats to come to the table and find alternative savings, the sequester has gone into effect. The President and most Senate Democrats wanted to see an increase in taxes, something many of us believe would be very harmful to the economy. If you look at what the President has already received in terms of tax increases since he has been in office, it amounts to about $1.7 trillion.

If you look at the last 4 years and all the promises which were made about additional spending, stimulus spending, $1 trillion in additional stimulus spending back when the President first took office, how that would impact the economy, we were told it would take unemployment down below 6 percent. We all know what has happened. We continue to experience sluggish, slow, anemic growth with chronic high unemployment, and we continue to pile massive amounts of debt on the backs of our children and grandchildren.

While the President has been seeking to cause alarm and cast blame with regard to the sequester, one must question the economic arguments he is making. The President and his allies in Congress claim he inherited a bad economy and increased spending is necessary to stimulate economic growth. President Obama's agenda, since he has been in office, has been to spend more, tax more, and regulate more.

As I mentioned earlier, over $1.7 trillion in new taxes has been imposed to be signed into law since he took office. The most recent of that, the fiscal cliff, was $620 billion on January 1. If you add up the tax increases in ObamaCare, there is over $1 trillion there. If you look at the $518 billion in new regulations which have been approved since the President took office, you may see we put an enormous amount of cost, burden, new requirements, mandates, and harm to the economy and the small businesses which create jobs: $1.7 trillion in new taxes, the $518 billion in new regulations.

What has been the impact of those policies? It is pretty clear average economic growth under this President has averaged eight-tenths of 1 percent, .8 percent of the overall share of the economy, GDP. This is less than 1 percent economic growth, on average, in the 4 years this President has been in office.

To put it in perspective, if you look at past Presidents when we have had economic downturns and recessions, President Reagan inherited a bad economy too. When he came to office, we were faced with a series of real economic circumstances: high inflation, high interest rates, and weak growth.

President Reagan put in place policies which were progrowth. He enacted progrowth tax reform, fewer regulations. The economy grew nearly three times as fast as it has under President Obama's watch.

The point, very simply, is if you put the right policies in place, if you make it less difficult and less expensive for our small businesses and our job creators to create more jobs, there are more jobs and economic growth. If you make it more difficult, more expensive, and harder for our small businesses and our job creators to create jobs, there are fewer jobs, less economic growth, and lower take-home pay for American families and workers.

If the Obama recovery was as strong as Reagan's, our economy would be $1.5 trillion larger today, meaning more jobs and more opportunity for Americans. This is assuming if you were getting a comparable level of growth in the economy. The fact is President Obama's spending, tax, and regulatory policies are hamstringing economic recovery, jobs, and opportunity.

Yesterday the Federal Reserve released the latest edition of its so-called beige book or more formally known as

the Summary of Commentary on Current Economic Conditions. The beige book stated the 2010 health care law is being cited as a reason for layoffs and a slowdown in hiring.

This report, which examines economic conditions across various Federal Reserve districts throughout the country, stated: ''Employers in several districts cited the unknown effects of the Affordable Care Act as reasons for planned layoffs and reluctance to hire more staff.''

It is clear President Obama's policies are the real threat to our economy, not the sequester. A 2.4-percent across-the-board reduction in Federal spending here in Washington, DC, clearly—if you look at the rate of growth we have seen in spending since the President took office of over 20 percent in 2009, in the overall scheme of things, is something which is very reasonable. The American people see this as reasonable overall.

On the contrary, if you look at policies the President has put in place, whether this is more stimulus spending, growing government, higher taxes, more regulations, we are getting a very different picture of what those policies look like in terms of the impact on our economy. We have seen negative impacts, high-level spending, and high annual deficits during the President's first term. As a consequence of these statistics, there is slower economic growth.

I ask unanimous consent to have printed in the RECORD an opinion piece by Michael Boskin, which he wrote earlier in the week. In this article Mr. Boskin makes the case that spending cuts will actually help the economy: ''Standard Keynsian models that claim a quick boost from higher government spending showed the effect quickly turns negative. So the spending needs to be repeated over and over, like a drug, to keep the hypothetical positive effect going.''

Mr. Boskin points to an academic study which found returning spending to pre-crisis, pre-Obama levels—about a 3-percent reduction in spending as a percentage of our entire GDP—would increase short-term economic growth because expectations of lower future taxes and debt lead to higher incomes, more private spending, and investment.

[From the Wall Street Journal, Mar. 4, 2013]

LARGER SPENDING CUTS WOULD HELP THE ECONOMY

(By Michael J. Boskin)

President Obama's most recent prescription for economic growth—more government stimulus spending, new social programs, higher taxes on upper-income earners, subsidies for some industries and increased regulation for all of them—is likely to have the same anemic results as in his first administration.

Recall: The $825 billion stimulus program did little economic good at a cost of hundreds of thousands of dollars per job, even based on the administration's own inflated job estimates. Cash for Clunkers cost $3 billion merely to shift car sales forward a few months. The PPIP (Public-Private Investment Program for Legacy Assets) to buy toxic assets from the banks to speed lending generated just 3% of the $1 trillion that the program planners anticipated.

And now? Mr. Obama proposes universal preschool ($25 billion per year), ''Fix it First'' repairs to roads and bridges, plus an infrastructure bank ($50 billion), ''Project Rebuild,'' refurbishing private properties in cities ($15 billion), endless green-energy subsidies, and a big hike in the minimum wage. The president and Senate Democrats also demand that half the spending cuts under sequestration be replaced with higher taxes.

These proposals are ill-considered. The evidence sadly suggests the initial improvement in children's cognitive skills from ''Head Start'' quickly evaporates. Higher minimum wages increase unemployment among low-skilled workers. A dozen recent studies in peer-reviewed journals, including one by the president's former chief economic adviser Christina Romer, document the negative effects of higher taxes on the economy.

As for adventures in industrial policy, former Obama economic adviser Larry Summers wrote a memo in 2009 about the impending $527 million loan guarantee to Solyndra and other recipients of government largess. ''The government is a crappy v.c. [venture capitalist],'' he wrote, in what is also the best postmortem. In 2010, Harvard economist Edward Glaeser concluded in the New York Times that infrastructure is poor stimulus because ''It is impossible to spend quickly and wisely.'' Federal infrastructure spending should be dealt with in regular appropriations.

Will more spending today stimulate the economy? Standard Keynesian models that claim a quick boost from higher government spending show the effect quickly turns negative. So the spending needs to be repeated over and over, like a drug, to keep this hypothetical positive effect going. Japan tried that to little effect, starting in the 1990s. It now has the highest debt-to-GDP ratio among the countries of the Organization for Economic Cooperation and Development—and that debt is a prime cause, as well as effect, of Japan's enduring stagnation.

The United States is heading in this wrong direction. Even if the $110 billion in annual sequestration cuts are allowed to take place, the Congressional Budget Office projects that annual federal spending will increase by $2.4 trillion to $5.9 trillion in a decade. The higher debt implied by this spending will eventually crowd out investment, as holdings of government debt replace capital in private portfolios. Lower tangible capital formation means lower real wages in the future.

Since World War II, OECD countries that stabilized their budgets without recession averaged $5–$6 of actual spending cuts per dollar of tax hikes. Examples include the Netherlands in the mid-1990s and Sweden in the mid-2000s. In a paper last year for the Stanford Institute for Economic Policy Research, Stanford's John Cogan and John Taylor, with Volker Wieland and Maik Wolters of Frankfurt, Germany's Goethe University, show that a reduction in federal spending over several years amounting to 3% of GDP—bringing noninterest spending down to pre-financial-crisis levels—will increase short-term GDP.

Why? Because expectations of lower future taxes and debt, and therefore higher incomes, increase private spending. The U.S. reduced spending as a share of GDP by 5% from the mid-1980s to mid-1990s. Canada reduced its spending as share of GDP by 8% in the mid-'90s and 2000s. In both cases, the reductions reinforced a period of strong growth.

An economically ''balanced'' deficit-reduction program today would mean $5 of actual, not hypothetical, spending cuts per dollar of tax hikes. The fiscal-cliff deal reached on Jan. 1 instead was scored at $1 of spending cuts for every $40 of tax hikes.

Keynesian economists urge a delay on spending cuts on the grounds that they will hurt the struggling economy. Yet at just one-quarter of 1% of GDP this year, $43 billion of this year's sequester cuts in an economy with a GDP of more than $16 trillion is unlikely to be a major macroeconomic event.

Continued delay now leaves a long boom as the only time to control spending. There was some success in doing this in the mid-1990s under President Clinton and a Republican Congress. More commonly the opposite occurs: A boom brings a surge in tax revenues and politicians are anxious to spread the spending far and wide.

In any case, the demand by Mr. Obama and Senate Democrats that any dollar of spending cuts in budget agreements this spring (to fund the government for the rest of the fiscal year and when the debt limit again approaches) be matched by an additional dollar of tax hikes is economically unbalanced in the extreme. Those who are attempting to gradually slow the growth of federal spending while minimizing tax hikes have sound economics on their side.

Mr. THUNE. To wrap up and put this into perspective, Federal spending has increased nearly 20 percent since 2009. Sequestration, the across-the-board spending reductions which will occur under the sequester, amount to a reduction of 2.4 percent out of a $3.5 trillion budget. Even with the sequester, the government will spend more this year than it did last year.

I would hope the President would begin to be honest with the American people about the impact of his tax hikes, his spending, and new regulations are having on our Nation's economic growth and recovery; more important, coming to the conclusion and being honest with the American people about that, change his policies; actually come to a conclusion based on what we have seen, 4 years of his policies, which is slow growth, and a .8 percent economic growth on average for the past 4 years. There is also, as I said before, high unemployment, chronic unemployment—which is still around that 8-percent level—and massive amounts of new debt we are piling on the backs of future generations.

Not only do we need the President, in terms of his rhetoric, to be honest with the American people, we need him to change his policies and take an honest look at the relationship between spending and economic growth. This shows the sequester will not have long-term negative impacts on the economy. We need to put the Federal Government on a stable fiscal path in order to create the kind of economic certainty needed in this country to grow the economy and create jobs.

Less spending by Washington, DC, actually will lead to greater economic growth, a private economy, more jobs for the American people, and higher take-home pay.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as if in morning business and ask to be joined in colloquy with the Senator from South Carolina, Senator GRAHAM.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DRONE PROGRAM

Mr. MCCAIN. Mr. President, I wish to quote from this morning's editorial in the Wall Street Journal entitled ''Rand Paul's Drone Rant.'' I wish to read for the edification of my colleagues the editorial which was in the Wall Street Journal, a credible media outlet, this morning.

The Wall Street Journal reads:

Give Rand Paul credit for theatrical timing. As the storm descended on Washington, the Kentucky Republican's old-fashioned filibuster Wednesday filled the attention void on Twitter and cable TV. If only his reasoning matched the showmanship.

Shortly before noon, Senator Paul began talking filibuster against John Brennan's nomination to lead the CIA. The tactic is rarely used in the Senate and was last seen in 2010. But Senator Paul said an ''alarm'' had to be sounded about the threat to Americans from their own government. He promised to speak ''until the President says, no, he will not kill you at a cafe.'' He meant by a military drone. He's apparently serious, though his argument isn't.

Senator Paul had written the White House to inquire about the possibility of a drone strike against a U.S. citizen on American soil. Attorney General Eric Holder replied that the U.S. hasn't and ''has no intention'' to bomb any specific territory. Drones are limited to the remotest area of conflict zones like Pakistan and Yemen. But as a hypothetical constitutional matter, Mr. Holder acknowledged the President can authorize the use of lethal military force within U.S. territory.

This shocked Senator Paul, who invoked the Constitution and Miranda rights. Under current U.S. policy, Mr. Paul mused on the floor, Jane Fonda could have been legally killed by a Hellfire missile during her tour of Communist Hanoi in 1972. A group of noncombatants sitting in public view in Houston may soon be pulverized, he declared.

Calm down, Senator. Mr. Holder is right, even if he doesn't explain the law very well. The U.S. Government cannot randomly target American citizens on U.S. soil or anywhere else.

I repeat that: The U.S. Government cannot randomly target American citizens on U.S. soil or anywhere else.

What it can do under the laws of war is target an ''enemy combatant'' anywhere at any time, including on U.S. soil. This includes a U.S. citizen who is also an enemy combatant. The President can designate such a combatant if he belongs to an entity—a government, say, or a terrorist network like al-Qaida—that has taken up arms against the United States as part of an internationally recognized armed conflict. That does not include Hanoi Jane.

Such a conflict exists between the U.S. and al-Qaida, so Mr. Holder is right that the U.S. could have targeted (say) U.S. citizen Anwar al-Awlaki had he continued to live in Virginia. The U.S. killed him in Yemen before he could kill more Americans. But under the law al-Awlaki was no different than the Nazis who came ashore on Long Island in World War II, were captured and executed.

The country needs more Senators who care about liberty, but if Mr. Paul wants to be taken seriously, he needs to do more than pull political stunts that fire up impressionable libertarian kids in their college dorms. He needs to know what he's talking about.

I watched some of that ''debate'' yesterday. I saw colleagues of mine who know better come to the floor and voice this same concern, which is totally unfounded. I must say that the use of Jane Fonda's name does evoke certain memories with me, and I must say she is not my favorite American, but I also believe that as odious as it was, Ms. Fonda acted within her constitutional rights. To somehow say that someone who disagrees with American policy, and even may demonstrate against it, is somehow a member of an organization which makes that individual an enemy combatant is simply false. It is simply false.

I believe we need to visit this whole issue of the use of drones—who uses them, whether the CIA should become their own Air Force, what the oversight is. The legal and political foundation for this kind of conflict needs to be reviewed.

Relating to this, let me quote from an article by Jack Goldsmith that was in the Washington Post on February 5, 2013, entitled: ''U.S. needs a rulebook for secret warfare.''

The legal foundation rests mostly on laws designed for another task that government lawyers have interpreted, without public scrutiny, to meet new challenges. Outside the surveillance context, Congress as a body has not debated or approved the means or ends of secret warfare. Because secret surveillance and targeted strikes, rather than U.S. military detention, are central to the new warfare, there are no viable plaintiffs to test the government's authorities in court. In short, executive-branch decisions since 2001 have led the Nation to a new type of war against new enemies on a new battlefield without enough focused national debate, deliberate congressional approval or real judicial review.

What the government needs is a new framework statute—akin to the National Security Act of 1947, or the series of intelligence reforms made after Watergate, or even the 2001 authorization of force—to define the scope of the new war, the authorities and limitations on presidential power, and forms of review of the President's actions.

I don't think we should have any doubt there are people both within the United States of America and outside it who are members of terrorist organizations and who want to repeat 9/11. All of us thank God there has not been a repeat of 9/11. Most of the experts I know will say there has been a certain element of luck—a small element but still an element of luck, such as the Underwear Bomber and others—that has prevented a devastating attack on the United States. But to somehow allege or infer the President of the United States is going to kill somebody such as Jane Fonda or someone who disagrees with the government's policies is a stretch of imagination which is, frankly, ridiculous—ridiculous.

I don't disagree that we need more debate, more discussion, and, frankly, probably more legislation to make sure America does protect the rights of all our citizens and to make sure, at the same time, if someone is an enemy combatant, that enemy combatant has nowhere to hide—not in a cafe, not anywhere. But to say that somehow, even though we try to take that person, that we would hit them in a cafe with a Hellfire missile—well, first of all, there are no drones with Hellfire missiles anywhere near. They are over in places such as Yemen and Afghanistan and other places around the world.

We have done a disservice to a lot of Americans by making them believe that somehow they are in danger from their government. They are not. But we are in danger—we are in danger—from a dedicated, longstanding, easily replaceable leadership enemy that is hellbent on our destruction, and this leads us to having to do things perhaps we haven't had to do in other more conventional wars.

I don't believe Anwar al-Awlaki should have been protected anywhere in the world, but that doesn't mean they are going to take him out with a Hellfire missile. It means we are going to use our best intelligence to apprehend and debrief these people so we can gain the necessary intelligence to bring them all to justice.

All I can say is, I don't think what happened yesterday is helpful for the American people. We need a discussion, as I said, about exactly how we are going to address this new form of almost interminable warfare, which is very different from anything we have ever faced in the past, but somehow to allege the United States of America, our government, would drop a drone Hellfire missile on Jane Fonda, that brings the conversation from a serious discussion about U.S. policy to the realm of the ridiculous.

I would also like to add an additional note. About 42 percent, as I am told, of the Members of this Senate are here for 6 years or less. Every time a majority party is in power, they become frustrated with the exercise of the minority and their rights in the Senate. Back some years ago, when the Republicans—this side of aisle—were in the majority, we were going to eliminate the ability to call for 60 votes on the confirmation of judges. We were able to put that aside. There was another effort at the beginning of this Senate to do away with 60 votes and go back down to 51, which, in my view, would have destroyed the Senate.

A lot of us worked very hard—a group of us—for a long time to come up with some compromises that would allow the Senate to move more rapidly and efficiently but at the same time preserving the 60-vote majority requirement on some pieces of legislation. What we saw yesterday is going to give ammunition to those critics who say the rules of the Senate are being abused. I hope my colleagues on this side of the aisle will take that into consideration.

I note the presence of the Senator from South Carolina. The Senator from South Carolina, as many of our colleagues know, is a lawyer. He has been a military lawyer in the Air Force Reserve for over 20 years. If there is anyone in the Senate who knows about this issue from a legal and technical standpoint, it is my colleague from South Carolina.

I ask my colleague from South Carolina, is there any way the President of the United States could just randomly attack someone, with a drone or a Hellfire missile, without that person being designated an enemy combatant?

And I don't think, as much as I hate to say it, that applies to Jane Fonda.

Mr. GRAHAM. I thank my colleague. That is a very good question.

This has been a very lively debate. Senator PAUL has a lot of passion, and that is a great thing. This is an important issue. We should be talking about it, and I welcome a reasoned discussion. But to my Republican colleagues, I don't remember any of you coming down here suggesting that President Bush was going to kill anybody with a drone—I don't even remember the harshest critics of President Bush from the Democratic side. They had a drone program back then, so what is it all of a sudden about this drone program that has gotten every Republican so spun up? What are we up to here?

I think President Obama has, in many ways, been a very failed President. I think his executive orders overstep, I think he has intruded into the congressional arena by Executive order, I think ObamaCare is a nightmare, and there are 1,000 examples of a failed Presidency, but there is also some agreement. People are astonished, I say to the Senator, that President Obama is doing many of the things President Bush did. I am not astonished. I congratulate him for having the good judgment to understand we are at war.

To my party, I am a bit disappointed that you no longer apparently think we are at war. Senator PAUL, he is a man unto himself. He has a view I don't think is a Republican view. I think it is a legitimately held libertarian view.

Remember, Senator PAUL was the one Senator who voted against a resolution that said the policy of the United States will not be to contain a nuclear-capable Iran. It was 90 to 1. To his credit, he felt that would be provocative and it may lead to a military conflict. He would rather have a nuclear-capable Iran than use military force, and he said so—to his credit. Ninety of us thought, well, we would like not to have a military conflict with Iran, but we are not going to contain a nuclear-capable Iran because it is impossible.

What would happen is that if Iran got a nuclear weapon, the Sunni Arab States would want a nuclear weapon, and most of us believe they would share the technology with the terrorists, who would wind up attacking Israel and the United States. It is not so much that I fear a missile coming from Iran; I fear, if they got a nuclear weapon or nuclear technology, they would give it to some terrorist organization—like they gave IEDs to the Shia militia in Iraq to kill Americans—and they would wreak havoc on the world.

So we don't believe in letting them have it and trying to contain them because we believe their association with terrorism is too long and too deep, that it is too dangerous for Israel and too dangerous for us. But Senator PAUL, to his credit, was OK with that; I just disagree with him.

As to what he is saying about the drone program, he has come our way some, and I appreciate that. Before, he had some doubt in his mind as to whether we should have killed Anwar al-Awlaki in Yemen—an American citizen who had collaborated with al-Qaida and was actually one of the military leaders of al-Qaida in Yemen, who had radicalized Major Hasan, and who had been involved in planning terrorist attacks against U.S. forces throughout the region.

President Obama was informed through the military intelligence community channels of Anwar al-Awlaki's existence, all the videos he made supporting Jihad and killing Americans, and he, as Commander in Chief, designated this person as an enemy combatant.

Mr. President, you did what you had the authority to do, and I congratulate you in making that informed decision.

And the process to get on this target list is very rigorous—I think sometimes almost too rigorous.

But now, apparently, Senator PAUL says it is OK to kill him because we have a photo of him with an RPG on his shoulder. He has moved the ball. He is saying now that he wants this President to tell him he will not use a drone to kill an American citizen sitting in a cafe having a cup of coffee who is not a combatant. I find the question offensive.

As much as I disagree with President Obama, as much as I support past Presidents, I do not believe that question deserves an answer because, as Senator MCCAIN said, this President is not going to use a drone against a noncombatant sitting in a cafe anywhere in the United States, nor will future Presidents because if they do, they will have committed an act of murder. Noncombatants, under the law of war, are protected, not subject to being killed randomly.

So to suggest that the President won't answer that question somehow legitimizes that the drone program is going to result in being used against anybody in this room having a cup of coffee cheapens the debate and is something not worthy of the time it takes to answer.

Mr. MCCAIN. May I ask my colleague a question especially on that subject.

A lot of our friends—particularly Senator PAUL and others—pride themselves on their strict adherence to the Constitution and the decisions of the U.S. Supreme Court.

Isn't it true that as a result of an attack on Long Island during World War II, an American citizen—among others—was captured and hung on American soil, and the U.S. Supreme Court upheld that execution because that individual was an enemy combatant? Does that establish without a doubt the fact that these are enemy combatants, and no matter where they are, they are subject to the same form of justice as the terrorists in World War II were?

Mr. GRAHAM. It has been a long-held concept in American jurisprudence that when an American citizen sides with the enemies of our Nation, they can be captured, held, and treated as an enemy combatant; they have committed an act of war against our country, not a common crime.

In World War II, German saboteurs landed on Long Island. They had been planning and training in Germany to blow up a lot of infrastructure—and some of it was in Chicago. So they had this fairly elaborate plan to attack us. They came out of a submarine. They landed on Long Island. And the plan was to have American citizens sympathetic to the Nazi cause—of German origin, most of them—meet them and provide them shelter and comfort. Well, the FBI back then broke up that plot, and they were arrested. The American citizens were tried by military commission, they were found guilty, and a couple of them were executed.

Now, there has been a case in the war on terror where an American citizen was captured in Afghanistan. Our Supreme Court reaffirmed the proposition that we can hold one of our own as an enemy combatant when they align themselves with the forces against this country.

This Congress, right after the September 11 attacks, designated authorization to use military force against al-Qaida and affiliated groups. So the Congress has given every President since 9/11 the authority to use military force against al-Qaida and affiliated groups. And American citizens such as Anwar al-Awlaki and that guy Hamdi who was captured in Afghanistan have been treated as enemy combatants, and if President Obama does that, he is doing nothing new or novel.

What would be novel is for us to say that if a terrorist cell came to the United States, if an al-Qaida cell was operating in the United States, that is a common crime and the law of war doesn't apply. It would be the most perverse situation in the world for the Congress to say that the United States itself is a terrorist safe haven when it comes to legal rights; that we can blow you up with a drone overseas, we can capture you in Afghanistan and hold you under the law of war, but if there is a terrorist cell operating in the

United States, somehow you are a common criminal and we will read you your Miranda Rights.

I just have this one question to get Senator MCCAIN's thoughts. I hope we realize that, hypothetically, there are patriot missile batteries all over Washington that could interdict an airplane coming to attack this Capitol or the White House or other vital government facilities.

I hope the Senator understands—Senator MCCAIN is a fighter pilot—that there are F–15s and F–16s on 3-minute to 5-minute alert all up and down the east coast. If there is a vessel coming into the United States or a plane has been hijacked or a ship has been hijacked that is loaded with munitions or the threat is real and they have taken over a craft and are about to attack us, I hope all of us would agree that using military force in that situation is not only lawful under the authorization to use military force, it is within the inherent authority of the Commander in Chief to protect us all.

Mr. MCCAIN. And should not be construed as an authority to kill somebody in a cafe.

Mr. GRAHAM. It should be construed as a reasonable ability to defend the homeland against a real threat. And the question is, Do you feel threatened anymore? I do. I think al-Qaida is alive and well.

And to all those who have been fighting this war for a very long time, multiple tours in Iraq and Afghanistan, who have tried to keep the war over there so it doesn't come here, to the failed plots that have been broken up by the CIA and the FBI, God bless you. We have to be right every time; they only have to be right once.

If you think the homeland is not a desire of al-Qaida, it is absolutely on the top of their list. They are recruiting American citizens to their cause, and unfortunately a few will probably go over to their side. Thank God it will be just a few.

But to take this debate into the absurd is what I object to. We can have reasonable disagreements about, the regulatory nature of the drone program should be under the Department of Defense and what kind of oversight Congress should have. I think that is a really good discussion, and I would like to work with Senator DURBIN and others to craft—the Detainee Treatment Act was where Congress got involved with the executive branch to come up with a way to better handle the detainee issue.

But the one thing I have been consistent about is I believe there is 1 Commander in Chief, not 535, and I believe this Commander in Chief and all future Commanders in Chief are unique in our Constitution and have an indispensable role to play when it comes to protecting the homeland. If we have 535 commanders in chief, then we are going to be less safe. And if you turn over military decisions to courts, then I think you have done the ultimate harm to our Nation—you have criminalized the war. And I don't think our judiciary wants that.

So as much as I disagree with President Obama, I think you have been responsible in the use of the drone program overseas. I think you have been thorough in your analysis. I would like to make it more transparent. I would like to have more oversight.

As to the accusation being leveled against you that if you don't somehow answer this question, we are to assume you are going to use a drone—or the administration or future administrations would—to kill somebody who is a noncombatant—no intelligence to suggest there are enemy combatants sitting in a cafe hit by a Hellfire missile—I think it is really off base.

I have this one final thought. If there is an al-Qaida operative U.S. citizen who is helping the al-Qaida cause in a cafe in the United States, we don't want to blow up the cafe. We want to go in there and grab the person for intelligence purposes.

The reason we are using drones in Afghanistan and Pakistan is we don't have any military presence along the tribal border. The reason we are having to use drones is we can't capture people. The preference is to capture them, not to kill them. But there are certain areas where they operate that the only way we can get to them is through a drone strike.

Mr. MCCAIN. And may I say to my friend that there are scenarios where there could be an extreme situation where there is a direct threat. We could draw many scenarios—a bomb-laden, explosive-laden vehicle headed for a nuclear powerplant—where the President of the United States may have to use any asset the President has in order to prevent an impending catastrophic attack on the United States of America. And that is within the realm of possible scenarios.

So to somehow say that we would kill people in cafes and therefore drone strikes should never be used under any circumstances I believe is a distortion of the realities of the threats we face.

As we are speaking, there are people who are plotting to attack the United States of America. We know that. At the same time, we are ready, as the Senator said, to discuss, debate, and frame legislation that brings us up to date with the new kind of war we are in. But to somehow have a debate and a discussion that we would have killed Jane Fonda does, in my view, a disservice to the debate and discussion that needs to be conducted.

Mr. GRAHAM. That is a very good point.

I look forward to a discussion about how to deal with a drone program. It is just a tactical weapon. It is an air platform without a pilot.

Now, if there is a truck going toward a military base or nuclear powerplant, we have a lot of assets to interdict that truck. Maybe you don't need the F–16. But I guarantee you, if there was a hijacked aircraft coming to the Capitol, the President of the United States would be well within his rights to order the Patriot missile battery to shoot that plane down or have an F–16 shoot it down. And we are ready for that, by the way.

I would just suggest one thing. The number of Americans killed in the United States by drones is zero. The number of Americans killed in the United States by al-Qaida is 2,958. The reason it is not 2 million, 20 million, or 200 million is because they can't get the weapons to kill that many of us. The only reason it is 2,958 is because their weapons of choice couldn't kill more. Their next weapon of choice is not going to be a hijacked airplane up there; it is going to be some nuclear technology or a chemical weapon, a weapon of mass destruction. That is why we have to be on our guard.

When you capture someone who is associated with al-Qaida, the best thing is to hold them for interrogation purposes. We found bin Laden not through torture, we found bin Laden through a decade of putting the puzzle together.

Senator DURBIN and Senator MCCAIN, both are very effective advocates that we have to live within our values and that when we capture somebody, we are going to hold them under the law of war. We are going to explore the intelligence, but we are going to do it within the laws that we signed up to, such as the Geneva Conventions, the Convention Against Torture.

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

Mr. GRAHAM. Absolutely.

Mr. DURBIN. I very briefly thank my colleagues on the other side of the aisle. It was 12 hours ago when I was standing right here, a lonely voice among others who were discussing this issue, bringing up the points the Senator raises. The first is the drone is a weapon. There are many weapons that can deliver lethal force. We should view this as an issue of lethal force, not an issue of drones per se—although it may raise some particular questions in application. It is largely a question of lethal force.

The second question has been raised by both Senators. What if the fourth airplane had not been brought down by the passengers? What if that plane were headed for this Capitol Building and all other planes had been landed across America under orders of our government and we knew this plane was the fourth plane in control of the terrorists, what authority did President Bush have as Commander in Chief at that moment?

I don't think anyone would question he had the authority to use lethal force to stop the terrorists from using that plane as a fourth weapon against the United States.

There was no debate last night about that particular point. This notion—and I am glad this point has been raised—that we are somehow going to use drones to kill people sipping coffee in

cafes is ludicrous. It is absurd. It goes beyond the obvious. We need those people. Bringing those people into our control gives us more information.

Second, for goodness' sake, the collateral damage of something that brutish would be awful. So I thank the Senator for putting it in perspective.

I think Attorney General Holder could have been more artful in his language yesterday, but at the end of the day, even Senator CRUZ acknowledged he said it would be unconstitutional to use this kind of lethal force if there weren't an imminent threat pending against the United States.

Mr. MCCAIN. If I may say real quickly, an imminent threat.

MR. DURBIN. Yes.

Mr. MCCAIN. We may have to do a little better job of defining that, but to say imminent threat would then translate into killing somebody in a cafe is not a mature debate or discussion.

Mr. GRAHAM. If I can add, let me tell the Senator about imminent threat and military law. In Iraq we had disabled terrorist insurgents. There was a big debate in the Marine Corps because under military law when a lawful combatant, a person in uniform, has been disabled and it does not present an imminent threat, we don't have the ability to shoot them. OK.

The terrorists in Iraq put IEDs on wounded belligerents, unlawful enemy combatants. So the Marine Corps wrestled very long and hard with the rules of engagement. If you come upon somebody who is wounded, apparently was disabled, under what circumstances could you use lethal force because they may be booby-trapped.

To the Marine Corps' credit, they came up with a balance between who we are—we just don't shoot even our enemies who are helpless and wounded—and the ability for force protection.

Here is what I would say about the circumstance in question. The process of determining who an enemy combatant is has always been a military process. It is not a congressional debate. Our committees don't get a list of names and we vote on whether we think they are enemy combatants. Courts don't have trials over who is an enemy combatant. If there is a question about enemy combatant status under the Geneva Conventions, you are entitled to a single hearing officer and that is all. In World War II, there were a lot of people captured in German uniform who claimed they were made to wear the uniform by the Germans. All of them had a hearing on the battlefield by a single officer. It has been long held by military law it is a military decision, not judicial decision or legislative decision, to determine the enemy of the nation.

So President Obama has taken this far beyond what was envisioned. This administration has a very elaborate process to determine who should be determined to be an enemy combatant. I think it is thorough. I think it has many checks and balances. As much as I disagree with this President on many issues, I would never dream of taking that right away from him because he is the same person, the Commander in Chief, whoever he or she may be in the future, that we give the authority to order American citizens in battle where they may die. He has the authority to pick up a phone, Senator MCCAIN, and say you will launch today, and you may not come back.

I cannot imagine a Congress who is OK with the authority to order an American citizen in battle—we don't want to take that away from him, I hope—that is uncomfortable with the same American determining who the enemy we face may be.

As to American citizens, here is the law. If you collaborate with al-Qaida or their affiliates and you are engaged in helping the enemy, you are subject to being captured or killed under the law of war. What is an imminent threat? The day that you associate yourself with al-Qaida and become part of their team, everywhere you go and everything you do presents a threat to the country. So why do we shoot people walking down the road in Pakistan? They don't have a weapon. There is no military person in front of them who is threatened. The logic is that once you join al-Qaida, you are a de facto imminent threat because the organization you are supporting is a threat.

For someone to suggest we have to let them walk down the road, go pick up a gun and head toward our soldiers before you can shoot them is not very healthy for the soldier they are trying to kill and it would be a total distortion of law as it exists. Back here at home, and I will conclude——

Mr. DURBIN. If the Senator will allow just one last comment and I thank him for the statement on the floor—from both my colleagues. The Judiciary Committee's Subcommittee on the Constitution is going to have a hearing, it is already scheduled, on this issue of drones. There are legitimate questions to be raised and answered.

Mr. GRAHAM. There are.

MR. DURBIN. I might add that in my conversations with the President he welcomes this. He has invited us to come up with a legal architecture to make certain it is consistent with existing precedent and military law and other court cases as well as our Constitution. I think that is a healthy environment for us to have this hearing and invite all points of view and try to come up with a reasonable conclusion.

Mr. GRAHAM. I could not welcome that more. It worked with the Detainee Treatment Act, it worked with the Military Commissions Act. I think it is the right way to go.

Mr. MCCAIN. Madam President, I think that concludes our discussion. I would agree with the Senator from Illinois and my colleague from South Carolina that we need hearings. We need to discuss how we conduct this—the United States, in what appears to be, for all intents and purposes, an interminable conflict that we are in and we have to adjust to it. But that conversation should not be talking about drones killing Jane Fonda and people in cafes. It should be all about what authority and what checks and balances should exist in order to make it a most effective ability to combat an enemy that we know will be with us for a long time.

Mr. GRAHAM. If I could just have 2 minutes of wrapup, I will. To my fellow citizens, the chance of you being killed by a drone—because you go to a tea party rally or a moveon.org rally or any other political rally or you are just chatting on the Internet quietly at home—by your government through the use of a drone is zero, under this administration and future administrations. If that day ever happened, the President of the United States or whomever ordered such an attack would have committed murder and would be tried. I don't worry about that.

Here is what I worry about; that al-Qaida, who has killed 2,958 of us, is going to add to the total if we let our guard down. I will do everything in my power to protect this President, whom I disagree with a lot, and future Presidents from having an ill-informed Congress take over the legitimate authority under the Constitution and the laws of this land to be the Commander in Chief on behalf of all of us.

As to any American citizen thinking about joining with al-Qaida at home or abroad: You better think twice because here is what is going to come your way. If we can capture you, we will. You will be interrogated. You will go before a Federal judge and one day you will go before a court and you will have a lot of legal rights, but if you are found guilty, woe be unto you.

Here is another possibility. If you join with these thugs and these nuts to attack your homeland and if we have no ability to capture you, we will kill you and we will do it because you made us. The process of determining whether you have joined al-Qaida is not going to be some Federal court trial. It is not going to be a committee meeting in the Congress. Because if we put those conditions on our ability to defend ourselves, we cannot act in real time.

Bottom line: I think we are at war. I think we are at war with an enemy who would kill us all if he could, and every war America has been in we have recognized the difference between fighting crime and fighting a war. If you believe, as I do, we are at war, those who aid our enemies are not going to be treated as if they robbed a liquor store. They are going to be treated as the military threat they are.

Mr. MCCAIN. Madam President, I thank my colleague and also thank the Senator from Illinois for his engagement. In closing, I would like to congratulate my friend from South Carolina for his best behavior last night at dinner. He was on his best manners and everyone was very impressed.

I yield the floor.

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

Mr. UDALL of Colorado. Madam President, I rise in support of the nomination of John Brennan to be the next director of the Central Intelligence Agency. Mr. Brennan earned a bipartisan vote of 12–3 in the Senate Intelligence Committee, on which I serve. He is clearly qualified to lead the CIA and deserved that bipartisan vote in committee. And he deserves confirmation by the full Senate today.

I say that in spite of the difficulties my colleagues and I encountered in extracting information and commitments throughout the confirmation process. Our concerns were less about John Brennan himself and more about the role that the next CIA director needs to play. And we believe that the information and commitments we finally secured from him and from the White House are extraordinarily relevant to the role of any CIA director.

Alongside several of my colleagues, I fought to enhance transparency and preserve our system of checks and balances. The American people have the expectation that their government is upholding the principles of oversight and accountability.

Consistent with our national security, the presumption of transparency should be the rule, not the exception. The government should make as much information available to the American public as possible, while protecting national security.

We have seen during previous administrations the problems that can arise when even the intelligence committees are left out of the loop: warrantless wiretapping, extraordinary detention and torture. Ben Franklin put it well when he said: ''Those who would sacrifice liberty for security deserve neither.''

Congressional oversight is critical to ensure that we sacrifice neither, as we pursue a smart, but tough, national security strategy, especially in this age of new forms of warfare.

This was true over the past several months, as I joined Senator WYDEN and others in pushing hard for access to the legal justification used by the executive branch to lethally target Americans using drones. The fact that we had to push so hard, I am sorry to say, no doubt erodes the government's credibility with the American people. But it also gives us an opportunity—and a good reason—to maintain and strengthen our system of checks and balances.

I am glad the Administration met our requests and is giving members of the Intelligence Committee access to legal opinions on targeting American citizens. This is an important first step. But there is more to be done for Congress to understand the limits on the drone program.

Madam President, our government has an obligation to the American people to face its mistakes transparently, help the public understand the nature of those mistakes, and then correct them. In this regard, the next Director of the CIA has an important task.

The specific mistakes I am referring to are outlined in the Intelligence Committee's 6,000-page report on the CIA's deeply flawed detention and interrogation program. Acknowledging the flaws of this program is essential for the CIA's long-term institutional integrity as well as the legitimacy of ongoing sensitive programs.

I know the Presiding Officer will take a keen interest in this as she is a strong supporter of civil liberties and protecting our freedoms. That is why I will hold Mr. Brennan to the promise he made to me at his confirmation hearing; that is, to correct inaccurate information in the public record on the CIA's detention and interrogation program. That is why I will continue to urge him to ensure that the Senate Intelligence Committee's report on this flawed program is declassified and made public.

In the committee's confirmation hearing, Mr. Brennan promised to be an advocate of ensuring the committee has what it needs to do its functions. I believe Mr. Brennan is that advocate.

I look forward to working with him and the administration with my goal of protecting our national security while also safeguarding America's constitutional freedoms and determining the limits of executive branch powers in this new age of warfare.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

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

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

REMEMBERING DEAMONTE DRIVER

Mr. CARDIN. Mr. President, I come to the floor to note a sad anniversary. Friday, March 1, marked 6 years since the tragic death of a 12-year-old Maryland child named Deamonte Driver. I have spoken about him many times since his passing, which happened just weeks after I came to the Senate.

The death of any child is tragic; Deamonte's was even more so because it was entirely preventable. He died from untreated tooth decay. It started with an infected tooth. Deamonte began to complain about headaches in early January 2007. By the time he was evaluated at Children's Hospital's emergency room, the infection had spread to his brain, and after multiple surgeries and a lengthy hospital stay, he passed away.

The principal at Deamonte's school, Gina James, remarked, ''Everyone here was shocked. They couldn't understand how he could have a toothache and then die. We sometimes give the little kids candy as a reward; well, for a while they stopped taking it because they would say, 'if I get a cavity, will I die?' ''

Because Deamonte did not get a tooth extraction that would have cost about $80, he was subjected to extensive brain surgery that eventually cost more than $250,000. That is more than 3,000 times the cost of an extraction.

After Deamonte's death, more Americans began to recognize the link between dental care and overall health that medical researchers have known for years.

Former Surgeon General C. Everett Koop once said that ''there is no health without oral health.'' The story of the Driver family has brought Dr. Koop's lesson home in a painful way.

Children living in poverty have twice as much tooth decay as middle- and upper-income children, and nearly 40 percent of black children have untreated tooth decay in their permanent teeth.

This has serious implications for their overall health. Untreated oral health problems in children can result in attention deficits, poor school performance, and problems sleeping and eating. And these problems carry over to adulthood. Improper oral hygiene can increase an adult's risk of having low birth-weight babies, developing heart disease, or suffering a stroke.

Employed adults lose more than 164 million hours of work each year due to dental disease and dental visits, and in 2009 over 830,000 emergency room visits were the result of preventable dental conditions. Poor oral health is also associated with a number of other diseases, including diabetes, stroke and respiratory disease. In older adults, poor oral health is significantly associated with disability and reduction in mobility.

Medical researchers have discovered the important linkage between plaque and heart disease, that chewing stimulates brain cell growth, and that gum disease can signal diabetes, liver ailments and hormone imbalances. Further, oral research has led to advanced treatments like gene therapy, which can help patients who have chronic renal failure.

They have also discovered that oral disease is far more prevalent than you might imagine. In fact, dental decay is the most common chronic childhood disease in the United States. Dental disease affects 1 in 5 children aged 2 to 4, and more than half of all children have dental disease by the time they reach second grade. By the age of 17, approximately 80 percent of young people have had a dental cavity.

The average 50-year-old in the United States has lost 12 teeth, and by age 65 over one-quarter of Americans have lost all their teeth. More than 10 percent of the nation's rural population have never visited a dentist.

These are sobering statistics. But here is the good news: Dental decay is a dynamic disease process, and not a static problem. Before a cavity is formed in the tooth, the caries infection can actually be reversed. That means that we can prevent tooth decay, as long as dental care is made available and good oral hygiene practices are used.

Deamonte's story was told around the world. But nowhere did it hit harder than in his home State of Maryland. I am proud of how the Maryland Congressional Delegation, Governor Martin O'Malley, and the Maryland General Assembly have responded to the need for better access to oral health care.

In 2010 and 2011, the Pew Center on the States named Maryland a national leader in improving dental access for low-income Marylanders. We were the only State to meet seven of Pew's eight dental policy benchmarks, and we ranked first in the nation for oral health. CMS also invited our State officials to share their story at its national quality conference in August 2011 and placed Maryland's achievements in its Best Practices Guide.

I will mention just some of what Maryland has accomplished: In 2010, our State secured $1.2 million in Federal funding to develop a statewide Oral Health Literacy Campaign, called ''Healthy Teeth, Healthy Kids.'' More than 368,000 children and adults in Medicaid received dental care in 2011; 82,000 more than in 2010. The percentage of pregnant women receiving dental care in 2011 was 28.4 percent, compared to 26.6 percent in 2010.

Created by the Robert T. Freeman Dental Society and funded in part by the State, the Deamonte Driver Mobile Dental Van Project provided diagnostic and preventive services for over 1,000 Prince George's County children who live in neighborhoods where otherwise care would be unavailable to them.

The Kaiser Family Foundation awarded a $200,000 grant to the Maryland Dental Action Coalition that funded a pilot dental screening program at a school-based health center in Prince George's County.

The Dental Action Coalition also began granting and reimbursing primary care providers to apply fluoride varnish for children up to 3 years of age. By June 2012, 385 primary care providers had administered over 58,000 treatments.

The Maryland Community Health Resources Commission continues to expand oral health capacity for underserved communities. Since 2008, the Commission has awarded 20 dental grants totaling $4.6 million. These grants have funded services to more than 35,000 low-income children and adults in our State.

I am also very proud of what Congress has done. In the CHIP Reauthorization Act passed a few months after Deamonte died, we established a guaranteed oral health benefit for children. With the leadership of Senators BAUCUS, GRASSLEY, ROCKEFELLER, COLLINS, and former Senator Bingaman, we created grants to the States to improve oral health education and treatment programs. We also addressed one of the problems that Deamonte's mother faced in trying to get care for him—a lack of readily available information about accessible providers.

For a variety of reasons, it is difficult for Medicaid and CHIP enrollees to find dental care, and working parents whose children qualify for those programs are likely to be employed at jobs where they can't spend 2 hours a day on the phone to find a provider. So HHS must include on its Insure Kids Now Web site a list of participating dentists and benefit information for all 50 States and the District of Columbia.

Also, in 2009, Congress passed the Edward M. Kennedy Serve America Act. That law created the Healthy Futures Corps, which provides grants to the States and nonprofit organizations so they can fund national service in low-income communities. It will allow us to put into action tools that can help us close the gap in health status—prevention and health promotion. For too long we have acknowledged health disparities, studied them, and written reports about them. With the help of the senior Senator from Maryland, my colleague, Senator BARBARA MIKULSKI, we added language to that law specifying oral health as an area of focus.

Now the Healthy Futures Corps can help recruit young people to work in the dental profession, where they can serve in areas that we have shortages of providers in urban and rural areas. It will fund the work of individuals who can help parents find available oral health services for themselves and their children. It will make a difference in the lives of the Healthy Futures Corps members who will work in underserved communities and in the lives and health of those who get improved access to care. Then in the 2010 Affordable Care Act, we enacted several landmark provisions designed to improve oral health.

The ACA funds and encourages a number of oral health prevention activities. First, it directs the CDC to establish a 5-year national oral health education campaign. This campaign is required to use science-based strategies and to target children, pregnant women, parents, the elderly, individuals with disabilities and ethnic and racial minority populations, including Native Americans.

The ACA also created demonstration grants to study the effectiveness of research-based oral health programs, which will be used to inform the public education campaign.

The health care law expands an existing school-based dental sealant program to each of the 50 States and territories and to Indians, Indian tribes, tribal organizations and urban Indian organizations. It directs the CDC to enter into cooperative agreements with State, territorial and Indian organizations to establish guidance, conduct data collection and implement science-based programs to improve oral health.

ACA also authorizes HHS to make grants to dental schools, hospitals, and nonprofits to participate in dental training programs. This funding can be used to provide financial assistance to program participants, including dental and dental hygiene students as well as practicing dentists, and for loan repayment for faculty in dental programs. The ACA also provides grants for up to 15 demonstration programs to train alternative dental health providers in underserved communities.

The law authorizes and requires a number of public health initiatives that should improve access to oral health care, including an $11 billion, 5-year initiative that funds construction, capital improvements and service expansions at community health centers, where so many oral health services are provided.

It also establishes a National Health Care Workforce Commission to serve as a resource to evaluate education and training to determine whether demand for health care workers is being met, and identify barriers to improvement. We need that information. That was Senator Bingaman's provision and it should be funded as soon as possible.

But perhaps the most important provision is a requirement that health plans cover a set of essential health benefits, EHBs, that includes pediatric dental care. Beginning January 1, 2014, the law says that oral health care for children must be part of the essential health benefits package that must be offered in the new health insurance exchanges and in the small group and individual insurance markets that exist outside the exchanges.

When the ACA was passed nearly 3 years ago, I had great hopes that in a few years, I could stand here on the Senate floor and celebrate all the progress we had made in bringing affordable dental care to every child in this nation. I had hoped this would be a day to talk about what a difference Congress has made in the oral health of America's children. We celebrated that section of the law, because it meant that once and for all, oral health would be available to America's children. It gave many of us hope that we would be able to get every child basic dental care and begin to erase the epidemic of dental disease that still affects millions of American children. Now, however, the affordability of that benefit is at risk.

The ACA includes a Finance Committee provision that allows stand-alone dental plans to exist in the market. In a colloquy on September 26, 2011, Senators BAUCUS, STABENOW, and Bingaman engaged in a colloquy.

They clarified that the intent of the law in allowing stand-alone dental plans was not to create separate standards but to ensure competition in the insurance exchanges and allow choice in the marketplace.

Later, I joined 10 of my colleagues in writing to HHS Secretary Sebelius, urging her to ensure that all children who receive their dental coverage through a stand-alone dental plan should have the same level of consumer protections and cost-sharing as those who get coverage through a plan that offers integrated benefits.

Last week, HHS published a final rule on the benefits that creates a separate out-of-pocket limit for standalone dental plans, but only specifies that the limit be ''reasonable.'' There are two huge problems with this approach. First, an additional out-of-pocket limit will make the benefit far less affordable for many families. It was not what Congress intended. The whole point of adding pediatric dental benefits to the essential health benefits package was to make certain that oral health not be considered separate from overall health.

We have been here before. This approach is similar to policies that were set decades ago for mental health services—separate policies to cover mental health treatment, separate limits on coverage, and separate copays. Mental health was treated as second-class health care. We know now that this was an injustice. It was wrong to treat those services, and the patients who used them, as second-class. Many of my colleagues were here in Congress when we fought the battles for mental health parity. It was a difficult battle, but we won. It seems to me that this is what we are doing now with dental care, rather than treating it as part of the Essential Benefits Package, which was our intent in the Affordable Care Act.

Section 1402(b) of the law also establishes an out-of-pocket limit for all families and lowers that limit for families with incomes under 400% of the Federal poverty level. By creating a separate limit, HHS is reducing the number of families who will be able to afford dental coverage for their children.

Second, the rule has left the determination of what is a ''reasonable'' out-of-pocket limit to each State. With pressure from insurance companies, a State could decide to provide an out-of-pocket limit of $1,000 or more per child, which could more than double out-of-pocket costs for a family with five children.

In the Federally run exchanges, HHS has the authority to set a ''reasonable'' out-of-pocket limit. Last Thursday, in a Finance Committee hearing, I asked Jon Blum, the CMS Deputy Administrator, about the idea of segregating dental benefits from health benefits and increasing cost-sharing. This is what he said: ''Well I think one of the lessons that we learned within the Medicare program is that when the care is siloed, our benefits aren't fully integrated. That can often lead to worse total health care consequences. I can pledge to get back to you with direct answers to your questions. But I do agree with your general principle that when benefit design is broken up and care is not coordinated, that it can often lead to bad quality of care. ''

Later that day, I spoke with CMS acting administrator Marilyn Tavenner. I asked her to take into account the affordability of a plan that had separate, high cost-sharing, and she agreed to consider my views. Less than 24 hours later, CMS released a proposed ''guidance'' to insurers, setting a maximum out-of-pocket limit of $1,000. When I contacted HHS to ask whether this was a per-family or per-child limit, the expert in charge of the rule was unable to tell me. They did not know whether this meant extra costs per year of $1,000 or $5,000 for a family with five children. This tells me that the affordability of care was a secondary consideration when this final rule was written.

There are still millions of American children without coverage for dental care. If we are to make real progress in improving the health of Americans, we cannot afford to continue giving oral health care second-class treatment.

The question now is whether the guidance to plans will go forward. It is contrary to Congressional intent and contrary to the best interests of American families to allow it to stand. On this sixth anniversary of the death of Deamonte Driver, let's pledge to do better for our children.

Madam President, I call to the attention of my colleagues a colloquy between Senators Bingaman, STABENOW, and BAUCUS in the RECORD of September 26, 2011, at page S5973.

With that, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

EXECUTIVE SESSION

NOMINATION OF JOHN OWEN BRENNAN TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY—Continued

The PRESIDING OFFICER. The time until 3 p.m. is equally divided.

The Senator from California.

Mrs. FEINSTEIN. Madam President, it is my understanding that this is an appropriate time for me, as chairman of the Intelligence Committee, to speak on the nomination of John Brennan for Director of the CIA.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. FEINSTEIN. Madam President, as a kind of predicate to this nomination, we have heard a 13-hour filibuster from Senators who desire an answer to the question that was proffered by Senator PAUL. I have that answer. It is dated March 7. It is a letter from the Attorney General Eric Holder. It is to Senator RAND PAUL. This is what it says:

It has come to my attention that you have asked an additional question. ''Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil?'' The answer to that question is no.

I ask unanimous consent that letter be printed in the RECORD.

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

THE ATTORNEY GENERAL,
Washington, DC, March 7, 2013.

Hon. RAND PAUL,
U.S. Senate,
Washington, DC.

DEAR SENATOR PAUL: It has come to my attention that you have now asked an additional question: ''Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil?'' The answer to that question is no.

Sincerely,

ERIC H. HOLDER, Jr.

Mrs. FEINSTEIN. So, hopefully, the need to continue any of this will be vitiated, and we will be able to proceed with a vote. It is my understanding that I have a half hour on behalf of the majority of the Intelligence Committee to make a statement in support of Mr. Brennan.

Mr. Brennan's nomination was reported out of the Senate Intelligence Committee on Tuesday by a strong bipartisan vote of 12 to 3. I look forward to an equally strong vote by the Senate later today.

Let me begin with his qualifications, which are impressive and unquestioned. John Brennan began his career as an intelligence officer with the CIA in 1980. He worked as a CIA officer for 25 years in a variety of capacities, including as an analyst in the Office of Near Eastern and South Asian Analysis and as a top analyst in the CIA Counterterrorism Center from 1990 to 1992, both areas that remain very much a focus of the CIA today.

He was the daily intelligence briefer at the White House and served as George Tenet's executive assistant. Despite his background as an analyst, Mr. Brennan was selected to serve as Chief of Station, a post generally filled by a CIA operations officer. He served in Saudi Arabia, one of the most important and complex assignments, and then returned to Washington as then-DCI Tenet's Chief of Staff and the Deputy Executive Director of the CIA.

Mr. Brennan then served as the head of the Terrorist Threat Interrogation Center, the predecessor organization to the National Counterterrorism Center (NCTC), where he also served as the Interim Director. After a short stint in the private sector, he returned to be President Obama's top counterterrorism and homeland security adviser. In that capacity, he has been involved in handling every major national and homeland security issue we have faced since 2009.

He has been involved in counterterrorism successes, including this administration's efforts to bring Osama bin Laden to justice and at least 105 arrests of terrorist operatives and supporters in the United States since 2009. He also helped implement the lessons learned from Umar Farouq Abdul-

mutallab's attempted bombing of a jet over Detroit, the loss of CIA personnel in Khowst, Afghanistan, and the terrorist attacks in Benghazi, Libya. So he is qualified.

For the past 4 years, Mr. Brennan has been among the President's closest advisers. As Director of the CIA, he would lead this Nation's largest intelligence agency and will continue to provide information and advice on intelligence matters to the President, his national security team, and this Congress.

Throughout the past three decades, Mr. Brennan has observed every aspect of intelligence from analysis to collection to covert action, from inside government and the private sector, and from both the intelligence and policy sides.

I actually do not believe there is anyone who is more qualified to take over the CIA than John Brennan. So he cannot be denied this post, in my view, on the basis of qualification. I think even those who oppose his nomination recognize there is no question but that he is well qualified. From the time he walks into the CIA, he will be ready to go, up to speed on the numerous threats and challenges this country faces all over the globe.

Let me speak for a moment why that is important and why it is so important that we move to confirm John Brennan. As the Director of the CIA, he leads the most diverse and clandestine intelligence agency, the only agency to conduct covert actions, the largest all-source analytic workforce. And he sits in the principal committee meetings where the most sensitive national security decisions are made.

The past two CIA Directors, both Mr. Panetta and General Petraeus, have played significant roles in keeping the Senate and House Intelligence Committees informed of sensitive operations. They have provided an independent assessment of hot spots and strategic threats around the world. John Brennan will do the same.

By its nature, the CIA is among the parts of our government that receive the least oversight. Its activities are largely shielded from the view of the press, the public, the Government Accountability Office, and, indeed, most Members of Congress. The Director of the CIA must be both unimpeachable in his—or, hopefully, one day her—integrity, while guiding a workforce of people who operate in the shadows for the benefit of our Nation. This is important.

He must manage an independent and creative workforce, build and nurture relationships with foreign spy chiefs, and lead teams of scientists, technicians, lawyers, analysts, and operatives who are involved in clandestine work. In short, the CIA is capable of the very best of America, and, catastrophically at times, it is capable of great mistakes.

It follows that the position of CIA Director requires an uncommon nominee. That position should not remain vacant for long. For the past 5 months, the Deputy Director, Michael Morell, has served as the Acting Director.

Mr. Morell, like John Brennan, is a career CIA officer and a very gifted one. But as I discussed with him last Friday, he cannot single-handedly attend the White House principals meeting, the deputies meetings, direct the agency, meet with liaison partners, testify before Congress, implement sequestration, and do everything else the Director and Deputy Director must jointly do.

John Brennan and Michael Morell will be a great team in leading the CIA. I believe they compensate for one another. Michael Morell has these skills in analysis, and I think John Brennan has skills that make him a very strong and, yes, even tough leader.

We face continuing attack from terrorists. There is no question about that. I see the reports every day. Our posts overseas remain at risk, and terrorists still seek to attack us at home. As a matter of fact, there have been over 100 arrests in the last 4 years by the FBI in this country.

There is a massive and still growing humanitarian disaster underway in Syria with no end in sight and the prospect of an increasingly desperate regime with nothing to lose. Instability is going to continue to fester across North Africa, from Mali to Algeria, to Libya and beyond, breeding and harboring a new generation of extremist.

The North Korean regime is threatening to disavow the 1953 cease-fire with the South, and it has the nuclear and missile capability to cause massive destruction and instability.

Iran's nuclear program continues to grow and its Revolutionary Guard and Hezbollah proxy are growing bolder and more capable.

China's foreign policy and military might are increasing. According to well-sourced recent unclassified reports, its cyber operations are bleeding our private sector dry.

The CIA has a role to play in all of these areas, as well as maintaining and expanding its global coverage. This is going to require prioritizing resources and producing better results from a very skilled CIA workforce. So the CIA Director position must be filled. Five months is too long to leave it vacant. John Brennan, I believe, and 12 members of our committee believe, is the right person to fill it.

On that question, whether we can depend on John Brennan to be straight with the committee, I believe he will be and that he will be someone with whom we can build a strong and trusting relationship.

Let me just say one thing that is important. It is very important that the Intelligence Committees in both of these Houses have that relationship with the Director of the CIA, so that with a bond of trust there can be a sharing of information which enables our oversight to be more complete. Without that, our oversight is not complete, and it certainly is not as rigorous as what is required.

In nominating John Brennan, President Obama spoke of his ''commitment to the values that define us as Americans.'' DNI Clapper, in a letter of support to the committee, noted John's ''impeccable integrity'' and that his ''dedication to country is second to none.'' He has been called the administration's ''conscience,'' and I believe he will be a straight shooter, which is extraordinarily important to me. I want the truth whether it is good or bad. I want the truth. I believe every member of my committee feels the same way.

Mr. Brennan has been straightforward with the committee throughout the confirmation process. He has pledged to be open with us if confirmed. We will take him up on that pledge. In his opening statement at the committee's public confirmation hearing, Mr. Brennan said: If confirmed, ''I would endeavor to keep this committee fully and currently informed, not only because it is required by law, but because you can neither perform your oversight function nor support the mission of the CIA if you are kept in the dark.''

He acknowledged that the ''trust deficit has at times existed'' between the Intelligence Committee and the CIA, and he pledged to make it his goal to strengthen the trust between our institutions. I look forward to giving him that opportunity. To be sure, I will hold him to these words.

I recognize that building a relationship and trust requires two willing partners. We are willing. I believe he will be willing. We will find out.

In fact, there is a broader issue on the interaction between the executive branch and the Congress on intelligence matters. It goes well beyond Mr. Brennan, and I wish to speak about it.

I have served on the Intelligence Committee for more than 12 years. This is actually a lot more unusual than it sounds. From the committee's establishment in 1976 to the end of 2004, there were term limits on committee membership. Senators rotated off the committee just when they had served for long enough to understand what the intelligence community is doing and, most important, how it operates.

Senators ROCKEFELLER, WYDEN, MIKULSKI, and I have all served on the committee for more than a decade, and Senators CHAMBLISS and BURR are near that total. Both served on the House committee before coming to the Senate.

So now we have veterans on the committee who have watched and listened. We spend a minimum of 2 hours in a committee meeting twice a week and often longer. We cannot take home notes. Notes go in the safe and we cannot take home classified information. It means a lot of reading whenever we are able to find the time to go to a SCIF to read the classified information

which daily is quite voluminous. We see everything except the President's PDB; that is, the President's Daily Brief. All the other information from all the other agencies stream through this committee. It is vital we read it because this is where we find out where the threats are.

We have been able to truly understand the relationship between the Intelligence Committee, the intelligence community, and the importance of having the committee kept fully and currently informed of intelligence matters. That is not our wish. That is a requirement of the National Security Act. We have seen what happens when this is not the case, when the committee doesn't have access to full knowledge of intelligence, as with the weapons of mass destruction weapons before the war or with the CIA's detention and interdiction program through the past administration.

By contrast, when we are briefed, we can provide input and advice. We work to put an end to ill-advised plans, and we give the intelligence community a measure of support and defend its actions.

There is a very strong feeling on both sides of the aisle that the committee is not receiving the information it needs to conduct all oversight matters in the manner in which we should. There is the matter of Office of Legal Counsel opinions concerning the targeted killing of Americans. The committee needs to understand the legal underpinning of not only this program but of all clandestine programs, of all covert actions, so we may ensure the actions of the intelligence community operate according to law. Absent these opinions, we cannot conduct oversight that is as robust as it needs to be.

During the confirmation process, we were able to reach an agreement with the administration to receive these opinions, with staff access and without restrictions on note taking.

I want to thank the administration. I think increasingly they understand this problem of the need for us to access more information. It is not a diminishing one, it is a growing one, and it is spreading through this House—and I suspect the other House as well.

It needs to be this way. We need to know the legal basis for very serious actions taken in a secretive way by the intelligence community. Therefore, we can defend it. If we don't see it, we don't know.

I also wish to address the drone issue once more, mainly to discuss the hypothetical examples offered yesterday by the Senator from Kentucky. On Fox News this week, he mentioned—and I began with this ''what we are talking about is eating dinner in your house, you are eating in a cafe or walking down the road, and a drone strike can occur. It is not about people involved in combat, it is about people who they think might be.''

A drone strike against someone eating in a cafe or walking down the road will never happen in the United States of America. This is not permitted in the United States of America. The Attorney General, in his letter to Senator PAUL, has said just that. It will not happen.

I hope this puts this issue to an end. It is one thing to target a terrorist in an isolated country where there are isolated mountains and valleys and where we cannot get to them to capture them, but we know terrorists and terrorist leaders are plotting against the United States.

The United States of America is a different place. There is access to the court system, access to police, access to FBI, access to warrants, access to arrests, access to be able to find and ferret out individual terrorists. Drones will never be used in the United States of America to kill innocent Americans, not if I have anything to do with it.

Yesterday, in the Judiciary Committee while I was present, Senator CRUZ followed up on Senator PAUL's concerns, asking Attorney General Holder if an American eating in a cafe—who doesn't pose an imminent threat—could be killed by a drone. I don't believe the Attorney General, at the time he heard the question or recognized the simplicity of the facts presented by the hypothetical. When he did, he said no. My view is the Attorney General's letter to Senator PAUL is correct. The only case in which the use of lethal force against Americans in the United States could be contemplated or constitutional would be an extraordinary circumstance such as the attack on Pearl Harbor or the terrorist attacks on September 11, where four big commercial airliners were hijacked and flown into three large buildings, with the fourth crashing into a field in Pennsylvania.

Another issue, where the committee has sought documents, is related to the Benghazi terrorist attack.

I notice that the vice chairman is on the floor. He and I have worked to bring the additional documents his side wanted on the Benghazi attacks. We have a commitment from the administration that all those documents, if they haven't already been forthcoming—and it is my understanding from the Senator most have been forthcoming—the remaining ones will be forthcoming as well.

My view is the committee has received the information we need in order to render a judgment about what happened in Benghazi before the attacks of last September 11 and 12, during, after, and before. My view, quite simply stated, is there was strategic warning about the conditions in Eastern Libya. And based on the previous attacks in the area, it was likely this mission not it was not a consulate—but this mission could well be a site of attack. Members have asked legitimate intelligence questions within our jurisdictional lane about Benghazi, and they deserve answers to their questions.

Many Senators on both sides of the aisle in the committee see the need for a better relationship and a better appreciation of what we need in order to do our work. As I discussed previously, we are very different from other congressional bodies which do oversight. Our efforts aren't supplemented by the press, GAO or by nonprofit and advocacy groups in the same way they are in the other committees of the Congress. The Intelligence Committees in the House and the Senate need to receive information from the executive branch in order to exercise robust oversight.

I have spoken directly to the President, the President's Chief of Staff, the National Security Adviser, and the Director of National Intelligence about this. I believe they are truly beginning to understand what is at stake. I am told they have an open view and are discussing increased transparency with us at this time.

I strongly believe John Brennan will be part of the solution, and he will be someone with whom we may work closely. He is well qualified. His leadership and management are sorely needed, and he has strong bipartisan support in the committee.

I urge a ''yes'' vote.

I yield the floor to the distinguished vice chairman from Georgia, with whom it has been a great pleasure for me to work. We haven't disagreed on a lot—we have disagreed on a few things—but I want the Senator to know I wish to continue our relationship.

We need to put together another authorizing bill. I look forward to working with you, Mr. Vice Chairman, in that regard, and I thank you.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to explain why I am opposing the nomination of John Brennan to be the next director of the Central Intelligence Agency.

First, I wish to say I thank the chairman for her kind comments. Let me state, as they had reiterated, we had 2 great years where we accomplished a great deal. She is one tough gentle lady, particularly when it comes to the national security of the United States.

It has been a pleasure to work with her. It is rare we ever disagree, because we both have the same end result in mind, which is to make sure America and Americans are safe, secure, and the intelligence community is doing its part to ensure that happens.

Her leadership has just been amazing. We have produced authorization bills over each of the last 2 years—we have actually done four in 2 years, which indicates there was a backlog of those authorization bills.

We have also reauthorized FISA and some other measures which equip our intelligence community as well as our law enforcement community with the tools they need to combat terrorism. It is because of her leadership we have been able to do that.

When we do disagree, it is kind of an unusual situation. We may have disagreements in a bipartisan way within our committee. This is good. It is healthy.

Sometimes Democrats will side with me or Republicans will side with the chairman on an issue. This shows us people are voting with their hearts and what they think is in the best interests of America, not from a partisan standpoint.

I attribute that to the leadership of Chairman FEINSTEIN because of her openness and for allowing bipartisan participation in a fine way.

I expect Mr. Brennan is going to be confirmed by the Senate. I would have liked to have supported his nomination.

Unfortunately, I have significant concerns about several matters I simply cannot put aside. If confirmed, Mr. Brennan will interact extensively with the Senate Intelligence Committee and in particular with Chairman FEINSTEIN and with myself as the vice chairman. He will have many opportunities over the next several years to alleviate my concerns, and I hope he does so. At this time, I cannot support placing him in a position so vital to our national security mission.

During the confirmation process, including during the open hearing, I, along with other members, asked Mr. Brennan questions about the leaks of classified information, issues involving congressional oversight, interrogation, and detention matters. His responses to many of these questions were very troubling and raised new concerns about Mr. Brennan's judgment, his reluctance to commit to transparency with Congress, and ultimately his candor. Let me describe these concerns more fully.

First, I am deeply disturbed by Mr. Brennan's responses to the committee regarding leaks of classified information, especially the disclosure relating to the AQAP underwear bomb plot thwarted in May of 2012. Mr. Brennan acknowledged to the committee he had told four media commentators we had ''inside control'' of this bomb plot but disputed assertions that this disclosure resulted in the outing of a source. It is undeniable that the day after his disclosure, there were dozens of stories in the media stating the plot was foiled by a ''double agent'' or ''undercover agent'' who posed as a willing suicide bomber.

Mr. Brennan is poised to serve as the head of the Nation's leading spy agency where he will be privy to some of the most sensitive, if not all of the most sensitive, and highly classified operations being conducted by the intelligence community. That he apparently thinks he did nothing wrong in this disclosure is very troubling, to say the least.

We all know there is a big problem with leaks of classified information. We constantly deal with it in the committee and seek to eliminate it. We cannot effectively hold accountable those responsible for such leaks if a senior government official appears to shrug off his own damaging disclosure. I hope Mr. Brennan will reconsider his position on this case and convey to those he expects to lead, not just in words but by his own example, the importance and necessity of maintaining the secrecy he will be sworn to uphold.

Second, Mr. Brennan appears to be one of the architects of the administration's current detention policy—or better stated, lack thereof. Since the President signed the Executive orders in 2009 disbanding the CIA's detention and interrogation program and ordering the closure of the Guantanamo Bay detention facility, many of us have been asking the administration to tell us what their new detention policy is. Unfortunately, in the years since, we have seen a most unsatisfactory response play out in ways that I believe are detrimental to our collection of timely intelligence and, ultimately, to our national security.

We have seen a disturbing trend of returning to the pre-9/11 days when bringing criminal charges against terrorists was a preferred course rather than long-term detention, which allows for greater intelligence collection. Because of this preference, the 2009 Christmas Day bomber, Umar Farouk Abdulmutallab, was read his Miranda rights 50 short minutes after being pulled off the airplane that he had just tried to bomb. It took 5 weeks before he would again cooperate and no one knows what intelligence might have been lost during that delay.

Somali terror suspect Ahmed Abdulkadir Warsame was held on a naval ship and interrogated for 60 days before being brought to a Federal Court, all because the administration refused to send any more detainees to Guantanamo Bay.

Even in the months before the Osama bin Laden raid, other than saying Guantanamo Bay was off the table, administration officials could not tell Congress where bin Laden would be held if he were captured.

Most recently, Ani al-Harzi, the only person held in connection with the September 11, 2013, attacks in Benghazi that claimed the lives of four Americans, was released by the Tunisians and is now roaming about free because this administration would not take custody of him unless criminal charges could be filed here in the United States.

Mr. Brennan is not merely a staunch and unapologetic advocate of this misguided policy, he is the driving force behind it.

By criminalizing the war on terrorism, this administration has tied the hands of our intelligence interrogators and appears to be avoiding opportunities to capture terrorists in favor of just killing them or relying on our foreign partners to do our intelligence collection for us. Mr. Brennan disputes this assertion and testified that he was not aware of any instance in which we had the opportunity to capture a terrorist but took a lethal strike instead. But his testimony on this point appears to be particularly incredible. While reasonable minds may differ as to whether bin Laden should have been taken alive, to argue that he could not have been taken alive and captured is not believable when his wives and children were left behind during the raid. The truth is the administration simply had no plan to capture him.

Now, while in this case of UBL, killing him probably was the best option, I believe that all options have to be on the table and utilized when appropriate; otherwise, we are potentially losing valuable intelligence. Yet Mr. Brennan's testimony before the Intelligence Committee made clear that he is fully satisfied with how detainees are currently being handled and he is insistent the CIA remain out of the detention business, even if it means we do not get direct or timely access to detainees.

Thirdly, Mr. Brennan continues to insist that he conveyed to colleagues at the CIA his personal objections to the CIA's interrogation program. Yet not a single person has come forward to validate that claim. And Mr. Brennan still refuses to identify those colleagues, in spite of several direct requests by the Intelligence Committee. During the time in question, Mr. Brennan served as the CIA's Deputy Executive Director. We know he was privy to information about the program, as we have seen numerous documents he received during and after the interrogation of Abu Zubaydah.

It is not just reasonable, it is expected our intelligence professionals, especially those in leadership positions, will speak up when they see actions they believe are harmful to the agency or to others. Yet by Mr. Brennan's own account, he stood by and let the CIA proceed down a path that he says he believed to be morally wrong and likely to harm the long-term reputation of the CIA. This is not the moral courage we expect, especially from those who are in a position to influence policy and operations. Unfortunately, Mr. Brennan continues to insist that his official silence was entirely appropriate, and I could not disagree more.

I am also troubled by Mr. Brennan's apparent willingness to scuttle years of belief in the value of the information obtained from the CIA's interrogation program simply because the recent interrogation study conducted by the committee's majority staff found otherwise. In my view, the study is significantly flawed, not the least of which being that not a single intelligence community witness was interviewed. I am worried about the impact Mr. Brennan's reversal will have on the morale of those current CIA employees who were involved in the program and whose own judgment and reputations are called into question by this study.

I expect when the CIA returns its comments to the Intelligence Committee about the accuracy of the report that Mr. Brennan will not let his personal views of the program interfere with the professional assessment and analysis of CIA employees.

Finally, underlying all of these issues are the principles of candor and transparency with Congress. Our Nation was founded with three coequal branches of government, each one providing checks and balances over the other in a manner specified in the Constitution. Federal law also imposes explicit obligations on the intelligence community, such as keeping Congress fully and currently informed of significant intelligence activities. Ordinarily, during confirmation hearings, nominees unequivocally pledge their cooperation to Congress. Yet during his confirmation process, Mr. Brennan refused to give affirmative answers when asked to commit to such cooperation.

For example, he pledged to only give ''full consideration'' to any request that the committee be provided with raw intelligence, even though the committee has been given such intelligence in the past. When asked about the inexcusable problems the committee has faced in trying to obtain documents about the Benghazi attacks, Mr. Brennan promised only to try to reach an accommodation with the committee if a similar situation should ever arise again. This is hardly encouraging. Some may say that Mr. Brennan was simply being honest and not overpromising. I might agree but for the fact this pattern of obstruction and lack of cooperation is becoming all too familiar to the committee, and Mr. Brennan has been involved in many of the decisions to withhold information from Congress.

For example, when the National Counterterrorism Center was created, Congress gave it specific responsibility to serve as the primary organization for strategic operational planning for counterterrorism. For too long the committee has been refused full access to the resulting counterterrorism strategies, a decision for which Mr. Brennan is directly responsible. Rather than give us the strategies, the administration has proposed an ''accommodation'' to simply brief the committee, but as of today we still have not been briefed, even though we are asked to fund the strategies as well as their implementation.

There are other examples, including the absurd restrictions that were recently placed by the White House on the review of the OLC opinions regarding lethal strikes on U.S. citizens. It is incomprehensible that Congress is being denied unfettered insight into matters concerning the intentional killing of U.S. citizens.

During the confirmation process, Mr. Brennan called on the Intelligence Committee to be the protector and defender of the CIA. That is not an accurate description of the committee's role. Given the classified nature of intelligence activities, the committee serves as the eyes and ears of the American people, and our responsibility lies first and foremost to them. That is not to say we will not defend the CIA or the rest of the intelligence community against unjust attacks. We will. But the committee's primary role is to conduct oversight, and we cannot do that effectively without full cooperation from the intelligence community as well as the administration. I hope and expect Mr. Brennan will now give us that cooperation rather than just what he views as an accommodation.

The Director of the CIA has extensive and direct interactions with Members of Congress, especially those of us on the Intelligence Committee. During sensitive operations or times of crisis, the Director is often one of the first to communicate with Members. There have been too many instances in the past—under administrations of both parties—in which facts were withheld from Members or information was painted in a particular light to suit messaging needs, as we saw with the Benghazi talking points. That is simply unacceptable.

If confirmed as the CIA Director, Mr. Brennan's credibility must be unquestionable. We expect our spy agencies to be very good at hiding the truth—but not with Congress. Here too Mr. Brennan will be an example that all CIA employees look to, and his own standards of honesty and credibility in dealing with Congress must be above and beyond all reproach.

In conclusion, let me say that I have great confidence in the men and women at the CIA. Each and every day they give this Nation their best, and for that we are most grateful. They are the most professional, best educated, and best operational intelligence agency in the world. They are unbelievable men and women. My vote today is not a message to them nor is it an indication of the faith I have in the CIA. My vote is not personal toward Mr. Brennan; rather, it simply reflects my belief that the unauthorized disclosure of classified information is wrong regardless of whether you are on the front lines or you are an adviser to the President.

My vote also reflects my belief, especially at this time in our history, that the Director of the CIA should not support detention and interrogation policies that are returning us to the pre-9/11 days of elevating criminal charges over intelligence collection. In my view, Mr. Brennan is on the wrong side of both of these issues.

I also believe Congress must be an equal branch of the government, and this growing trend of refusing to cooperate with Congress must end. The future and security of our country depends on all of us working together. To do that well, there must be transparency and honesty. If confirmed as the CIA Director, Mr. Brennan has a tough job ahead of him. If he abides by these principles, he will find his job will be much easier, as he will have earned the support and the trust of Congress, and the country will be better off for it. Assuming confirmation of Mr. Brennan, he will have my full cooperation and support, I expect nothing less from him, and I hope that all of my concerns will be put to rest.

With that, Madam President, I yield the floor.

Mr. UDALL. Madam President, I am voting today for the confirmation of John Brennan to head the Central Intelligence Agency, CIA. He is a qualified nominee, and this position is too important to our national security to remain vacant. Mr. Brennan is a 25-year veteran of the Central Intelligence Agency. He has been an able adviser to President Obama and part of some of the most important national security decisions made during the last 4 years, including the raid that killed Osama bin Laden.

John Brennan should be confirmed as CIA Director. While I am supporting his nomination, I want to make one thing clear: I am not satisfied by the administration's limited disclosure of documents outlining the legal justification for an extraordinary authority—to target and kill American citizens in the course of counterterrorism operations. I first called on the administration to provide Congress with its legal justification in September 2011. This was after a remotely piloted aircraft strike in Yemen killed Anwar al-Awlaki, an American-born citizen. It was clear that al-Awlaki was a senior al-Qaeda leader who posed a threat to American lives and deserved his fate. Nevertheless, we are a nation of laws. Congress has a vital oversight role and shared national security responsibility. We are entitled access to full legal justifications for the President's authority to target and kill an American citizen, and an explanation of what limits there are to that authority. These legal precedents are constitutional issues of the highest order.

Last month, eleven United States Senators from both parties—including myself—sent a letter to the President requesting the release of all legal opinions justifying his authority to authorize the killing of American citizens as part of counterterrorism operations. There has been some progress. The Justice Department recently provided many of these documents to members of the Senate Select Committee on Intelligence. However, I believe all of us in the Senate should be able to review these documents and fulfill our constitutional duty to conduct rigorous congressional oversight. While I will support John Brennan's confirmation today, I will continue to seek access to these legal opinions so that the Senate can fulfill its responsibility.

Since the attacks on September 11, 2001, both Presidents Bush and Obama have claimed expansive wartime executive authorities that have been supported in Justice Department legal

opinions. We saw this in the previous administration with the issues of detainee interrogation methods and extraordinary renditions. While we recognize the administration's authority to target and kill enemy combatants, the targeting of American citizens in counterterrorism operations raises important constitutional questions. Congress shares constitutional authority for national security matters, and we must be allowed to conduct oversight, which, in this case, includes reviewing the legal justifications of the executive branch. When there is no oversight, abuses can occur. And I believe that every administration must be held accountable, regardless of which party controls the White House.

Mr. LEVIN. Madam President, I continue to have some concerns about John Brennan, the President's nominee to serve as the next Director of Central Intelligence.

First, I am troubled by Mr. Brennan's unwillingness to state unambiguously that waterboarding is torture. At his hearing before the Intelligence Committee, I asked Mr. Brennan this question three times without getting a direct answer:

SENATOR LEVIN: You've said publicly that you believe waterboarding is inconsistent with American values. It's something that should be prohibited, goes beyond the bounds of what a civilized society should employ.

My question is this, in your opinion does waterboarding constitute torture?

MR. BRENNAN: The attorney general has referred to waterboarding as torture. Many people have referred to it as torture. The attorney general, premiere law enforcement officer and lawyer of this country.

And as you well know and as we've had the discussion, Senator, the term ''torture'' has a lot of legal and political implications.

It is something that should have been banned long ago. It never should have taken place in my view. And, therefore, it is—if I were to go to CIA, it would never, in fact, be brought back.

SENATOR LEVIN: Do you have—do you have a personal opinion as to whether waterboarding is torture?

MR. BRENNAN: I have a personal opinion that waterboarding is reprehensible and it's something that should not be done. And, again, I am not a lawyer, Senator, and I can't address that question.

SENATOR LEVIN: Well, you've read opinions as to whether or not waterboarding is torture. And I'm just—I mean, do you accept those opinions of the attorney general? That's my question.

MR. BRENNAN: Senator, you know, I've read a lot of legal opinions. I've read an Office of Legal Counsel opinion in the previous administration that said in fact waterboarding could be used.

So from the standpoint of—of that, you know, I cannot point to a single legal document on this issue.

But as far as I'm concerned, waterboarding is something that never should have been employed and—and—and as far as I'm concerned, never will be, if I have anything to do with it.

SENATOR LEVIN: Is waterboarding banned by the Geneva Conventions?

MR. BRENNAN: I believe the attorney general also has said that it's contrary, in contravention of the Geneva Convention.

Again, I am not a lawyer or a legal scholar to make a determination about what is in violation of an international convention.

After the hearing, I wrote to Mr. Brennan, pointing out that the President and senior administration officials, including both lawyers and nonlawyers, had concluded that waterboarding is torture. I asked the question again, and again I got no direct answer. Mr. Brennan replied:

You have asked for my position on whether waterboarding constitutes 'torture.' I understand and appreciate your concern about the use of waterboarding by the prior Administration. As I have made clear, I considered it reprehensible then and now, and I have been an unwavering supporter of the President's decision to ban its use. I have also in the past stated that I believe waterboarding subjects a person to severe pain and suffering, which is a common way of defining 'torture.' In addition, I have indicated in our prior conversations and in my appearance before the Senate Select Committee on Intelligence on February 7, the term 'torture' is a legal term, and I defer to the Attorney General on matters of legal interpretation.

Mr. President, I ask unanimous consent that my letter to Mr. Brennan, and Mr. Brennan's response, be printed in the RECORD immediately after my statement.

Second, I am troubled that, during the time that Mr. Brennan served on the staff of the National Security Council—NSC, senior administration officials consistently declined to provide Congress with access to key legal memoranda relative to the use of targeted strikes against terrorist targets. Indeed, we were able to obtain access to these memoranda only after it became clear that Mr. Brennan might have trouble being confirmed if they were not made available.

Third, I am troubled that, during the time that Mr. Brennan served on the NSC staff, senior officials in the intelligence community and the NSC staff apparently did not protest when U.N. Ambassador Susan Rice was rejected for the position of Secretary of State on the basis of her public comments on the Benghazi attacks, even though those comments were based on talking points produced by, reviewed by, and edited by those same officials.

My concerns about Mr. Brennan's unresponsiveness in these three areas are not sufficient to overcome the fact that he is qualified to be Director of Central Intelligence. But it is my hope that he will learn from this confirmation process and be more responsive to congressional requests for information in the future.

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

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 20, 2013.

JOHN O. BRENNAN,
Assistant to the President for Homeland Security and Counterterrorism, The White House, Washington, DC.

DEAR MR. BRENNAN: I am troubled that, during your confirmation hearing on February 7th, you chose not to express your personal opinion as to whether waterboarding constitutes torture. As the Senate Select Committee on Intelligence continues to consider your nomination to be Director of the Central Intelligence Agency (CIA), I would appreciate your answers to the following questions for the record.

In a November 2007 interview with CBS News, you stated, ''I think it [waterboarding] is certainly subjecting an individual to severe pain and suffering, which is the classic definition of torture.''

Do you still hold that view today?

During his January 2009 confirmation hearing, Attorney General Holder stated ''waterboarding is torture'' and pointed out ''If you look at the history of the use of that technique used by the Khmer Rouge, used in the inquisition, used by the Japanese and prosecuted by us as war crimes. We prosecuted our own soldiers for using it in Vietnam.''

During a press conference in April 2009, President Obama said ''waterboarding violates our ideals and our values. I do believe that it is torture. I don't think that's just my opinion; that's the opinion of many who've examined the topic.''

In another press conference in November 2011, President Obama said ''Waterboarding is torture. It's contrary to America's traditions. It's contrary to our ideals. That's not who we are.'' He continued, ''If we want to lead around the world, part of our leadership is setting a good example. And anybody who has actually read about and understands the practice of waterboarding would say that that is torture.''

Finally, during his February 2009 confirmation hearing to be Director of the CIA, Leon Panetta said ''I believe that waterboarding is torture and that it's wrong.''

Do you agree with President Obama, Attorney General Holder, and Secretary Panetta that waterboarding constitutes torture?

I would appreciate your prompt response to these questions.

Sincerely,

CARL LEVIN,
Chairman.

THE WHITE HOUSE,
Washington, DC, February 25, 2013.

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you Mr. Chairman, for your letter of February 20, 2013.

You have asked for my position on whether waterboarding constitutes ''torture.'' I understand and appreciate your concern about the use of waterboarding by the prior Administration. As I have made clear, I considered it reprehensible then and now, and I have been an unwavering supporter of the President's decision to ban its use. I have also in the past stated that I believe waterboarding subjects a person to severe pain and suffering, which is a common way of defining ''torture.'' In addition, I have indicated in our prior conversations and in my appearance before the Senate Select Committee on Intelligence on February 7, the term ''torture'' is a legal term, and I defer to the Attorney General on matters of legal interpretation.

In closing, let me assure you that I fully appreciate that the humane treatment of detainees is both a national security and a humanitarian imperative. If I am confirmed to serve as Director of the Central Intelligence Agency, I will never approve the deployment of waterboarding under any circumstance, and will do everything in my power to prevent its use.

Sincerely,

JOHN O. BRENNAN,
Assistant to the President for Homeland Security and Counterterrorism.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I yield myself 10 minutes.

I would first associate myself with the remarks of the Senator from Georgia, Mr. CHAMBLISS, who is the ranking member on the Intelligence Committee and has looked into this much deeper than I would ever be able to. I appreciate the comments, the depth, and knowledge he has imparted on that.

So I would be in opposition of the nomination of John Brennan for CIA Director.

The administration hasn't been forthcoming in answering a vitally important question of whether Americans could be killed by a drone on American soil without first being charged——

Mr. REID. Madam President, would the Senator from Wyoming yield for a unanimous request?

The PRESIDING OFFICER. Would the Senator yield?

Mr. ENZI. I yield to the Senator from Nevada.

Mr. REID. Madam President, I ask unanimous consent that the time on the Republican side be limited to 15 minutes, with Senator PAUL—and how much time does my friend from Wyoming need?

Mr. ENZI. I asked for 10, but I could do it in 8.

Mr. REID. Eight minutes. Everybody else is gone.

I ask unanimous consent that the time on the Republican side be limited to 15 minutes for Senator PAUL and 8 minutes for Senator ENZI; that following the use or yielding back of time on the nomination, the mandatory quorum under rule XXII be waived; the Senate proceed to vote on the cloture motion; that if cloture is invoked, the Senate proceed to vote on confirmation of the nomination, without intervening action or debate; further, that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be made in order to the nomination; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there any objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I extend my appreciation. There is no one in the Senate who is more courteous and thoughtful than Senator ENZI, and I appreciate his assistance.

Mr. ENZI. I thank the Senator very much.

As I was mentioning, this administration hasn't been forthcoming in answering the vitally important question of whether Americans could be killed by a drone on American soil without first being charged with a crime or being found guilty in a court of law. This should have been a very simple answer.

White House Press Secretary Jay Carney stated today that the administration does not have the authority to kill Americans on American soil. That is great news. However, it shouldn't have taken a U.S. Senator 12 hours of nonstop talking for the administration to acknowledge the simple fact that it can't kill Americans on American soil without a trial.

I wish to applaud Senator PAUL's courage and conviction last night as he stood on the Senate floor for nearly 13 hours defending our rights under the Constitution. Senator PAUL deserves recognition for standing up for the American people and bringing this issue to light. And it is an issue that I and many of my constituents in the State of Wyoming find very troubling.

In fact, as I traveled around Wyoming a couple weeks ago, it became abundantly clear that people are very concerned over the administration's disregard for constitutionally guaranteed individual rights.

Drones—unmanned aerial vehicles—have been made famous by their use in our war on terrorism. For a number of years these weapons have served in operations in Iraq and Afghanistan with success. However, the use of drones for both military and civilian purposes abroad and domestically is increasing.

According to the Congressional Research Service, the Federal Aviation Administration predicts 30,000 drones will fill the skies in less than 20 years. Although many of these uses will likely be for civilian purposes—disaster relief, border control, crime fighting, and agricultural crop monitoring—the use of drones raises new privacy and civil liberty questions for U.S. citizens.

The first concern raised by the use of drones is how it may impact on our fourth amendment rights: U.S. citizens have the right to be free from unreasonable searches and seizures. Drones push the limits of what could be considered reasonable. Courts generally recognize that U.S. citizens have substantial protections against warrantless government intrusions into the home, and that the fourth amendment offers less robust restrictions on public places. However, drones begin raising the question of what is reasonable when it comes to the expectation of privacy in one's driveway or even backyard.

In a speech last night, Senator PAUL reiterated additional constitutional concerns that he has been seeking an answer on for a number of weeks. The administration just now responded, but it raises the concern about the willingness of the White House to act transparently.

When it comes to important matters of national security and constitutional liberties, we should all be asking ourselves why it took a U.S. Senator 12 hours of nonstop talking for the Department of Justice to acknowledge the simple fact that it cannot kill American citizens on American soil without a trial. Senator PAUL asked a straightforward question and deserved a straightforward answer in a timely manner. His question hit right at the heart of the fifth amendment—rights as U.S. citizens, particularly ''no person shall . . . be deprived of life, liberty or property without due process of law.''

The first response Senator PAUL got back was everything short of a straightforward answer. This administration did not rule out the possibility of using drones against Americans on U.S. soil. This is particularly problematic, because our Constitution does not say the fifth amendment applies when the President or Attorney General thinks it applies. But it raises the concern about the willingness of the White House to act transparently.

There is no reason why it should have taken so long for the administration to acknowledge they don't have the authority to kill Americans on U.S. soil without due process of law—specifically to deny someone the right to a judge and jury and a trial. The fifth amendment was written with this particular form of government abuse in mind and it was more than appropriate for Congress to ask this question in its oversight role.

We know, and our legal system recognizes, that you don't get due process when you are actively attacking our soldiers or our government. However, that wasn't the question Senator PAUL posed. Congress needed clarification from the administration on this nomination. In order to build faith and confidence in our Nation's military and intelligence community, we also need transparency and responsiveness in the questions raised by Congress.

I will not be supporting John Brennan's nomination because of the lack of transparency and timeliness on this important matter, and the reasons given by the Senator from Georgia.

Madam President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, yesterday I spent a considerable amount of time on the floor talking about the idea of whether Americans are protected by the fifth amendment always—whether you can be targeted for drone strikes in America without your due process rights; whether you get your day in court if you are accused of a crime in America. I asked this question directly to the President, and I am pleased to say that we did get a response this morning. The response from the Attorney General reads:

> It has come to my attention that you have a question. Does the President have the authority to use a weaponized drone to kill an American not engaged in combat on American soil? The answer to that question is no.

So it has taken a while, but we got an explicit answer. I am pleased we did. And, to me, I think the entire battle was worthwhile, one, because we got to have a lot of discussion about when can drones be used—particularly when can a drone strike be used against an American on American soil?

The reason this is important is often drones are used overseas toward people

who are not actively engaged in combat. I am not saying they are not bad people or they might have previously been in combat. But the thing is, we have to have a higher standard in our country. We can't have an allegation from the country that says you are an enemy combatant or that you are associated with terrorism. That is an allegation.

If you are e-mailing somebody who is a relative of yours in the Middle East, and they may or may not be a bad person, it doesn't automatically make you guilty; if we label you an enemy combatant and say you are guilty, you don't get your day in court, and that is just not American.

We have many soldiers from my State, from Fort Campbell and Fort Knox, who fight overseas for us. They are fighting for the Bill of Rights. They are fighting for the Constitution. So I consider it to be our duty to stand and fight for something we all believe in, and that is that the protections of the Bill of Rights are yours. When you are accused of something, you get your day in court.

So I am very pleased to have gotten this response back from the Attorney General of the United States. I think that Americans should see this battle that we have had in the last 24 hours as something that is good for the country, and something that should unite Republicans and Democrats in favor of the Bill of Rights.

Madam President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Madam President, I yield back all time.

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

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

Harry Reid, Dianne Feinstein, John D. Rockefeller IV, Debbie Stabenow, Sherrod Brown, Jack Reed, Benjamin L. Cardin, Thomas R. Carper, Christopher A. Coons, Robert P. Casey, Jr., Mark L. Pryor, Bill Nelson, Mark Begich, Barbara A. Mikulski, Patty Murray, Carl Levin, Joe Manchin III.

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

The question is, Is it the sense of the Senate that debate on the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 81, nays 16, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—81

Alexander	Flake	Mikulski
Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Brown	Heitkamp	Reed
Burr	Hirono	Reid
Cantwell	Hoeven	Rockefeller
Cardin	Isakson	Rubio
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schatz
Chambliss	Johnson (WI)	Schumer
Coats	Kaine	Scott
Coburn	King	Shaheen
Collins	Kirk	Stabenow
Coons	Klobuchar	Tester
Corker	Landrieu	Thune
Cornyn	Leahy	Toomey
Cowan	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wyden

NAYS—16

Barrasso	Heller	Roberts
Boozman	Inhofe	Sessions
Cochran	Lee	Shelby
Crapo	McConnell	Wicker
Enzi	Moran	
Grassley	Risch	

NOT VOTING—3

Boxer	Lautenberg	Vitter

The PRESIDING OFFICER. On this vote the yeas are 81 and the nays are 16. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on confirmation of the Brennan nomination.

Mrs. FEINSTEIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 63, nays 34, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—63

Alexander	Flake	Mikulski
Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Graham	Murray
Bennet	Hagan	Nelson
Blumenthal	Harkin	Pryor
Brown	Hatch	Reed
Burr	Heinrich	Reid
Cantwell	Heitkamp	Rockefeller
Cardin	Hirono	Rubio
Carper	Johnson (SD)	Schatz
Casey	Kaine	Schumer
Coats	King	Shaheen
Coburn	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden

NAYS—34

Ayotte	Heller	Portman
Barrasso	Hoeven	Risch
Blunt	Inhofe	Roberts
Boozman	Isakson	Sanders
Chambliss	Johanns	Scott
Cochran	Johnson (WI)	Sessions
Cornyn	Leahy	Shelby
Crapo	Lee	Thune
Cruz	McConnell	Toomey
Enzi	Merkley	Wicker
Fischer	Moran	
Grassley	Paul	

NOT VOTING—3

Boxer	Lautenberg	Vitter

The nomination was confirmed.

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

VOTE EXPLANATIONS

● Mrs. BOXER. Madam President, I was unavoidably absent from the votes related to the nomination of John Brennan to be Director of the Central Intelligence Agency. Had I been present, I would have voted yea on the motion to invoke cloture and yea on the nomination.●

● Mr. VITTER. Madam President, I could not participate in the nomination of John Brennan to be Director of the CIA because of a family obligation in Louisiana.

I strongly support Senator PAUL's filibuster, oppose the use of drones in this country, and oppose both cloture and the confirmation of John Brennan.●

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning

business until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

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

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

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

Mr. WHITEHOUSE. I ask unanimous consent to speak for 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. I am back to again urge my colleagues to wake up to the stark reality of climate change. We often hear in this Chamber colleagues extolling the virtues of the marketplace. Indeed, a fair and open marketplace is the cornerstone of our economy. Markets work—not perfectly always but better than any other mechanism.

Paraphrasing Winston Churchill, one might say that markets are the worst form of setting prices and exchanging goods, except all of the other methods that have been tried. But markets only work when they are fair. Markets are not fair if the price of goods does not take all the costs into account.

A grocery store, for instance, has to pay to have its garbage removed. It has to build that garbage removal into its prices. And that is the right thing. That is the market working. If that grocery store can recycle or compact or composite its trash and make removal cheaper and lower its prices, then that is right too. That is the market working. But if a second grocery store down the street breaks the law and throws its garbage into the park next door and then competes with lower prices, that is not a market in proper operation. That is not a fair market. That is just one person cheating another.

If a factory makes a product and treats its waste, that is part of its cost. That is good. That is how it is supposed to be. If the factory can figure out how to treat its waste more efficiently and lower prices, terrific. That is also the market at work. But a factory down the river that breaks the law by dumping its waste into the river may have better prices as a result, but that is not a fair market.

The value of open and fair markets is lost when people cheat, when they offload their costs onto the general public. The garbage in the park, the waste in the river—the grocery store down the street and the factory down the river—does not reduce costs; businesses just offloaded them onto their neighbor, onto the rest of us. They may actually have even made it more costly for everyone, but they have managed to impose that cost on the public.

There is even a word for these offloaded costs. They are externalities, the harms that are caused that are external to the company. This is not complicated. It is econ 101. It is also law 101.

Seventy years ago a soda bottle exploded and injured the hand of a waitress named Gladys Escola. Ms. Escola sued the bottler. The court decision has been in most every law student's first-year classes ever since.

In a famous concurrence, Justice Traynor ruled in the case of Escola v. Coca-Cola Bottling Company that the cost of Ms. Escola's injury should fall on the bottler. His logic was simple and clear: They made the bottle. If they did not have to pay for the injuries exploding bottles caused, they would just keep making exploding bottles. If you made them responsible for the exploding bottles they made, they would have a big incentive to improve their bottles and everyone would be safer.

As Judge Traynor said 70 years ago, ''Public policy demands that responsibility be fixed wherever it will most effectively reduce the hazards.''

This idea that you shouldn't be able to offload your costs and have the park, the river, or Ms. Escola's hand pay the price is not new, and it is not unusual. Frankly, we see it in our own lives. It is also fairness 101, as well as econ 101 and law 101. You may not rake your lawn and throw the leaves over the fence into your neighbor's yard. The principle is the same—they are your leaves, and you clean them up.

What do soda bottles and yard work have to do with climate change? The very same principle applies. We now know how much harm carbon pollution is causing. We see the costs all around us in storm-damaged homes, flooded cities, in drought-stricken farms, raging wildfires, in dying coral and disappearing fish, in shifting habitats and migrating diseases, in changed seasons and rising seas, in vanishing glaciers and melting icecaps. These are costs. In some cases they are economic costs. People lose money. The owner of a ski lodge, for example, losses money when the ski season gets shorter and shorter. In some cases they are personal costs, such as not being able to take your granddaughter to the stream near where you grew up because it is dried up or the beach island you used to explore as a kid because it is underwater. In some cases the cost is life-and-death. Powerful storms and severe heat waves take a deadly toll. These are real costs, and they come as a result of carbon pollution.

These costs, however, are not factored into the price of the coal or oil that is burned to release the carbon. The big oil companies and the coal barons have offloaded those costs onto society.

There is nothing inherently wrong with producing energy. There is nothing inherently wrong with bottling soda or running a grocery store. What is wrong is when you knowingly pass on the cost of your exploding bottle, your waste disposal, or your carbon pollution to everybody else.

Oil and coal companies have been sending carbon pollution into the atmosphere since the Industrial Revolution. When these industries started, the risks were poorly understood. Today they know better. They know what the harm is that they are doing, and they continue. When they lie and pretend those costs aren't out there—leaves? What leaves? There is no garbage in the park. Your hand is just fine, Mrs. Escola—and when they pay people to lie and pretend those costs aren't out there, well, that is all just flat wrong. And when they do it with fat campaign contributions, slick lobbyists, and marauding super PACs, that makes it worse. That is dirty pool. It is a market failure. It takes unfair advantage of competing energy sources that don't pollute so much, and it makes the competition between them unfair. The big oil companies and the coal barons are no different than the grocery store dumping its garbage in the park or the factory spilling its waste into the river. They are not bearing the costs of their product, and they are cheating on their competitors. There is a right way to do it. They figured out how to do it the wrong way and have other people pick up the tab.

When it comes to carbon pollution, economists can estimate the true cost of dirty energy. It is often called the ''social cost of carbon.'' The social cost of carbon includes the financial consequences of a change in climate, such as property loss, increased health care costs, and loss of productivity that come with heat waves, drought, heavy rains, sea-level rise, habitat shifts, ocean warming, and acidification.

We recently learned from NOAA that their scientists predict that worldwide, the average summertime loss in labor capacity will double by 2050, as the climate warms and periods of extreme heat become more frequent and more intense, affecting labor-intensive outdoor work such as construction and farming. That is a social cost of carbon.

Of course, certain costs can be hard to predict. How do you calculate the cost of an extinct species? What does it cost to leave to our children and grandchildren warmer, more acidic, less biodiverse oceans? These calculations may not always be perfect, but that doesn't make the costs any less real. For instance, in my home State of Rhode Island, the costs to our fishermen of these changes is very real.

In the final tally, economists tell us that big carbon emitters are unloading a big cost onto the public and onto future generations. On average, estimates of the social cost of carbon are about $48 per ton of carbon dioxide—$48 per ton that these big businesses dodge and that we all pay for.

Whatever the exact dollar amount, it is time for Congress to wake up and start discussing these very real costs. This is why I am working with several colleagues to establish a fee on carbon pollution. We hope to have a draft framework soon to start this discussion. The idea is simple: The big carbon polluters pay a fee to the American people to cover the cost of dumping their waste into our atmosphere and oceans—the costs they now push off onto the rest of us, giving them unfair advantage against their competitors.

I am pleased to participate in an effort to determine how best to assess a carbon pollution fee, how to protect American manufacturers from overseas competition that is cheating, and how to protect middle- and low-income families. It has been recognized by Republicans and Democrats alike that a carbon pollution fee can reduce emissions and help make the market more efficient.

Last month Senator SANDERS and Senator BOXER introduced related legislation, and I commend them for their efforts. I also wish to commend Senator BOXER this week, as chairwoman on the Environment and Public Works Committee, for beginning a regular appearance on the floor to draw this Chamber's attention to the dangers of carbon pollution. I hope more colleagues will join us in this important discussion. It is economics 101, it is law 101, and it is fairness 101.

We have had enough sleepwalking. We have had enough silence. We have been warned by our national defense and intelligence communities, we have been warned by the national academies, we have been warned by the Government Accountability Office, we have been warned by the overwhelming consensus of the scientific community, and, of course, we are hearing from millions of concerned Americans. It is time for this Congress to wake up and to put a price on carbon pollution that matches the costs of carbon pollution. We won't get it done if we don't wake up to what is happening all around us.

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

The PRESIDING OFFICER (Mr. COONS). 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 (Mr. WHITEHOUSE). Without objection, it is so ordered.

JOB CREATION

Mr. COONS. Mr. President, I rise today to reflect on how we can do what we so often say we want to do here in the Senate, and that is to help grow our American economy, to help create jobs for people from our home States and from all across our country.

Yesterday, in my State of Delaware, I cohosted with my congressional colleagues a job fair—a job fair where 1,300 people showed up. They showed up early, stayed late, and interviewed for jobs with dozens of employers. It was a personal reminder of how many people in my home State and across this great country of ours continue to look for work in this recovery that is still too slow. It is a reminder that one of our core challenges in the government is to do what we can to create an environment of opportunity and an environment of economic growth where the people we work for have a shot at a better job.

One of the things I think we can do is to seize opportunities in the global markets, because 95 percent of consumers worldwide actually live beyond our borders. As the chair of the Subcommittee on Africa, on the Senate Foreign Relations Committee, I wanted to take some time today to draw the attention of those in this Chamber and those who watch us around the country to the enormous opportunity presented by the continent of Africa.

Too often the impression of Africa in the American media and in the popular imagination is one that focuses on crises—on very real humanitarian or security crises—in a few countries such as Somalia or Mali or Congo. The average American, the average Member of this Chamber, often overlooks a changed reality in the last decade—a decade in which 6 of the 10 fastest growing economies on Earth were in sub-Saharan Africa. In fact, studies show in the decades to come that number will simply increase to seven.

So what are we to make of all this opportunity in Africa? There are some Fortune 500 companies—well-known household names such as Coca-Cola, Caterpillar, DuPont-Pioneer—that have seen this opportunity and are taking advantage of it. They have recognized a vast and rapidly growing middle class in countries such as Nigeria, Chad, Ethiopia, and Rwanda—not exactly household name countries and not exactly countries the average American thinks of as having great world markets. But these companies have penetrated these markets and have recognized the opportunity that lies within.

It is important they have done that in no small part with help from the U.S. Government. But as I held two hearings last year on this subcommittee, and we met—the folks who work with me and myself—with folks from think tanks and from companies and embassies, we realized we could do this better; we could be more streamlined, more targeted, and more focused in the work we are doing to take advantage of this remarkable opportunity.

It is also, frankly, in our strategic national interest for us to do a better job of promoting U.S.-Africa trade, because as African economies grow, it promotes free markets, democratic values, good governance, and stability in African countries. And by ensuring these countries and the regions are stable and economically vibrant, we reduce the number of times we are drawn into humanitarian crises or security crises and we improve the lot of hundreds of millions of Africans who then go on in a virtuous cycle of building their trade relationships with us.

As I have heard time after time, it takes firsthand personal engagement, it takes trade missions, it takes being there in person to grasp the scope of the opportunities and to respond to them responsibly. To do that well, it takes American diplomats and American representatives there on the ground.

I won't soon forget meeting with a head of state in West Africa on a trip with another Senator last year, and he asked us why America isn't more present; why we don't send more trade delegations. He said, the Brazilians were here last week, the Indians are coming next week, and the Chinese practically live here. As I have learned in the past year, we are not doing enough as a country, as a government, as a Congress to promote investments and to see this opportunity for what it is.

Well, others have seen the opportunity and have seized it. Just to pick one, China has actually exceeded the United States in terms of its total amount of exports to Africa of just a few short years ago. It has rocketed past us. The amount of foreign direct investment, the amount of export and import sales between China and Africa has grown dramatically. In fact, it has grown far more rapidly than the United States. Even though we have longstanding and positive relationships, I fear we will wake up and discover that China has secured long-term contracts that lock in their interests for decades and lock out American companies, American employers, and American interests.

The World Bank recently predicted Africa is on the verge of a takeoff, much as we saw happen in the Pacific Rim or in India or in Central America over the last 20 years. In my view, we have to engage now. When we grow our exports to parts of the world such as Africa, it grows American jobs and high-quality jobs. Every billion dollars in exports we send overseas supports another 5,000 U.S. jobs. Last year, U.S. exports overseas supported more than 7 million jobs.

I salute the initiative of the President and the Department of Commerce which are focused on trying to do more business with Africa, and to do it more wisely. But, frankly, we need to do more. So as chairman of the Subcommittee on Africa of the Foreign Relations Committee, along with my friend and partner in the last Congress, Senator JOHNNY ISAKSON of Georgia, I convened a series of hearings to focus on U.S. economic statecraft in Africa, to gather data, to have conversations, and to learn the facts about what we need to do to be more competitive.

I have released a report today called ''Embracing Africa's Economic Potential,'' which offers concrete recommendations to the U.S. Government—actions we can take right now, often in partnership with our private sector and with African governments, to strengthen our trade relationship between the United States and the countries of sub-Saharan Africa. Anyone interested can download a copy at coons.senate.gov/africa. Our report makes six recommendations, none of which involves spending a single dime of additional taxpayer money. In fact, it recommends ways to use what money we already spend on exploring and expanding into the market of Africa more efficiently and more effectively. So let's look at the recommendations in the report.

First, it suggests we work with our African partners to remove barriers to trade. Trade is impeded in Africa by everything from poor governance, unreliable infrastructure, complex tariffs, to corruption. There are solutions the United States has already offered and there are efforts already underway by American businesses in partnership with our African partners. In particular, USAID has set up regional trade hubs that have done great work in breaking through barriers to growing regional trade. But we can and should do more.

Second, reauthorize and strengthen the African Growth and Opportunity Act, better known as AGOA, in advance of its expiration in 2015. This legislation has been hugely successful in promoting African exports into the American market and in building mutually reinforcing relationships between the United States and the continent. I think we can do even more to create jobs both in the United States and Africa by diversifying products covered by AGOA, by improving its utilization by African countries, by ensuring its benefits are mutually beneficial between our country and Africa, and by not waiting until the 11th hour to act on reauthorization.

Senator ISAKSON, and many in this Chamber, worked very hard to secure reauthorization of the third country fabric provision of AGOA last year, but it took longer than it should have and it was more difficult than it needed to be. It is my hope, working together with colleagues here and in the House, we can get a jump on this in advance of 2015.

The third recommendation is to improve coordination between the many U.S. Government agencies working on trade policy to develop a comprehensive strategy for investment in sub-Saharan Africa. As many as 10 different Federal agencies are responsible for parts of trade policy and international development. So making sure they are working together efficiently is a good way for us to ensure success.

Fourth, we need to increase the presence of the U.S. Foreign Commercial Service in critical areas in the region. This chart shows those countries that have the fastest growing economies, and these are the few places where we have representatives from USAID or from the Department of Commerce.

In short, my point is there are many countries that have strongly growing economies where we have no representation. We have, in fact, zero U.S. Foreign Commercial Service officers in five of the six countries listed here as having the fastest growing economies. In fact, we only have six officers in all of sub-Saharan Africa, compared with significantly higher numbers in Asia and elsewhere.

I am concerned the reason for this is that Commerce isn't forward looking in its resource allocation and doesn't see the scale of the opportunities in Africa. Although I was grateful that Acting Secretary Blank made a trade mission trip to Africa late last year, that was the first time in a decade a U.S. Secretary of Commerce had made a visit to the continent, and there is much more we need to do.

Our fifth recommendation is to bolster support for the agencies that finance and support U.S. commercial engagement overseas, particularly in Africa. These agencies, the Export-Import Bank—known as Ex-Im—and the Overseas Private Investment Corporation, known as OPIC—issue political risk insurance and help with financing, particularly financing to markets where they don't yet have a robust banking sector and where the rule of law is less certain. These agencies are smart investments that actually generate real returns for American taxpayers and contribute to the bottom line for the American Federal Government.

Our sixth and last recommendation is to engage the community of African-born individuals who now live in the United States—the so-called diaspora communities—to strengthen economic ties. Who better to serve as an American representative of the system, and who better to take on the spirit of entrepreneurship and penetrate African markets than those born, raised, or connected to African countries and who have been educated in the United States and have been successful here and now have the resources and opportunity to reconnect with their countries of origin or the countries of their families. We can and must do more to strengthen these resources, and I was pleased to get a chance to speak at the second annual diaspora conference hosted by the Department of State last year. It is my hope we will invest further in this untapped resource—something that distinguishes the United States from our competitors in other parts of the world who do not have the blessing of a strong diaspora community as we do.

So in short, each of these six recommendations will get us closer to our goal of a more vibrant, a faster growing and more sustainable U.S.-Africa trade relationship. But the key to implementing these recommendations in an integrated way is to listen to each other, to embrace them, and move forward across the several committees of jurisdiction, across the 10 different Federal agencies and entities, and to develop a coordinated plan for taking advantage of this remarkable part of the world that can also grow American jobs.

We have an opportunity to seize this moment and to promote economic engagement, to strengthen the American economy and to advance the values of freedom and democracy around the world. Make no mistake, though, today we are falling short. We are failing to grasp this opportunity as strongly and clearly as our competitors are. We can act on a number of smart legislative proposals, including the Increasing American Jobs Through Greater Exports to Africa Act, which I cosponsored in the last Congress along with Senators DURBIN and BOZEMAN, and which I hope we will reintroduce shortly to establish a comprehensive U.S. strategy for public-private investment, trade, and development in sub-Saharan Africa. At the same time, the administration can, and I hope will, do more to coordinate strategy and use our resources effectively.

The report we have issued today I hope will be seen as a wake-up call. If we fail, we will wake up 10 years from now and we will see jobs and opportunities we might have grasped taken by our competitors. It is my hope we will not watch these opportunities pass us by but will, instead, take advantage of this remarkable moment and this great opportunity.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I would like to add to the remarks I made a moment ago about climate change to respond to some statements that have been made recently on the Senate floor on this subject.

As those of us who are advocates in the cause of doing something about climate change know, the polluters and their advocates have an advantage: They only have to create doubt, they only have to create debate in order to create delay and allow the polluters to continue making money at the expense of the rest of us. That means the arguments, frankly, don't have to be true; they just have to be made. Then they can say there is still debate, then they can say there is still controversy, both of which are self-fulfilling prophecies.

But they are not real, and some of what has been said is pretty flagrant.

One of the lead Senate deniers came to the floor the other day to challenge President Obama. President Obama said this in his State of the Union Address:

But the fact is, the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, and floods—all are now more frequent and intense.

My denier colleague quoted him. And to quote my colleague, he said—referring to the President:

The President said, yes, it's true that no single event makes a trend. But the fact is that the 12 hottest years on record have all come in the last 15. That is just flat wrong.

So why don't we just take a look and see where the President got his information so we can put this into some perspective. The President got his information from NASA. Maybe people in this body are more capable than NASA at dealing with scientific things, but when you consider that NASA has put an explorer on the surface of Mars, I think they are entitled to some credence about basic science. And they agree—in fact, Reto Ruedy, a program manager at the Goddard Institute, has laid out the actual years. Some of these are statistical ties because they are equally hot.

The No. 1 and 2 hottest years, according to them, are 2010 and 2005. The No. 3 through 8 hottest years are 2007, 1998, 2002, 2003, 2006, and 2009. The 9th through 12th hottest years recorded are 2012, 2011, 2001, and 2004. If you go to the 13th year, it is 2008. The 14th and the 15th are 1997 and 1995. All of the 15 hottest years on record are 1995 and thereafter. The top 12, all have happened 1998 and thereafter.

It is not just NASA's data set that confirms this. NOAA also looks at the same information. They come at it a little bit differently—and they do have a difference. I will concede that. NOAA considers 2012 to be the 10th warmest year on record instead of the 9th. That is the difference between NASA and NOAA. And we are talking about records going back to 1880, so it is a broad data set.

If you look at NOAA's data, it actually shows that 14 of the past 15 years were the hottest on record. Ditto the National Center for Atmospheric Research.

Of course, as many of us know, in political life there is a group out there called Politifact that takes a look at claims that are made in the public debate and politics, and they assign them ''true'' to ''pants on fire.'' They looked at the President's claim that the 12 hottest years on record have come in the last 15 years. They gave the President a ''true.'' Indeed, they said:

Obama was actually overcautious in his statement, so we rate his statement true.

So we have one denier—a Senator—against NASA, against Politifact, against NOAA, and against the National Center for Atmospheric Research. I think it is pretty clear who has the facts on their side.

This is the other statement that was made:

I don't think anyone disagrees with the fact that we actually are in a cold period that started about 9 years ago.

Let's look at the facts. This is the temperature data. The green represents the actual data. The red line is a statistically derived mean of all that information. It is something that is done mathematically. It is not amenable to argument; it is not amenable to debate. You can do it using different methods, but it is clear from that data set that we are in fact in a warming period, not a cooling period.

So how do you get to say that in 9 years we are in a cooling period? Well, if you go back a few years here, you see there are some high points, and if you pick just those high points and then you go forward 9 years, you can draw a graph that goes down. But you have to be very careful how you pick your points to create that illusion. You can actually do it, if you want, repeatedly in the data. You could pick this point and have it go down. You could pick this point and have it go down. You could pick this point and have it go down, and this, and this.

For each one of those points, you could say: Well, during this period, it was actually a cold period. It was actually a cooling period.

But when you look at the actual information and when you look at the statistically driven mean that cuts through all the data, it is pretty clear that to try to look at it this way is playing tricks with the data. It is playing games and trying to fool people. It is twisting and distorting the data.

I think that is a less-than-honest application of these facts. So if that is the sort of misleading statistical trick the polluters and their advocates have to resort to, that is just another reminder that it really is time for us to wake up and get to work on this. There is no credible scientific debate over what carbon pollution is doing to our atmosphere and our oceans, and it is pretty darned clear that it is warming—and warming pretty fast.

I appreciate the opportunity for this clarification.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Politifact article that I referred to in my remarks be printed in the RECORD.

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

BARACK OBAMA SAYS THE 12 HOTTEST YEARS ON RECORD HAVE COME IN THE LAST 15 YEARS

During his State of the Union address, President Barack Obama touted the country's progress in reducing carbon pollution emissions but added that recent advances in fuel efficiency and renewable energy have not done enough to curb climate change.

''For the sake of our children and our future, we must do more to combat climate change,'' Obama said. ''Now, it's true that no single event makes a trend. But the fact is, the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, floods—all are now more frequent and more intense.''

In 2012, the country experienced severe weather threats including drought, a devastating Hurricane Sandy and severe thunderstorms. We decided to fact-check whether the 12 hottest years on record have all come since 1998.

The White House directed us to NASA's Goddard Institute for Space Studies, which tracks global surface temperatures. The institute concluded that 2012 was the ninth-warmest year on record, with 2010 and 2005 being the all-time highs.

For the contiguous United States, 2012 was the country's warmest year yet. It beat the previous record by one degree Fahrenheit.

Reto Ruedy, a program manager at the Goddard Institute, told PolitiFact that the institute's data produces the following ranking of hottest years. Items on the same line are statistically tied.

1–2: 2010, 2005
3–8: 2007, 1998, 2002, 2003, 2006, 2009
9–12: 2012, 2011, 2001, 2004
13: 2008
14: 1997
15: 1995

This analysis shows that 13 of the warmest years have occurred in the past 15 years. Alternately, one could say that 12 of the warmest years came in the last 13.

We see a few other issues to note.

The NASA data set isn't the only one available. The National Oceanic and Atmospheric Administration also analyzes global surface temperatures using its own methodology. The two measurements diverge somewhat—NOAA considers 2012 the 10th-warmest year on record since records began in 1880, rather than the ninth.

However, NOAA's data for land and ocean temperature anomalies shows that 14 of the past 15 years were the hottest on record.

There are other ways one could measure ''hottest years.'' Kevin Trenberth, a scientist with the National Center for Atmospheric Research, agreed with the 13-of-15 calculation. But he added that the NASA and NOAA values refer to global mean surface temperature. ''One could define 'hottest' in other ways, such as by how much Arctic sea ice there is,'' he said.

OUR RULING

Obama said, ''The 12 hottest years on record have all come in the last 15.'' Data from NASA shows 13 of the hottest years on record have come in the last 15, and by a different data set produced by NOAA, 14 of the hottest years on record have come in the last 15. Obama was actually over-cautious in his statement, so we rate his statement True.

TRIBUTE TO RAYMOND DAVIS

Ms. MIKULSKI. Mr. President, I rise today to recognize the distinguished public service of Raymond Davis, who for 40 years has served the U.S. Senate, first for the Architect of the Capitol and later as a technical assistant and information specialist in the Office of Public Records for the Secretary of the Senate. His institutional knowledge and understanding of filing processes and disclosure laws have been invaluable in helping the Senate fulfill its

commitment and obligation to openness and transparency, while his kind and helpful character has been a benefit to everyone in the Senate community.

Raymond first worked for the Architect of the Capitol where he was tasked with jobs from busing tables at lunchtime to flying flags over the Capitol Building. He was soon hired as a clerk by the Secretary of the Senate and would go on to serve in the Office of Public Records taking on responsibilities ranging from lobbying registration to campaign finance disclosure.

During his many years of service, Raymond always put customer service first. Candidates who filed a Senate campaign report, and Senators and staff members who filed a financial disclosure report or other Senate report, encountered Raymond's efficient and very capable assistance. Over the years, he also assisted those filing lobbying registrations and reports. The public, the press and researchers have all benefitted from his knowledge and guidance in the Office of Public Records.

Raymond is known throughout the Senate community, to those who frequent his office and to those who look forward to his cheerful greeting each day in the halls, as a friendly and welcoming colleague. An avid sportsman, Raymond was a slugger for the Senate Document Room softball team and a regular at Senate coed football and Capitol Hill touch football league games.

Through his deft knowledge and faithful customer service, Raymond has significantly contributed to the functioning of this institution. He has been an important mentor to others, helping to train staff and pass on the knowledge he gained in four decades of work.

The Senate can be proud of Raymond Davis' legacy of public service. We are grateful for his many contributions, and we wish him well in retirement and all his future endeavors.

VOTE EXPLANATIONS

Mr. UDALL of Colorado. Mr. President, due to unexpected family commitments, I was unable to cast a vote relative to rollcall vote Nos. 22, 23, 25, 28, 29, and 30. Had I been present, I would have voted in the following manner: yea on the nomination of Robert E. Bacharach to be U.S. Circuit Judge for the Tenth District, yea on the motion to invoke cloture on the nomination of Charles T. Hagel to be Secretary of Defense, yea on the nomination of Jacob L. Lew to be Secretary of the Treasury, yea on the nomination of Katherine Failla to be U.S. District Court Judge for the Southern District of New York, nay on Senate amendment No. 25 related to elimination of funding for the National Security Working Group, and yea on the motion to invoke cloture on the nomination of Caitlin Joan Halligan to be U.S. Circuit Judge for the District of Columbia Court.

COMMEMORATING ISRAEL'S 65TH ANNIVERSARY

Ms. STABENOW. Mr. President, this year marks 65 years since the State of Israel was born, and I wish to speak today about the importance of that occasion and the celebration that will take place in communities all across the world.

Our country has a deep friendship with Israel, dating back to just 11 minutes after its creation on May 14, 1948, when President Harry Truman became one of the first world leaders to recognize Israel's independence.

Our two nations have always been friends and allies in our struggle to make the world a safer place. I am proud of our long friendship and our shared values.

When Israel was founded, the Jewish people finally had a home. The new State provided not only a refuge to Jews who survived the unprecedented horrors of the Holocaust, but also a place to begin anew. Even in such a tough and unforgiving climate, the Jewish people knew they could build a country that could help change the world.

The Walk the Land 65 project is the perfect way to celebrate Israel's anniversary. The theme of this year's walk is to celebrate life, and people all across the world will join together and walk through their communities by honoring Israel's gifts to the world, especially those regarding life: creating life, sustaining life, saving life, preserving life, enhancing life, protecting life, improving life, cherishing life, nurturing life and beautifying life.

As a collaboration between the Afikim Foundation, the World Zionist Organization and the Israel Ministry of Public Diplomacy and Diaspora Affairs, Walk the Land 65 is showing the world just how important Israel's contributions to the world really are.

I am pleased to see walks taking place across my home State of Michigan: in Flint, Grand Rapids and Metro Detroit.

Every religious, cultural and ethnic group across the State is an important thread in Michigan's rich cultural fabric. We in Michigan are proud of our Jewish communities and their contributions to our State.

One important attribute that the people of Israel share with the people of the United States is our system of values. Both countries are lands of freedom and democracy. While these two countries were formed at very different times, they both uphold and honor critical freedoms—freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed.

This foundation has led to a country that truly celebrates life and works to improve life across the world. Israel began in a desert, but today, it is a fountain of culture, innovation and industry.

This didn't happen overnight, though. David Ben-Gurion and the founders of Israel had a great vision for their country. They built Israel from scratch, turning the arid land into fertile farms and thriving cities.

Israel is a leader in innovation for creating, sustaining, preserving and saving lives through its work in agriculture and health care. It is also enhancing life through its innovation in technology, alternative energy and so many other fields.

Today, Israel is among the top three countries in the world in terms of patents per capita, and number one in terms of startup businesses per capita. Israel is also a leader in clean energy research and development, and is helping to create the power the world needs.

The Israeli people are leaders in celebrating life, as evidenced by their humanitarian works and their pioneering medical advances that will save and improve people's lives, and they are making a real difference throughout the world.

Israel continues to serve as a shining model of democratic values, and an important presence in the region; it shows the world that democracy can survive—and—thrive anywhere people wish to be free.

I am proud of our friendship, and I am proud to help celebrate Israel's 65th Anniversary with the Walk the Land 65 Project.

Congratulations to the people Israel and everyone involved in this wonderful project.

OBSERVING INTERNATIONAL WOMEN'S DAY

Mr. CARDIN. Mr. President, I rise today to speak about International Women's Day. International Women's Day is an occasion to honor and praise women for their accomplishments and to celebrate women who are making a difference, both here in America and around the world. Already this year, we have seen advances for women in the United States. In January, former Secretary of Defense Leon Panetta announced that women in the military can now join their male colleagues on the front line. America's military is the greatest in the world and it has been made stronger with the promise of equal opportunity for women and men. Last month, we reauthorized the Violence Against Women Act, which provides victims of domestic violence with the services they desperately need.

We need to ensure that women across the world, not just in the United States, have the same liberty to determine the scope of their own lives and futures. Unfortunately, in far too many nations women face extraordinary obstacles. A woman's ability to earn a sustained income is severely limited by

cultural norms and lack of opportunity, which explains why women represent nearly 70 percent of the world's poor. And if extreme poverty and destitution weren't enough, women around the world are under attack. Worldwide, 1 in 3 women will experience some form of violence in her lifetime. Women and girls in emergencies, conflict settings, and natural disasters often face extreme violence. The World Health Organization has reported that up to 70 percent of women in some countries describe having been victims of domestic violence at some stage in their lives.

When we discuss the issues of poverty and violence against women, we cannot think of them in isolation. They work in tandem, feeding off of one another. Violence against women and girls is both a major consequence and cause of poverty; the two go hand-in-hand. Violence prevents women and girls from getting an education, going to work, and earning the income they need to lift themselves and their families out of poverty.

I believe in the power of women to change the world, and empowering women is one of the most critical tools in our tool box to fight poverty and injustice. Integrating the unique needs of women into our domestic and international policies is critical. Decades of research and experience prove that when women are able to be fully engaged in society and hold decision-making power, they are more likely to invest their income in food, clean water, education, and health care for their children. Investment in women creates a positive cycle of change that lifts women, families, and entire communities out of poverty.

In January, President Obama issued a memorandum on the coordination of policies and programs to promote gender equality and empower women globally. This memo recognizes that coordinating gender equality and empowering women is critical to effective international assistance across all sectors such as food security, health care, governance, climate change, and science and technology.

Our Nation has the potential to be a true leader in empowering women across the globe, ending gender-based discrimination in all forms, and ending violence against women and girls worldwide. And on this International Women's Day, let us join together to continue to fight for the rights of women both at home and abroad.

ADDITIONAL STATEMENTS

REMEMBERING JUDGE LEONARD L. WILLIAMS

● Mr. COONS. Mr. President, today I wish to pay tribute Judge Leonard L. Williams, a great Delawarean who passed away this past weekend at the age of 78. Judge Williams was a respected attorney and judge in Wilmington, as well as a pioneer for civil rights and racial equality in our State. It is a fitting tribute the flags in Wilmington were lowered to half-staff in his honor.

Judge Williams was a towering figure in Delaware history, but to my wife, Annie, and me, he was first and foremost a beloved neighbor. Judge Williams lived down the street from us on Woodlawn Avenue and was always quick with a honk and a wave when he drove by in his truck. We will miss his fellowship and his kindness.

When he passed away this weekend, I was in Alabama attending the Faith and Politics Institute's Congressional Civil Rights Pilgrimage led by Representative JOHN LEWIS. There is poetry in the timing, as Judge Williams' lifetime commitment to the civil rights movement continually reminded me that our country's great promise cannot be truly realized until full equality is achieved.

In his youth, Judge Williams worked as a clerk at a store on Market Street in Wilmington. One day he witnessed a robbery and needed to appear in municipal court to give his testimony. When he entered, he was told ''Coloreds'' could not sit on the left side of the room, that area was reserved for whites. Years later, Leonard Williams would become a judge, presiding over that very courtroom.

Judge Williams not only lived through the civil rights movement, he helped shape it.

He grew up in a large family in Wilmington and attended primary and secondary school before Brown v. Board of Education and the desegregation of the Wilmington public school system. Before 1950, black students could not attend the University of Delaware. A landmark civil rights lawsuit changed that and enabled Judge Williams to attend UD on a football scholarship. He became one of the first black students to graduate from the University of Delaware and entered law school at Georgetown University. When he was admitted to the Delaware Bar in 1959, he was only the fifth African American attorney in Delaware's history.

As a young lawyer, Judge Williams partnered with Louis Redding, Delaware's first black attorney and the very lawyer who argued Parker v. University of Delaware, the case which opened UD to black students. At the time, African Americans were denied access to restaurants, theaters, and other places of public accommodation in Delaware and around the country. One day in 1958, William Burton, a member of the Wilmington City Council, entered the Eagle Coffee Shoppe but was refused service. The restaurant, like many in Wilmington at the time, would not serve African-Americans. Because the restaurant leased space from the Wilmington Parking Authority, Burton filed suit in the Delaware Court of Chancery against the restaurant and the parking authority. Judge Williams and Louis Redding took the case, ultimately winning a judgment in the Supreme Court that private discrimination on State owned property violated the Equal Protection Clause of the U.S. Constitution.

Judge Williams' involvement in that case changed the course of Delaware history. Yet he never saw himself as a hero, just as somebody trying to serve his community. All of us will miss him deeply. We will keep Judge Williams' wife, Andrea, and his three children, Leonard Jr., Dena, and Garrett, in our prayers as we grieve.●

REMEMBERING ZORA BROWN

● Mrs. FEINSTEIN. Mr. President, today I wish to honor the life, legacy and service of Zora Brown. Zora, who passed away March 3, 2013 at the age of 63, was a forceful advocate for cancer research and breast cancer awareness. As a three-time breast and ovarian cancer survivor, Ms. Brown turned her experience into a lifetime of tireless work to help others affected by cancer.

I had the honor and pleasure of meeting Zora last summer when she participated in a Senate Cancer Coalition forum focused on breast cancer. At the forum, she spoke poignantly and clearly about the impact of breast and ovarian cancer on her family, and on the African-American community. Zora's message was not one of despair, but rather one of hope and perseverance. She compared her own experience with cancer to that of her grandmother and great-grandmother, and highlighted how recent advances in cancer research gave her knowledge and treatment options that the other women in her family never had.

Throughout her career, Zora founded and was associated with countless organizations dedicated to the fight against cancer. After her first diagnosis with breast cancer in 1981, Zora founded the Breast Cancer Resource Committee, an organization dedicated to lowering the breast cancer mortality rate among African Americans. She later founded and served as Chairperson of Cancer Awareness Program Services, CAPS, providing comprehensive educational and prevention programs focusing on cancers affecting women. In 1991, President Bush appointed her to the National Cancer Advisory Board of the National Cancer Institute, which helps steer the institute's policy. She served on the board until 1998. Due in part to Zora's influence and persistent advocacy, Congress appropriated $500,000 for breast and cervical screening for low-income, uninsured inner city women. In addition, she has been a part of the American Association for Cancer Research, the U.S. Conference of Mayors' Cancer Awareness Campaign, and the Board of Health in her hometown of Oklahoma City.

With Zora's passing we have lost a great leader and advocate in the fight against cancer. Her passion, grace, and ability to connect with others were

qualities that made a lasting impact. It is now up to all of us to carry on her legacy and work toward our shared dream of conquering cancer for everyone. It was an honor to spend time with her and hear through her eloquent words and fighting spirit how cancer touched her life and how she chose to use her personal experience to make a true difference in our world. My heartfelt condolences go out to her family and loved ones.●

LONE PEAK HIGH SCHOOL BASKETBALL TEAM

● Mr. HATCH. Mr. President, I rise today to congratulate and express my great pride and admiration for the young men of the Lone Peak High School basketball team.

On Saturday, March 2, 2013, Lone Peak won the Utah State High School basketball championship for the fifth time in 7 years. Now that alone is a great accomplishment. However, in addition to winning another State championship, the Lone Peak Knights are ranked as the best high school team in the country by the Web site Max Preps.

This team has flown somewhat under the radar to achieve their top ranking. Indeed, not many people expected a team from Utah to dominate like they have.

But the Knights have not shied away from competition. No, they have traveled around the country for the past couple of years playing some of the best high school basketball teams in the Nation.

For example, this season they traveled to Chicago to play in the Chicago Elite Classic and defeated powerhouse Proviso East by a score of 84 to 46. Proviso East is currently 25 to 3 and undefeated in their Chicago conference.

Lone Peak then played in the City of Palms Tournament in Ft. Meyers, FL, winning their first three games before suffering their only defeat of the season at the hands of Montverde Academy, which is another nationally ranked high school team.

It needs to be said that there is a difference between Lone Peak and teams like Montverde. Lone Peak draws its students and players from within its school boundaries in Highland and Alpine, UT. Montverde is a college prep school that recruits players from all over the country to come and play basketball.

Lone Peak again travelled out of the State of Utah this season and defeated Wesleyan Christian Academy—another private school that recruits basketball players—in the feature game at the Under Armor Brandon Jennings Invitational in Brookfield, MA.

The Knights' final foray outside the State of Utah was in mid-January when they defeated Archbishop Mitty from San Jose, CA, at the Spaulding Hoopball Classic in Springfield, MA. That game was televised by ESPN and Lone Peak won by a decisive score of 81 to 46.

This top-ranked team has been led by the trio of Nick Emery, Eric Mika, and T.J. Haws. But they are more than just three players. They are a full team that has worked together for many years under head coach Quincy Lewis. Now in his 10th year as the head coach at Lone Peak, Coach Lewis has a proven track record of leading his players, not only to victories on the basketball court but also to becoming fine young men in the community.

Last week, before the Knights won the State championship, he was named the Naismith national coach of the year. I want to congratulate him on this honor.

Another thing that is different about this team is that many of these young men will give up 2 years of their lives and serve missions for the Church of Jesus Christ of Latter-Day Saints. Nick Emery has already received his mission call and will leave for Germany shortly after high school graduation. Talon Shumway has been recruited to play college football as a receiver but will serve a mission first.

It takes a lot of faith and dedication to put such a promising career on hold for 2 years. Having served such a mission myself I know that there is no time for basketball or football when you are in the mission field.

The Lone Peak Knights have finished the season as the top high school basketball team in the United States, something that has never been done by a school from the State of Utah. It might not be done again. But I have to say that there are young people all over my home State that have been inspired by this team and will want to follow in their footsteps.

Once again, Mr. President, I want to congratulate the Lone Peak Knights on a wonderful season. It has been quite something to follow this story all season long, and I know that my admiration is shared by many throughout my State and, indeed, throughout the country.

As I mentioned, the three leaders on this team get most of the headlines, but their success has really been a team effort and they all deserve recognition. In addition to Emery, Haws, and Mica, the Lone Peak roster includes the following players: McKay Webster, Connor Toolson, Zach Frampton, Brooks Goeckeritz, Chandler Goeckeritz, Talon Shumway, Braden Miles, Dylan Hedin, Braxton Bruni, Jantzen Allphin, Marcus Acton, and Spencer Curtis.

Mr. President, the New York Times published an article by Dan Frosch last week that highlighted the achievements of these young men. I ask unanimous consent that it be printed in the RECORD.

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

[From the New York Times, Feb. 26, 2013]

OUT WEST, REACHING THE SUMMIT

(By Dan Frosch)

HIGHLAND, UT.—Here, among a string of quiet Mormon towns, where the spires of Latter-day Saints churches glint against the Wasatch Mountains, is the home of what many consider the nation's best high school boys' basketball team.

For the past two years, the Knights of Lone Peak High School, a team of lanky, long-armed teenagers who look only slightly more imposing than a chess club, have not just been beating opponents, they have been crushing them.

At 23–1, the Knights have been ranked as the best high school team in the country for more than a month by the Web site Max Preps and are working their way through the Utah state playoffs, which end Saturday. While Lone Peak has lost to in-state opponents just three times in the past three years, its success nationally is especially surprising. The Knights have won by an average of nearly 28 points this season, including tournament victories over top teams from Pennsylvania, Illinois and California.

''There was one team we played that was literally laughing when we were warming up,'' the senior center Eric Mika said with a chuckle. ''And we beat them by 50.''

Unlike many top high school teams that lure talented players from outside their immediate area, Lone Peak, which has a student body of about 2,300, pulls players from the pruned streets of Alpine and Highland—small communities tucked in the foothills about 30 miles from Salt Lake City, so named by Mormon settlers because the landscape reminded them of the Swiss Alps and Scottish Highlands.

The Knights—led by Mika and guards Nick Emery and T.J. Haws—have ascended to the top of the national rankings as relative unknowns, a feat made more remarkable by the simple fact that they hail from a region not recognized for basketball prowess.

''We know we're different whenever we walk into a gym,'' said Coach Quincy Lewis, who has a 206–35 record over the past decade. ''But our guys walk in there with a chip on their shoulder. We know we have something to prove because, honestly, the other teams don't have a great deal of respect for us.''

Then Lone Peak starts playing. Its style is a fearless, careening brand of basketball, built on 3-pointers, lobs and dunks, seemingly more suited for a playground than the movie ''Hoosiers.''

''They play like inner-city teams; how blacks consider black teams play,'' said Tyrone Slaughter, who coaches Whitney Young High School in Chicago, which is ranked seventh in the country. ''I don't know any other way to put it.

''So many times we see the predominantly white teams play a conservative style, a precise style of basketball,'' he said. ''When you see this team play, it is completely different.''

Last season, Lone Peak beat Whitney Young in a double-overtime game at the Beach Ball Classic tournament in Myrtle Beach, S.C., a performance that helped burnish its reputation.

Emery set the tournament's four-game scoring record with 119 points. Word of the Knights' lopsided victories spread around Chicago. Now, Slaughter said, if a team is blown out, it is said to have been Lone Peaked.

The most apparent reason for the team's success is the triumvirate of Mika, Emery and Haws, players, Lewis says, who ''don't come around very often for anybody, I don't care what program you're a part of.''

The 6-foot-2 senior Emery, who averages 19 points, and the 6-4 junior Haws, who scores 17 a game, are continuing a family tradition at Lone Peak.

Emery's older brother, Jackson, who graduated from the school in 2005, was named Utah's Mr. Basketball and was a co-captain at Brigham Young with Jimmer Fredette.

Haws's older brother, Tyler, was also a Lone Peak standout and was 10th in the country in scoring with a 20.9 points-a-game average at B.Y.U. entering Tuesday's games. The 6-foot-10 Mika, who averages 16 points, is in his first season at Lone Peak after transferring from a private school, but he has known Haws and Emery since they were fourth graders playing on youth teams together.

''I feel this is really a once-in-a-life team,'' said Haws, who can make 3-pointers from beyond the N.B.A. range or slash through the lane with moves that have earned him YouTube fame.

Lewis has coached many of his players since grade school at clinics and camps. Every summer, he takes the team to play against Amateur Athletic Union squads around the country.

Most A.A.U. teams, the equivalent of select youth soccer clubs, choose marquee players from around their region. And it is rare for a high school team to compete against what are essentially all-star rosters.

''We have had very few teams that have competed at that level in term of how they play together, shot selection and chemistry,'' said Greg Procino, the director of events and awards at the Basketball Hall of Fame, which also hosted a tournament that Lone Peak excelled at in 2011 and another in which the team performed well in January.

There is, of course, something else that sets the Knights apart.

A flip through the team program finds plenty of references to Mormonism, whether it is players noting that the last book they read was the Book of Mormon or affirming their life goals as serving a mission and marrying.

Lone Peak players freely discuss how religion unites them. When the team is on the road and needs to practice, it will call up the local Mormon bishop and ask to use the small gym typically attached to each Mormon church.

''A couple of summers ago, we were in Boston,'' Mika said. ''Someone was like: 'Oh, you guys are all Mormon. How many moms do you have? You guys all brothers?' We just laugh.''

Mika, Emery and Haws have committed to play at B.Y.U., 30 minutes away. All have also decided to go on missions. For Emery, an explosive guard and the most highly recruited of the three, that means leaving for Germany in May and probably not playing organized basketball for two years.

''A lot of factors went into it,'' he said of his decision. ''I've grown up in the Gospel. And I've wanted to serve a mission since I was a young kid. I'll have four years when I come home.''

Lewis recalled that Bill Self pulled Emery aside after he had starred at a University of Kansas basketball camp, saying, ''You're good enough to play here.''

But it is difficult to ask coaches whose careers rest on immediate success to commit to a top high school prospect who plans to take two years away from basketball.

''The way people look at this state, they say, 'If we go in there and recruit kids, we know they're probably L.D.S.,'' or Latter-day Saints, '' 'kids, and they're going on a mission and that's not how our program is set up,' '' Lewis said.

For now, however, Lone Peak is seeking a fifth state championship in seven years—the title game is Saturday—and a chance to brag that it ended the season as the country's top-ranked team.

At a recent road game against Bingham High School, the gym roared with hundreds of fans from across the region who had come to see Lone Peak for themselves.

''Which are the three guys we were watching again?'' a woman asked her husband.

An older man wondered aloud if all three were heading to B.Y.U.

By midway through the fourth quarter, the game long in hand, Lewis pulled most of his starters, with Mika, Haws and Emery accounting for 69 of the team's 98 points in a 41-point victory.

The three friends sat on the bench, laughing, leaping up when their backups scored and politely chatting with curious fans wandering down for a closer look.

It may have been an away game, but this was home.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 338. An act to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco.

H. R. 668. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

H. R. 933. An act making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. WALZ of Minnesota.

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 14. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus.

MEASURES REFERRED

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

H.R. 338. An act to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco; to the Committee on the Judiciary.

H.R. 668. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read and placed on the calendar:

H.R. 933. An act making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–618. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate'' (Docket No. AMS–FV–12–0026; FV12–923–1 IR) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–619. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department of Defense taking essential steps to award a multiyear contract for 32 E–2D Advanced Hawkeye (AHE) aircraft, with a Variation in Quality-type clause of up to 37 aircraft, in fiscal years 2014 through 2018 in the second quarter of 2014; to the Committee on Armed Services.

EC–620. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–621. A communication from the Principal Deputy Assistant Secretary for Fish

and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, National Capital Region, Demonstrations and Special Events'' (RIN1024–AD89) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Energy and Natural Resources.

EC–622. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, Chattahoochee River National Recreation Area, Bicycle Routes'' (RIN1024–AD94) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Energy and Natural Resources.

EC–623. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Import Restrictions Imposed on Certain Archaeological Material from Belize'' (RIN1515–AD94) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Finance.

EC–624. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''2012 Actuarial Report on the Financial Outlook for Medicaid''; to the Committee on Finance.

EC–625. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, an annual management report relative to its operations and financial condition; to the Committee on Finance.

EC–626. A communication from the Secretary of Health and Human Services, transmitting, the fiscal year 2012 performance report relative to the Medical Device User Fee Act (MDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC–627. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–628. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Department of Small and Local Business Development's Fiscal Year 2011 Performance Accountability Report''; to the Committee on Homeland Security and Governmental Affairs.

EC–629. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Residential, Business, and Wind and Solar Resource Leases on Indian Land; Correction'' (RIN1076–AE73) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Indian Affairs.

EC–630. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Courts of Indian Offenses'' (RIN1076–AF16) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Indian Affairs.

EC–631. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Size Standards: Administrative and Support, Waste Management and Remediation Services'' (RIN3245–AG27) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC–632. A communication from the Deputy General Counsel, Office of Technology, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Size Regulations, Small Business Innovation Research (SBIR) Program and Small Business Technology Transfer (STTR) Program'' (RIN3245–AG46) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC–633. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Size Standards: Information'' (RIN3245–AG26) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Small Business and Entrepreneurship.

EC–634. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Construction and Maintenance—Culvert Pipe Selection'' (RIN2125–AF47) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–635. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Energy Labeling Rule'' (RIN3084–AB15) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Commerce, Science, and Transportation.

EC–636. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Editorial Corrections to the Export Administration Regulations'' (RIN0694–AF63) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC–637. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to the submission of an operations update and a general and legislative annual report in March; to the Committee on Commerce, Science, and Transportation.

EC–638. A communication from the Deputy Secretary of Commerce, transmitting, pursuant to law, the National Oceanic and Atmospheric Administration (NOAA) Chesapeake Bay Office Biennial Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC–639. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Commercial Acquisition; Extension of Suspension and Debarment Exclusions, Grants and Cooperative Agreements'' (RIN2700–AD81) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–640. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Greenup, Illinois)'' (MB Docket No. 12–225; RM–11668; DA 12–1976) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–641. A communication from the Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules'' ((IB Docket No. 04–112) (FCC 13–6)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–642. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Commission's Rules Concerning Commercial Radio Operators'' (FCC 13–4) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–643. A communication from the Associate Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of the Emergency Alert System: Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief Randy Gehman Petition for Rulemaking'' (FCC 12–41) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–644. A communication from the Associate Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 12 and 90 of the Commission's Rules Regarding Redundancy of Communications Systems: Backup Power Private Land Mobile Radio Services: Selection and Assignment of Frequencies, and Transition of the Upper 200 Channels in the 800 MHz Band to EA Licensing'' (DA 11–1838) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–645. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules; Amdt. No. 505'' (RIN2120–AA63) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–646. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules; Amdt. No. 505'' (RIN2120–AA63) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–647. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled ''Standard Instrument Approach Procedures; Amdt. No. 3517'' (RIN2120–AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–648. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Amdt. No. 3518'' (RIN2120–AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–649. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (85); Amdt. No. 3519'' (RIN2120–AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–650. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (25); Amdt. No. 3520'' (RIN2120–AA65) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–651. A communication from the Attorney Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0075)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–652. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Lincoln, ME'' ((RIN2120–AA66) (Docket No. FAA–2012–0764)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–653. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Engine Alliance Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1293)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–654. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schweizer Aircraft Corporation'' ((RIN2120–AA64) (Docket No. FAA–2012–0602)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–655. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1251)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–656. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc., Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0746)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–657. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0631)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–658. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1225)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–659. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AgustaWestland S.p.A.) (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1135)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–660. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1228)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–661. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0528)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–662. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Tri-Cities, TN; Revocation of Class E Airspace; Tri-City, TN'' ((RIN2120–AA66) (Docket No. FAA–2011–0621)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–663. A communication from the Paralegal Specialist, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0547)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–664. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1005)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–665. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1223)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–666. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2012–1250)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–667. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DASSAULT AVIATION Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1037)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–668. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1273)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–669. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0725)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–670. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1056)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–671. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate Previously Held by Raytheon Aircraft Company; Beech Aircraft Corporation) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1111)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–672. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Lindstrand Hot Air Balloons Ltd Appliances'' ((RIN2120–AA64) (Docket No. FAA–2012–1134)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–673. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schweizer Aircraft Corporation'' ((RIN2120–AA64) (Docket No. FAA–2012–0602)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–674. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1251)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–675. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1055)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–676. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopter'' ((RIN2120–AA64) (Docket No. FAA–2012–0339)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–677. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lycoming Engines and Continental Motors, Inc. Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1245)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–678. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1110)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–679. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Univair Aircraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0360)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–680. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0590)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–681. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0942)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–682. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0075)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–683. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0722)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–684. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1084)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–685. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0678)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–686. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0595)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–687. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0501)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–688. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopters Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0500)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–689. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0857)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–690. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2008–0681)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–691. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Stemme GmbH and Co. KG Powered Sailplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0982)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–692. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GA 8 Airvan (Pty) Ltd Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1007)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–693. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0186)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–694. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0421)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–695. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0591)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–696. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1220)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–697. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1206)) received in the Office of

the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–698. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0732)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–699. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0986)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–700. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0940)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–701. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0030)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–702. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc.'' ((RIN2120–AA64) (Docket No. FAA–2012–0731)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–703. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron, Inc., Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0082)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–704. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0639)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–705. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0794)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–706. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc., Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0746)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–707. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1002)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–708. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1070)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–709. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–098)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–710. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; Emergency Rule Extension'' (RIN0648–BC00) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–711. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures'' (RIN0648–BC40) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–712. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 38'' (RIN0648–BC37) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–713. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XC457) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–714. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC452) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–715. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal To 60 Feet (18.3 Meters) Length Overall Using Pot Gear in the Bearing Sea and Aleutian Islands Management Area'' (RIN0648–XC458) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–716. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bearing Sea and Aleutian Islands Management Area'' (RIN0648–XC487) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–717. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction'' (RIN0648–XC427) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–718. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XC482) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–719. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands'' (RIN0648–XC441) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–720. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC481) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–721. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC451) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–722. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XC495) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–723. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction'' (RIN0648–XC437) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–724. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery'' (RIN0648–XC456) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–725. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Vermillion Snapper'' (RIN0648–XC468) received in the Office of the President of the Senate on March 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–726. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ontonagon, MI'' ((RIN2120–AA66) (Docket No. FAA–2011–1404)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC–727. A communication from the Attorney-Advisor, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Kasigluk, AK'' ((RIN2120–AA66) (Docket No. FAA–2012–0952)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Sheri Polster Chappell, of Florida, to be United States District Judge for the Middle District of Florida.

Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon.

Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. ROBERTS (for himself, Ms. HEITKAMP, Mr. MORAN, and Mr. JOHANNS):

S. 485. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 486. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 487. A bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 488. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 489. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. VITTER):

S. 490. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. INHOFE, Mr. UDALL of New Mexico, and Mr. CRAPO):

S. 491. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself and Mr. RUBIO):

S. 492. A bill to amend title 38, United States Code, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 493. A bill to amend the Internal Revenue Code of 1986 to establish dairy farm savings accounts, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 494. A bill to amend the Internal Revenue Code of 1986 to expand the types of livestock for which bonus depreciation is available; to the Committee on Finance.

By Mr. BURR (for himself, Mr. ISAKSON, Mr. CORNYN, Mr. HELLER, and Mr. BOOZMAN):

S. 495. A bill to amend title 38, United States Code, to require Federal agencies to hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PRYOR (for himself, Mr. INHOFE, Mrs. FISCHER, Mr. BOOZMAN, Mr. COCHRAN, and Mr. JOHANNS):

S. 496. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 497. A bill to establish the San Juan Islands National Conservation Area in the San Juan Islands, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE:

S. 498. A bill to repeal the Zimbabwe Democracy and Economic Recovery Act of 2001; to the Committee on Foreign Relations.

By Mr. VITTER (for himself and Mr. CRUZ):

S. 499. A bill to repeal the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. REID, Mr. LEAHY, Mrs. BOXER, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. FRANKEN, and Mr. BLUMENTHAL):

S. 500. A bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of $250,000; to the Committee on Finance.

By Mr. SCHUMER (for himself and Ms. COLLINS):

S. 501. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Finance.

By Mr. CASEY:

S. 502. A bill to assist States in providing voluntary high-quality universal prekindergarten programs and programs to support infants and toddlers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado:

S. 503. A bill to establish the Sangre de Cristo National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. VITTER, Mr. DURBIN, Mrs. SHAHEEN, and Mr. SANDERS):

S. 504. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself and Mr. PAUL):

S. 505. A bill to prohibit the use of drones to kill citizens of the United States within the United States; read the first time.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 506. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. ALEXANDER, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico):

S. 507. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. GRASSLEY):

S. 508. A bill to amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 509. A bill to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 510. A bill to authorize the Secretary of the Interior to convey certain interests in Federal land acquired for the Scofield Project in Carbon County, Utah; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE:

S. Res. 69. A resolution calling for the protections of religious minority rights and freedoms in the Arab world; to the Committee on Foreign Relations.

By Mr. MENENDEZ:

S. Res. 70. A resolution designating the last full week of July 2013 as ''National Moth Week'', recognizing the importance of moths in the United States, and recognizing the value of National Moth Week for promoting the conservation of moths and increasing the awareness, study, and appreciation of moths, their incredible biodiversity, and their importance to ecosystem health; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. SANDERS):

S. Res. 71. A resolution designating the week of March 4 through March 8, 2013, as ''Military and Veterans Caregiver Week''; considered and agreed to.

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. Res. 72. A resolution to observe the contributions of the American Chiropractic Association and to recognize the 50th anniversary of the founding of the organization; considered and agreed to.

By Mr. BENNET (for himself, Mr. HATCH, Mr. MERKLEY, Mr. WYDEN, Mr. BOOZMAN, and Mrs. MURRAY):

S. Res. 73. A resolution designating March 11, 2013, as ''World Plumbing Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 116

At the request of Mr. REED, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 169

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 210

At the request of Mr. HELLER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 269

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 269, a bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 294

At the request of Mr. TESTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 323

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 338

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 370

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 427

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 445

At the request of Mr. FRANKEN, the name of the Senator from Washington

(Ms. CANTWELL) was added as a cosponsor of S. 445, a bill to improve security at State and local courthouses.

S. 448

At the request of Mr. RUBIO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 448, a bill to allow seniors to file their Federal income tax on a new Form 1040SR.

S. 452

At the request of Mr. FRANKEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 452, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''.

S. 470

At the request of Mr. TESTER, the names of the Senator from North Dakota (Ms. HEITKAMP), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from North Carolina (Mr. BURR), the Senator from Alaska (Mr. BEGICH) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 484

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 484, a bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL of Colorado:

S. 503. A bill to establish the Sangre de Cristo National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, I rise today to introduce legislation recognizing one of Colorado's most historically significant regions—the San Luis Valley.

It is no exaggeration to say that the unique history and culture of the region we commonly call 'the Valley' is one of the richest in our state, region, and nation, particularly as an example of early Hispano and Latino settlement. As an avid student of history—like so many of my colleagues—I find that the more I learn and experience the stories, people, and places of the Valley, the more I want to learn.

First explored by Spanish Colonial expeditions in the 17th century, Hispano families from Northern New Mexico made many attempts at permanent settlement in this region, but weren't successful until the late 1840s, after the territory became part of Mexico. With the oldest town, San Luis, and the oldest water right, the People's Ditch, in Colorado, the San Luis Valley hosts some of the most intact Mexican territorial settlements in the Southwest. Many descendants of those original settlers continue to live in the region today.

But despite this incredibly rich history, millions of people visit Colorado every year who are not familiar with the San Luis Valley. The legislation I am introducing today would create the Sangre de Cristo National Historic Park, named for the stunning mountain range that forms the eastern border of the valley. The Sangre de Cristo National Historic Park would link together a series of historically significant sites throughout the valley—protecting and preserving them for future generations to experience and learn from.

Creating this park will help to tell the story of Colorado's earliest settlers.

Telling these stories and protecting these sites is important because of their intrinsic value to our history, culture and future generations. But they are also important to the economy as our state and country are emerging from the worst economy in a generation. The Sangre de Cristo National Historic Park could serve as an anchor for a regional tourism economy that can bring jobs to the entire San Luis Valley and Southern Colorado while recognizing and celebrating the Valley's rich and important history.

Over the last several years, I have held a series of town hall meetings in San Luis, La Jara and Alamosa to learn more about the recently created Sangre de Cristo National Heritage Area and to hear the views of the local communities. I heard a great deal of support for the National Historic Park concept, and today marks an important step forward in the process of creating this meaningful, if overdue, park.

I look forward to working with stakeholders, local communities and my colleagues to move this legislation forward.

By Ms. COLLINS (for herself and Mr. SCHUMER):

S. 506. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Volunteer Emergency Services Recruitment and Retention Act of 2013. This bill fixes a long-standing problem with the tax code that impedes the ability of volunteer fire departments to recruit and retain both firefighter and emergency service personnel.

For years, local and State governments have provided their volunteer firefighters and EMS personnel with different forms of benefits including Length of Service Award Plans, commonly known as LOSAPs. These are pension-like benefits for volunteer emergency responders.

Unfortunately, the way the tax code handles LOSAPs hinders departments' abilities to administer the plans and makes it more difficult for volunteer emergency personnel to receive the benefits.

My bill would simplify the taxation of LOSAPs in two steps. First, it would allow LOSAPs to be elected as deferred compensation plans, and second, it would exempt them from the Employee Retirement Income Security Act of 1974. These two changes will improve access to LOSAP benefits for volunteer emergency responders, without increasing federal spending.

Today, an estimated 180,000 volunteer firefighters across 27 states participate in some form of LOSAP. Many States that do not offer these benefits would be more likely to do so if the Federal tax code were simplified. This, in turn, would help volunteer fire departments to recruit more easily and retain personnel. These men and women, our local first responders, are the foundation of our emergency response capabilities.

These volunteers put their lives on the line to help protect our communities, and their spirit of selflessness and service should be rewarded. I am pleased to introduce this legislation with Senator SCHUMER, and I look forward to working with my colleagues to pass this bill through the Senate and into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 69—CALLING FOR THE PROTECTIONS OF RELIGIOUS MINORITY RIGHTS AND FREEDOMS IN THE ARAB WORLD

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 69

Whereas, on January 25, 2011, in Tahrir Square, Egyptian protestors found their voice when they successfully ended the 30-plus year rule of President Mubarak and

began the work of creating a true democratic government, a government that supports and protects inalienable rights and freedoms, including the freedom of religion;

Whereas the fervor and spirit of these revolutions have taken wing in other Arab nations such as Tunisia, Libya, and Syria;

Whereas, reminiscent of the 1968 ''Prague Spring'' in the former Czechoslovakia, many have called this revolutionary period an ''Arab Spring'', where ordinary citizens have taken to the streets demanding an end to corruption, political cronyism, and government repression;

Whereas, in the midst of newly acquired freedoms, including those of speech, press, and assembly, it is extremely important that religious minorities in these countries be protected from violence and guaranteed the freedom to practice their religion and to express religious thought;

Whereas Article 18 of the Universal Declaration of Human Rights recognizes that ''[e]veryone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance'';

Whereas the freedom to worship by minority religious communities in Arab nations has come under repeated and deadly attack in recent months;

Whereas, on November 1, 2010, the deadliest ever recorded attack on Iraqi Christians occurred at the Sayidat al-Nejat Catholic Cathedral located in central Baghdad, where militants stormed the church and detonated 2 suicide vests filled with ball bearings, killing 58 and wounding 78 parishioners;

Whereas, on January 1, 2011, a suicide bomber blew himself up in front of the Saint George and Bishop Peter Church in Cairo, killing 21 Egyptian Coptic Christians, a Christian minority group that accounts for 9 percent of Egypt's population of 80,000,000;

Whereas the freedom to proselytize by minority religious communities in Arab nations has also come under repeated and deadly attack in recent months through so-called blasphemy laws that are punishable by death;

Whereas, on January 4, 2011, Governor Salman Tasser, who courageously sought to release Aasia Bibi, a Christian woman and mother of 5 who was sentenced to death under Pakistan's blasphemy laws, was gunned down by his own security guard because of his support for reforming the blasphemy laws;

Whereas, on March 2, 2011, Shahbaz Bhatti, Pakistan's only Christian cabinet member and passionate supporter of interfaith tolerance and repeal of Pakistan's blasphemy law, was assassinated by multiple gunmen, leaving his body and vehicle riddled with 80 bullets and anti-Christian pamphlets strewn over his body; and

Whereas, on February 21, 2013, Sherry Rehman, Pakistan's Ambassador to the United States, and a vocal proponent of repealing Pakistan's blasphemy law, was herself accused of blasphemy, and the Supreme Court of Pakistan ordered police in the central Pakistani city of Multan to investigate: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes, in this spirit of Arab Spring revolution, that religious minority freedoms and rights must be protected; and

(2) urges in the strongest terms that the United States Government lead the international effort to repeal existing blasphemy laws.

SENATE RESOLUTION 70—DESIGNATING THE LAST FULL WEEK OF JULY 2013 AS ''NATIONAL MOTH WEEK'', RECOGNIZING THE IMPORTANCE OF MOTHS IN THE UNITED STATES, AND RECOGNIZING THE VALUE OF NATIONAL MOTH WEEK FOR PROMOTING THE CONSERVATION OF MOTHS AND INCREASING THE AWARENESS, STUDY, AND APPRECIATION OF MOTHS, THEIR INCREDIBLE BIODIVERSITY, AND THEIR IMPORTANCE TO ECOSYSTEM HEALTH

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 70

Whereas moths are an incredibly diverse type of insect, with more than 12,000 species in the continental United States and Canada;

Whereas moths live everywhere and in every habitat, from inner cities to the most remote and wild places;

Whereas moths are important pollinators and are an essential part of the food web, providing food for a vast number of birds, bats, and other animals;

Whereas moths are indicators of a healthy environment, as habitats rich in moths are diverse in other insects and wildlife;

Whereas monitoring the diversity and distribution of moths can provide vital clues to changes in the environment;

Whereas knowledge about many moths and moth caterpillars is limited;

Whereas scientists believe that many moth species may be declining;

Whereas the lack of natural history information about many moth species provides an opportunity for an individual to potentially make a meaningful scientific contribution relating to moths;

Whereas National Moth Week, which was established in 2011 in East Brunswick, New Jersey by the Friends of the East Brunswick Environmental Commission, is a national and global collaboration of many individuals, environmental groups, and conservation organizations focusing much-needed attention on moths and their ecological, educational, and cultural significance;

Whereas participants National Moth Week events collect valuable information about moths and make that information available to naturalists, ecologists, and conservation scientists;

Whereas National Moth Week is intended to encourage everyone, especially citizen scientists, to help increase knowledge about moths through observation and study;

Whereas National Moth Week was celebrated from July 23 through July 29, 2012, in more than 300 participating locations in 49 States, Puerto Rico, the District of Columbia, and 28 countries;

Whereas National Moth Week is celebrated each summer during the last full week in July; and

Whereas the National Moth Week web site, www.nationalmothweek.org, is filled with information and resources relating to moths: Now, therefore, be it

Resolved, That the Senate—

(1) designates the last full week of July 2013 as ''National Moth Week'';

(2) recognizes the importance of moths in the United States and the value of National Moth Week for promoting the conservation of moths and increasing the awareness, study, and appreciation of moths, their incredible biodiversity, and their importance to ecosystem health;

(3) applauds National Moth Week and the efforts of participants to increase awareness about the important role of moths and build support for increasing the study, appreciation, and conservation of moths; and

(4) encourages the people of the United States to observe National Moth Week with appropriate activities.

SENATE RESOLUTION 71—DESIGNATING THE WEEK OF MARCH 4 THROUGH MARCH 8, 2013, AS ''MILITARY AND VETERANS CAREGIVER WEEK''

Mr. BURR (for himself and Mr. SANDERS) submitted the following resolution; which was considered and agreed to:

S. RES. 71

Whereas more than 2,400,000 members of the Armed Forces have been deployed to Iraq and Afghanistan since October 2001, 6,640 have been killed in action, more than 50,000 have been wounded in action, and 1,715 have undergone an amputation for a battle-related injury;

Whereas the signature wounds of members of the Armed Forces who have served in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn are traumatic brain injury and post-traumatic stress disorder;

Whereas, between January 1, 2000, and August 20, 2012, 253,330 cases of traumatic brain injury were diagnosed among members of the Armed Forces, and approximately 6,500 cases were classified as severe or penetrating;

Whereas studies have shown that the prevalence of post-traumatic stress disorder among veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom ranges between 15 and 20 percent, and reports from the Department of Veterans Affairs show that 29 percent of veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom and sought health care during fiscal years 2002 through 2012 had post-traumatic stress disorder;

Whereas many of the members of the Armed Forces and veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom and suffered these injuries require assistance from a family caregiver to complete activities of daily living such as bathing, dressing, and feeding, or instrumental activities such as transportation, meal preparation, and health management;

Whereas as many as 1,000,000 spouses, parents, and children of veterans have served or are currently serving as family caregivers to veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom, according to a study of military caregivers conducted by the RAND Corporation;

Whereas section 1672 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1071 note) introduced an expansion of medical care available to family caregivers, and the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163) facilitated a new program for access to health insurance, mental health services, caregiver training, and respite care by family caregivers of veterans who served in Operation Enduring Freedom or Operation Iraqi Freedom;

Whereas the program provided under the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163) is limited to veterans enrolled in the Veterans Health Administration, who sustained a serious injury in the line of duty after September 11, 2001, and who require at least 6 months of personal care services because of an inability to perform activities of daily

living or who require supervision due to neurological impairment; and

Whereas the primary caregivers of members of the Armed Forces and veterans injured in the line of duty make tremendous sacrifices of their own, saving the United States millions of dollars in health care and potential institutionalization costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 4 through March 8, 2013, as ''Military and Veterans Caregiver Week'';

(2) honors caregivers of members of the Armed Forces and veterans for their service and sacrifice to the United States; and

(3) calls upon the people of the United States—

(A) to observe the week with appropriate activities and events; and

(B) to participate in activities that will show support to military families and the sacrifices endured by those families in service to the United States.

SENATE RESOLUTION 72—TO OBSERVE THE CONTRIBUTIONS OF THE AMERICAN CHIROPRACTIC ASSOCIATION AND TO RECOGNIZE THE 50TH ANNIVERSARY OF THE FOUNDING OF THE ORGANIZATION

Mr. HARKIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 72

Whereas the chiropractic profession is a holistic, wellness-oriented healing art founded in the United States;

Whereas doctors of chiropractic are licensed to serve as primary care, portal-of-entry healthcare providers in all 50 of the United States;

Whereas doctors of chiropractic have broad diagnostic skills and are trained to recommend therapeutic and rehabilitative exercises, as well as to provide nutritional, dietary, and lifestyle counseling, reaffirming their role as providers trained in wellness and prevention;

Whereas it is estimated that approximately 22,000,000 Americans annually seek care from a doctor of chiropractic for a range of health conditions;

Whereas due to the popularity of chiropractic care for the treating a range of spinal-related maladies including back and neck pain which are widespread throughout our society, the chiropractic profession serves as a critically important part of America's health delivery system;

Whereas Congress has recognized the value and contributions of the chiropractic profession by enacting several provisions of law aimed at integrating chiropractic care into the Department of Veterans Affairs and the Department of Defense health care system;

Whereas the American Chiropractic Association serves as the chiropractic profession's premier leadership and professional organization nationally;

Whereas the American Chiropractic Association has established a well-deserved reputation for upholding and promoting the highest ethical and professional standards for the practice of chiropractic care;

Whereas the American Chiropractic Association is committed to excellence in chiropractic education, including continuing education;

Whereas the American Chiropractic Association seeks to promote timely access to health care, including the promotion of wellness and disease prevention;

Whereas the American Chiropractic Association is a vocal advocate of evidence-based medicine and the delivery of effective health care services based on scientific research; and

Whereas 2013 is the 50th anniversary of the founding of the American Chiropractic Association: Now, therefore, be it

Resolved, That the Senate recognizes the many important contributions of the American Chiropractic Association to the welfare of both the chiropractic profession and our the health delivery system of the United States and recognizes the 50th Anniversary of the founding of the Association.

SENATE RESOLUTION 73—DESIGNATING MARCH 11, 2013, AS ''WORLD PLUMBING DAY''

Mr. BENNET (for himself, Mr. HATCH, Mr. MERKLEY, Mr. WYDEN, Mr. BOOZMAN, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 73

Whereas the plumbing industry plays an important role in safeguarding the public health of the people of the United States and the world;

Whereas 884,000,000 people around the world do not have access to safe drinking water;

Whereas 2,600,000,000 people around the world live without adequate sanitation facilities;

Whereas lack of sanitation is the leading cause of infection in the world;

Whereas, in the developing world, 24,000 children under the age of 5 die every day from preventable causes, such as diarrhea contracted from unclean water;

Whereas safe and efficient plumbing saves money and reduces future water supply costs and infrastructure costs;

Whereas the installation of modern plumbing systems must be accomplished in a specific and safe manner by trained professionals to prevent widespread disease, which can be crippling and deadly to a community;

Whereas the people of the United States rely on plumbing professionals to maintain, repair, and rebuild the aging water infrastructure of the United States;

Whereas Congress and plumbing professionals across the United States and the world are committed to safeguarding public health; and

Whereas the founding organization of World Plumbing Day, the World Plumbing Council, is currently chaired by GP Russ Chaney, a United States citizen: Now, therefore, be it

Resolved, That the Senate designates March 11, 2013, as ''World Plumbing Day''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 7, 2013, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. 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 March 7, 2013, at 10 a.m., to conduct a hearing entitled ''Patterns of Abuse: Assessing Bank Secrecy Act Compliance and Enforcement.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. 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 March 7, 2013, at 2:30 p.m., in room G50 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Cybersecurity Partnership Between the Private Sector and Our Government: Protecting Our National and Economic Security.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. 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 March 7, 2013, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., to hold a hearing entitled ''U.S. Policy Toward North Korea.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 7, 2013, at 2:30 p.m., to conduct a hearing entitled ''The Cybersecurity Partnership Between the Private Sector and Our Government: Protecting Our National and Economic Security.''

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 7, 2013, at 10 a.m., in SD–366 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 7, 2013, at 2:30 p.m.

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

ORDERED TO BE PLACED ON THE CALENDAR—H.R. 933

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that H.R. 933, which was received from the House and is at the desk, be placed on the calendar.

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

ORDERS FOR MONDAY, MARCH 11, 2013

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that on Monday, March 11, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 9 and 17; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112–275, appoints the following individuals to be members of the Commission to Eliminate Child Abuse and Neglect Fatalities: Amy Ayoub of Nevada, and Marilyn Zimmerman of Montana.

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 71, S. Res. 72, and Res. 73.

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

The Senate proceeded to consider the resolutions en bloc.

Mr. WHITEHOUSE. I ask unanimous consent the resolutions by agreed to, the preambles be agreed to, and the motions to reconsider be laid on the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 505

Mr. WHITEHOUSE. I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 505) to prohibit the use of drones to kill citizens of the United States within the United States.

Mr. WHITEHOUSE. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read the second time on the next legislative day.

ORDERS FOR MONDAY, MARCH 11, 2013

Mr. WHITEHOUSE. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, March 11, 2013; 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 be in a period of morning business until 5 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

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

PROGRAM

Mr. WHITEHOUSE. I am informed that at 5:30 p.m. on Monday there will be at least one rollcall vote on confirmation of the Taranto nomination. We hope to begin consideration of H.R. 933, the continuing appropriations bill received from the House.

ADJOURNMENT UNTIL MONDAY, MARCH 11, 2013, AT 2 P.M.

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 4:44 p.m, adjourned until Monday, March 11, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

SYLVIA MATHEWS BURWELL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE JACOB J. LEW, RESIGNED.

FEDERAL LABOR RELATIONS AUTHORITY

ERNEST W. DUBESTER, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2017. (REAPPOINTMENT)

NATIONAL INSTITUTE OF BUILDING SCIENCES

TIMOTHY HYUNGROCK HAAHS, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014, VICE MORGAN EDWARDS, TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JOHN UNSWORTH, OF MASSACHUSETTS, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE JEAN B. ELSHTAIN, TERM EXPIRED.

ENVIRONMENTAL PROTECTION AGENCY

REGINA MCCARTHY, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE LISA PEREZ JACKSON, RESIGNED.

DEPARTMENT OF ENERGY

ERNEST J. MONIZ, OF MASSACHUSETTS, TO BE SECRETARY OF ENERGY, VICE STEVEN CHU.

CONFIRMATION

Executive nomination confirmed by the Senate March 7, 2013:

CENTRAL INTELLIGENCE AGENCY

JOHN OWEN BRENNAN, OF VIRGINIA, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.