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Senate

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Lord of history, strong to save, remind us that You are not an indifferent spectator to the progress and pathology in our world. Help us, dear God, to view our world as You see it, becoming Your ambassadors of reconciliation. Empower us to love our enemies, to bless those who curse us, and to pray for those who maliciously use us.

Today, guide our Senators through all their deliberations, keeping ever before them the vision of a better world that is yet to be. May they work for justice and peace, advancing Your kingdom on Earth.

Sustain us all with the knowledge that our prayers are not in vain.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

MINIMUM WAGE FAIRNESS ACT— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 354, S. 2223.

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

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 354, S. 2223, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

CLOTURE MOTION

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

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 354, S. 2223, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

Harry Reid, Tom Harkin, Jeff Merkley,
Patrick J. Leahy, Cory A. Booker, Elizabeth Warren, Jack Reed, Richard J.

Durbin, Benjamin L. Cardin, Thomas R. Carper, Christopher A. Coons, Bill Nelson, Al Franken, Kirsten E. Gillibrand, Sheldon Whitehouse, Robert P. Casey, Jr., Bernard Sanders.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum under rule XXII be waived.

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

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if any, the Senate will be in morning business until 5:30 p.m., with the time equally divided and controlled between the two leaders or their designees.

At 5:30 p.m. there will be up to four rollcall votes. The first vote will be on the confirmation of the Friedland nomination to be a U.S. circuit judge for the Ninth Circuit. The next vote will be a cloture vote on the Weil nomination to be Administrator of the Wage and Hour Division of the Department of Labor, and then a confirmation vote on the Weil nomination. The last vote will be a vote on confirmation of the O'Regan nomination to be Assistant Secretary of Housing and Urban Development.

SEEMINGLY REAL

Mr. REID. Mr. President, Nevada, and especially Las Vegas, is home to the best entertainment on the planet. Those who visit Las Vegas and Reno know they will find the best musical, theatrical, and comedic performances anyplace on Earth. Some of the most popular performers in Nevada are magicians and illusionists who entertain their audiences by making the impossible seem real. Through misdirection, these performers distract viewers from what they know to be true and instead funnel their attention to something entertaining—and it is really fake.

It seems that the Republican party has decided to follow in Houdini and Copperfield's footsteps and employ a

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



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bit of misdirection of its own. For example, last week the Wall Street Journal reported that the Republican Party has a newly adopted campaign strategy to defeat Senate Democrats. They are going to attack me because their attacks and fabrications regarding the Affordable Care Act have borne little fruit.

In Senate races across the country, Republicans will avoid the issues that matter most to Americans and instead will try to focus attention on a Senator who is not even up for election—and that Senator is me.

What are those issues that Republicans so desperately want to avoid? How about immigration? That bill was introduced a year ago, and it passed the Senate many months ago. It is a good piece of legislation and the vast majority of the American people think it is a good idea. Yet instead of explaining to the American people why this bipartisan bill sits idle in the Republican-controlled House of Representatives, they want to change the subject.

The Speaker of the House of Representatives refuses to allow a vote. If a vote were allowed to occur, it would pass overwhelmingly. It is a good piece of legislation. Not only is it fair and equitable, but it would also reduce the debt by \$1 trillion.

While struggling American families plead to Congress for help in providing work or getting paid fair, livable wages, House Republicans prefer to talk about anything other than what is relevant? Why? Because their billionaire sugar daddies are not interested in helping middle-class Americans.

Charles and David Koch are not concerned with the long-term unemployed families, and so the Republicans they sponsor in the House of Representatives are content to do nothing. These billionaire oil barons don't care that working women are being deprived of fair wages.

My daughter—or the Presiding Officer's wife—can do the exact same work as a man but only get 77 cents while the man gets paid \$1. We want to change that. The Koch-driven Republican Congress refuses even to allow us to have a vote on it. They have started filibusters here in the Senate time and time again on this issue, and they will not bring this matter to a vote in the House either.

As the Senate turns its attention to increasing the Federal minimum wage, which we moved to earlier today, is there any question as to whether Republicans will once again do the Koch brothers' bidding? Of course not. They are not going to give millions of Americans a fair shot at earning a decent wage.

Eighty billion dollars is not enough for these two brothers. Evidently the Kochs think that \$10.10 is too much for a hard-working American with a family to take care of. If a person works 40 hours at \$10.10, you just hit the magic spot where you are no longer in pov-

erty. They refuse to allow millions of Americans the opportunity to get out of poverty and to give millions of Americans a raise.

The Republicans in Congress yawn at the idea of giving the American middle class a fair shot at financial stability and instead have chosen to distract the American people by attacking me. Like all illusions, they are using misdirection to call the American people's attention away from reality and attempting to buy America with their billions.

The Koch brothers and their accomplices continue to put millions upon millions of dollars into attacking anyone and anything that stands in their way of getting richer—and already rich they are.

Senate Democrats refuse to stand idly by while two megarich individuals attempt to create an American oligarchy.

I have spoken on the Senate floor against the Koch brothers' attempts to rig the system in their favor because it comes at the expense of families in Nevada and families across this great country. In response, one of the Kochs' puppet organizations announced its plans to run ads against me in the State of Nevada.

I am not running for anything for a few more years. As I said before, being the target of a couple of rich billionaires is not going to intimidate me.

Shockingly, the leadership of the Republican Party has decided to follow suit with their new campaign strategy. It is obvious their previous strategy of attacking ObamaCare has proven to be a miserable failure. Over 8 million Americans have chosen the coverage of the Affordable Care Act, plus 3 million more who are on their parents' insurance because of the Affordable Care Act. Up to 6 million people are on their way to having health care because of Medicaid, which is also as part of ObamaCare.

For example, in the Commonwealth of Kentucky, 413,000 people have already signed up for the State-sponsored health care they have in Kentucky. So with one failed strategy behind them, Republicans and their benefactors are trying something new, but it is still the same smoke-and-mirrors routine they tried in the past. Divert and obstruct is what they do.

To those Republicans who would rather bash me than speak out about what matters most important to their constituents, I say fire away.

To Charles and David Koch and their radical henchmen, feel free to attack me as much as you want. I can take it. Don't expect the American people to be fooled by this newest slight of hand strike. Ultimately voters will see the new tactic for what it is—a distraction that is keeping American families from getting a fair shot at financial stability.

In the meantime Senate Democrats will continue to speak against the shadowy influence of two power-drunk

billionaires and their devoted followers on Capitol Hill.

Most importantly, Senate Democrats will continue working on meaningful legislation that will get our Nation's middle class back on track.

RESERVATION OF LEADER TIME

Will the Chair announce the business of the day.

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders and their designees.

Mr. REID. I note the absence of a quorum and ask to have the time charged equally against both the majority and minority.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO MAREN SANCHEZ

Mr. BLUMENTHAL. Mr. President, in just a couple of hours in Milford, CT, at 7 p.m. this evening there will be a vigil that will bring together many different members of the Milford community to celebrate, mourn, and grieve the life of a beautiful young woman who suffered a senseless and brutal death last Friday morning. In this inexplicable act of violence, she was killed by a fellow classmate shortly after 7 in the morning.

Jonathan Law High School was turned into a crime scene as members of the emergency responder team—first the police and then the medics—sought to save her life. Tragically and unfortunately, they were unable to do so. The evening that was to be their junior prom instead became a vigil.

We will perhaps never know what prompted this horrific and unimaginable act of brutality. This horrific event has united and brought together people who are now mourning Maren's death.

We know with certainty what a wonderful human being Maren Sanchez was, and we also know this community has shown strength and courage by coming together and uniting to help each other—particularly those students who knew her. We also know with certainty how gifted, talented, compassionate, and caring she was as

the manager of sports teams, a gifted singer, an athlete, school president, and an honor student. Her whole future was ahead of her. Most remarkably, she was a person of consummate caring and compassion for her fellow students. Those students struggle today to make some sense of this violence, to derive some meaning and maybe some comfort.

I went to Jonathan Law High School yesterday for part of the afternoon and spoke with Chief of Police Keith Mello, whose men and women have helped the community so deeply; the mayor of Milford Ben Blake, who has demonstrated leadership in this crisis; the superintendent of schools and principal of Jonathan Law High School; and the many teachers and parents and students and the grief counselors and therapists who came to speak with those students and help them to think and live through this horrible tragedy.

What is remarkable and so impressed me yesterday was the love and caring that people from disparate parts of this community showed for each other and continue to show in this testing time. This is a time of extraordinary adversity and tragedy. People who might otherwise be strangers are drawn together by the thread of grief and will reform the fabric of a community by simple acts of caring. They are united today in their grief and bewilderment. They are seeking to honor Maren's legacy and sustain it with the very qualities of courage, strength, caring, and compassion she demonstrated throughout her life. Those qualities of caring, compassion, courage, and strength will see them through this tragedy as they come together for the vigil tonight.

We can all honor the legacy of this remarkable young woman by looking for ways to make the world better, as she sought to do, and filling it with song and color, the lust for life, and the joy and pride in her contemporary accomplishments.

We need to search for steps we can take to make our schools better and safer. The time to talk about policy or steps to better school safety will come, and I hope we will all be a part of that continuing effort in exploring how to protect anyone and everyone who comes to school, which should be a haven of safety and insulated from violence—particularly against the most vulnerable members of our community. But those policy responses can wait until after the days of grief and mourning have passed as we celebrate this remarkable young life. She was described by members of her class as an angel. Her cousin Edward Kovac said on Friday:

Maren should be celebrating at her prom this evening with her friends and classmates. Instead, we are mourning her death and we are trying to understand this senseless loss of life.

He said:

She was a bright light full of hope and dreams. In fact, she was among the brightest of lights, full of the most wondrous hopes and dreams.

So today my heart and prayers are with her family, her friends, the Milford community, as they gather for this vigil tonight. Separated by distance, I will be with them in spirit, as I know my colleagues who know of this tragedy will be as well. This kind of tragedy is indecipherable, incomprehensible to young men and women—16-year-olds—but equally so to all of us of any age. My hope is that we will honor Maren Sanchez's legacy, that our hearts and prayers will go to her family, her parents, and all who knew her and all who would like to have known her because she was such a remarkable and wonderful human being.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. 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. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

THE MINIMUM WAGE

Mr. ALEXANDER. Mr. President, we are told that this week, on Wednesday, we are going to have a vote on the so-called minimum wage, the so-called 40-percent increase in the minimum wage. This is part of a jobs plan by my friends on the Democratic side. Now, it is not a plan that is intended to pass anything, and that was revealed in a New York Times article by my distinguished friend from New York, Senator SCHUMER, who may be an architect of this. It is to highlight political differences, which is a fair thing to do in the Senate. But lest anyone think that someone is trying to pass a law here, they should not be confused by that.

We have had three hearings on the minimum wage in the Health, Education, Labor and Pensions Committee, of which I am the ranking Republican member. We have had time to have those three hearings, but the chairman of the committee, the Senator from Iowa, has said we do not have time to markup the bill in committee or consider any amendments to this idea with better proposals to create jobs. It was reported in one of the Hill newspapers that somebody said: Well, why don't you have time for amendments on the minimum wage, and he said: Well, there might be embarrassing amendments. I think there probably would be votes on embarrassing amendments—embarrassing only if you voted against them.

So let me talk a little bit about this proposal by my Democratic friends to create jobs by raising the minimum wage.

Now, they are on the right issue. The issue is jobs. We have been home in

Maine and Tennessee and around the country, and too many people are having a hard time finding a job. Too many people have been out of work for more than 6 months. We call them the long-term unemployed. Mr. President, 10.5 million people are unemployed right now. Unemployed Americans have been out of work an average of 9 months. That is beyond the time for unemployment compensation, on the average.

It is hard to find a job. It is hard to create a job. It is especially tough on people in their forties and fifties and sixties.

Family incomes are lower than we would like for them to be. The critical problem is, there are too few jobs, especially for low-wage workers. Then, we saw a report this morning that said that most of the jobs created since 2008 have been lower-wage jobs rather than higher-wage jobs.

So the issue is right. It is jobs. The American people want it to be easier to find a good-paying job. The Democratic proposal we are going to vote on this week as a solution to the jobs problem is a proposal that will eliminate 500,000 jobs. Now, let me say that again in case anyone thought I misread my page of notes. We are talking about jobs, and the Democratic proposal—this is the big deal this week. We are not going to do anything in the Senate this week of any significance on the floor, so far as I know—a few nominations—except have a procedural vote Wednesday on the minimum wage proposal, and the Democratic proposal to make it easier to find a job is to eliminate 500,000 jobs.

In case you think I am making this up, let me quote where I got this piece of information. This is from the non-partisan Congressional Budget Office. The Congressional Budget Office is something we set up by law because we will make our Republican points and we will make our Democratic points, and we may shade it a little bit this way or a little bit that way. So we say to the CBO: You tell us the truth as best as you can tell. They are non-partisan. We do not always like what they say. This is what they said about the Democratic proposal to create more jobs:

Once fully implemented in the second half of 2016, the \$10.10 option [to raise the minimum wage] would reduce total employment by about 500,000 workers, or .3 percent. . . .

That is according to the Congressional Budget Office.

Should we believe the Congressional Budget Office?

Senator HELLER, the distinguished Senator from Nevada, asked Janet Yellen, President Obama's recently confirmed head of the Federal Reserve Board, what her thoughts on the CBO study and the impact of raising the minimum wage would be. This is what she said. I quote President Obama's new Fed chief, Janet Yellen:

The CBO is as qualified as anyone to evaluate that literature.

And she said:

I wouldn't want to argue with their assessment.

So there we have the Congressional Budget Office saying it will reduce 500,000 jobs and the new head of the Federal Reserve Board—appointed by the President, confirmed by the Senate—saying she “wouldn't want to argue with their assessment.”

We will be hearing more from Democrats this week about the number of people whose wages will be raised by the minimum wage. There will be that. But the CBO also reported that \$4 out of \$5 earned from the increase in the minimum wage will go to workers in families who are above the poverty level. Mr. President, \$4 out of \$5 will go to workers in families who are above the poverty level, and nearly one-third of those families who would benefit from the minimum wage increase already earn more than three times the poverty level.

This reminds me of ObamaCare in this way: According to a recent Washington Post story, only about 1 in 4 people signing up for ObamaCare were previously uninsured. About three-quarters of people with ObamaCare insurance already had insurance before we went through all the turmoil of the last 3 or 4 years.

In the same sort of way, the minimum wage is said to benefit low-income Americans, but only 1 in 5 of the dollars from an increase will go to families below the poverty line. And that is not all.

In addition to cutting 500,000 jobs and providing 80 percent of the benefits to families above the poverty level, the Democratic jobs proposal imposes one more burden on the only Americans who are capable of solving this problem, and that is the job creators.

I ask unanimous consent to have printed in the RECORD following my remarks the testimony of Laurie Palmer of Waterville, ME, who owns four Burger King franchises with approximately 140 employees. I say to the distinguished Presiding Officer, I had no idea he might be presiding today, but I am glad to have a Maine story.

Ms. Palmer says in her testimony:

An increase in the minimum wage will directly and negatively impact my ability to create new jobs while limiting the benefits available to my current employees. I currently employ 60 people who work an average of 25 hours per week and earn the current minimum wage as defined by Maine law—\$7.50 per hour. All but a handful of these people were hired within the last 6 months. Mathematically, an increase in the federal minimum wage would cost me an extra \$3,900 per week or \$208,000 per year . . . my net income for last year was approximately \$35,100—with an extra \$208,000 in expenses, I will very likely be forced to close my business.

She also notes, “One hundred percent of my current staff starting at minimum wage are under 25.”

Republicans believe that if we want to create jobs, there is a better way. We would like to offer our ideas

through the Health, Education, Labor & Pensions Committee. But as I mentioned, we only had time for three hearings. Although we are able to spend a whole week on this on the floor for one procedural vote, we are not allowed to offer amendments in the committee and, so far as I know, here because there might be embarrassing amendments.

Let's consider what those embarrassing amendments might be. They might be about the earned-income tax credit. Senator RUBIO of Florida, and Congressman PAUL RYAN, have all suggested the earned-income tax credit is a better way to make sure the lowest earning workers in America have a better wage if we are going to get the government involved in it.

Of course, if we are going to do that, we are going to have to deal with some problems, including the Internal Revenue Service estimate that 21 or 25 percent of the payments are improperly made in 2012. We could consider the proposals that, rather than giving those earned-income tax credits out in a lump sum each year, they might be given out with each paycheck.

But the Congressional Budget Office also said something about earned-income tax credits. They said one-third of low-wage workers would be in families [benefiting from the minimum wage increase] whose income was more than three times the Federal poverty level in 2016. By contrast, said CBO, an increase in the earned-income tax credit would go almost entirely to lower income families. CBO also noted that the earned-income tax credit encourages more people in low-income families to work, a value we should encourage.

So if our goal as a country is to provide a minimum wage for working Americans, why is it fair to assess the cost of that goal on just the Americans who create the jobs? Of course it makes creating the jobs harder, but even more importantly, why should not every one of us who pays taxes share in the burden of increasing America's workers' pay? That is what happens with the earned-income tax credit.

There is another proposal, a bipartisan one. We call it the 30-to-40-hour workweek. Senator COLLINS of Maine is one of the principal sponsors. The Senator from Indiana I believe is the lead Democratic sponsor. It is a bipartisan proposal that would, in effect, be a 33-percent pay increase for millions of American workers who already have seen their hours cut because of ObamaCare. It is a way to prevent—to say it another way—millions more workers from getting a 25-percent pay cut.

The reason all of this occurs is because ObamaCare defined full-time work as 30 hours. We would like to change it to 40 hours. ObamaCare says employers with 50 or more full-time workers must offer government-approved insurance or pay a fine. Full time is defined as 30 hours or more. That sounds as though it was written in France.

The U.S. Chamber of Commerce says 74 percent of their members say the health care law makes it harder for their firms to hire workers. Changing the definition of full time to 40 hours would make it easier to hire. Senators COLLINS and DONNELLY have introduced the Forty Hours is Full Time Act. It would change the definition of full time in the law to 40 hours per week. We could be discussing that this week. We could have brought that up in our committee, had we been allowed to, or the SKILLS Act.

There are 47 separate Federal jobs programs for which taxpayers are spending \$18 billion. The Government Accountability Office says 44 of those programs are duplicative. The SKILLS Act, passed by the House, consolidates 35 Federal programs and creates a single workforce investment fund. Members of the Senate have been working with Members of the House to see if we can agree on a revision of the Workforce Investment Act. We are making good progress.

If we can do a better job spending those dollars across America, that would be a good way to help create more jobs in America or at least make them easier to obtain. But we do not have time for that in our hearings. We could spend time debating amendments to transform long-term unemployment compensation into job training. But we do not have time for that amendment.

Today, Americans have been out of work for an average of 9 months. They need new skills. They need skills that help them get a job. Then ask almost anyone on either side of the aisle what is the best long-term way to make sure that children of low-income families are prepared for a good job. Almost every Governor I know is focused like a laser on this. That is the chance to go to the best possible school.

I have introduced legislation that would allow States, such as Tennessee or Maine, to take their money from approximately 80 existing federal elementary and secondary education programs and turn it into \$2,100 scholarships that would follow 11 million low-income children to the school they attend. We could create \$2,100 scholarships for 1 out of 5 school-aged kids in America.

When I say “schools they attend,” that could include a private school, if the State decided that. But this would not be a Federal mandate to that effect. The State would make that decision. It would simply make sure these Federal dollars follow the child to the school the child attends. If the State wants it to be public, if the State wants it to be on this corner, that is up to the State. We could offer and discuss that amendment.

Why not give elementary and secondary children a ticket to a better school? We give them a ticket to a childcare development center. We did that in a bipartisan way last month. We have tickets to college. We call those Pell grants. Why not help them go to better schools?

Then there are other amendments that we think, on our side of the aisle, have more to do with creating jobs than a so-called minimum wage proposal that the Congressional Budget Office says will destroy 500,000 jobs. For example, we could build the Keystone Pipeline, which passed the Senate last year during our budget discussions 62 to 37. That would create jobs.

We could pass trade promotion authority. President Obama has asked us to do that. Both in Europe and in Asia, the President has a chance to negotiate trade agreements that would create more jobs in America as we ship automobiles and soybeans from Tennessee and other places to the rest of the world. But the majority leader of the Senate says: No, that is dead for this year.

We could debate a proposal to reform the National Labor Relations Board. I do not like the fact that they have become more of an advocate than an umpire, with micro unions, with ambush elections, with undermining state right-to-work laws. But Democrats come back and say: Well, when the Republicans are in power, they are more of an advocate for employers. Maybe there is some truth to that. Let's pass a law saying: It would be better to create jobs in America if employers and employees could count on the NLRB to be a fair and unbiased tribunal, an umpire, not an advocate.

We could create jobs in America and slow the spread of jobs to Europe from America by repealing the medical device tax. That also passed the Senate last year, 79 to 20, which means there are lots of Democrats for it as well as lots of Republicans. So as I say, the only thing embarrassing about these amendments to a jobs bill would be voting against them.

On the most important issue facing the country, surely we can do better than the stale, bankrupt idea that will be voted on this week on the floor of the Senate, that according to the office we are supposed to trust for advice, the Congressional Budget Office, would, No. 1, destroy 500,000 jobs; No. 2, concentrate most of the benefits on those above the poverty line; No. 3, make it more expensive to create jobs; and, No. 4, tax only some taxpayers for a policy designed to benefit the entire society.

This kind of thinking is right in line with ObamaCare, Dodd-Frank, and all of the other policies that have spread a big wet blanket of rules and regulations over our free enterprise system and made it harder to create a job and harder to find a job in the United States of America. That is why we have 10.5 million people unemployed in America today for an average of 9 months. It is this constant parade of ideas that increases the big, wet, smothering blanket of rules and regulations over the free enterprise system and that does nothing to make it easier to create jobs and easier to find a job.

There are better ideas. Reform refundable tax credits to benefit all low-

income workers; replace long-term unemployment compensation with job training; change ObamaCare's work-week definition from 30 hours to 40 hours to encourage full-time work; use existing Federal education dollars to give children of low-income families a \$2,100 scholarship to choose a better school. All of those would create an environment in which the job creators could create more jobs and in which these who want them could find a job more easily.

That is what we should be about, instead of pretending we can pass a law in America and give many people a higher income. We can do that. We can do that. But when we do it, make no mistake about it, we are destroying 500,000 jobs and giving benefits to people above the poverty line instead of below.

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

STATEMENT FROM LAURIE ANNE PALMER, BURGER KING® FRANCHISEE, WATERTVILLE, MAINE

Chairman Harkin, Ranking Member Alexander and members of this Committee, thank you for the opportunity to submit my testimony today. My name is Laurie Anne Palmer and I own Waterville Burger Corporation which runs four Burger King® restaurants in the Waterville area of Maine. I would like to note that I am a small business owner; my views are my own and may not reflect those of the Burger King® brand.

In 1972, my father, David Palmer, purchased the only existing Burger King® restaurant in Maine. Over the next 8 years, my mother and father expanded to 5 restaurants around Portland and Waterville, Maine. After selling their Portland stores, my parents formed Waterville Burger Corporation and began growing their operations in the Waterville area, eventually turning the company over to me in 1996. As a teenager and into college, I had worked part time in their restaurants, so it was a natural fit for me to take over upon their retirement. I've always considered my parents' employees as my second family, and I still do so today.

In 1998, I was forced to close one of my restaurants. This restaurant was located in Boothbay Harbor, Maine—a very seasonal small fishing town. The State of Maine's Department of Transportation had rerouted the tourist traffic off I-95 resulting in a bypass of the town. My other restaurants were supporting this restaurant financially and it just did not make sense to continue to lose money at that location. I have invested significant time and money in my four remaining stores, including transferring \$25,000 of my personal savings this year alone into the business to keep it afloat. I will always do what it takes to keep my company healthy. Personal sacrifice is the first step in cutting costs. I learned this from my parents and will continue this method of operation. I am proud to employ 140 people, 30 of which are full time and 110 are part time.

I am here today to talk to you about the Fair Minimum Wage Act of 2013 (S. 460). As I understand it, this bill seeks to increase the federal minimum wage from \$7.25 per hour to \$10.10 per hour, which equates to a 39.3 percent increase. It would also increase the cash wage for tipped employees from \$2.13 per hour to \$7.07 per hour, a 232 percent increase. If this legislation becomes law, small business owners like myself—who already face minimal profit margins—will ei-

ther be forced to recoup the costs elsewhere or close their businesses entirely. In a business that has been solely owned and run by my family, this possible outcome would be devastating not only for me, but for my second family—my employees.

THE FRANCHISE MODEL

It is important to understand that, as a franchisee, the business model under which I operate is much different than other small business owners. By signing a franchise agreement, my businesses must carry certain trademarks and other identifiers consistent with the Burger King® brand. Burger King® Corporation also receives a monthly royalty fee of 3.5 percent and a monthly advertising fee of 4 percent of my gross sales.

As a franchisee, I am often seen as an agent of the brand and not a small business owner. In fact, my salary comes from the net income generated after royalty and advertising fees, payroll, supplier bills, utility bills, and other costs associated with running my business. My net income last year was \$35,100. In particularly slow months, I didn't receive a salary at all. In the months devastated by weather I had to contribute money into the business. Further, I am currently preparing my business for the implementation of the Affordable Care Act (ACA), which is going to cost me thousands of dollars, if not more.

It is crucial to understand that, as a franchisee, government mandates are paid out of my pocket—not that of my franchisor. That's why additional proposals like an increase in minimum wage will put yet another financial strain on my business—one that's already struggling to keep its doors open.

QUICK SERVICE RESTAURANT (QSR) INDUSTRY

As a franchisee in the QSR industry, my profit margins are minimal. As a businessperson, I look at the penny profits of the products I sell. Data from a P&L benchmark report prepared by my purchasing cooperative, Restaurant Services, Inc. (RSI), shows that, from November 2012–October 2013, the average net profit per Burger King® Restaurant was approximately \$78,000. An increase in the minimum wage to \$10.10 per hour (\$2.85/hour) for a small business owner employing 10 minimum wage workers working 40 hours per week is an increase of \$59,280 per year. Simple math reveals that an increase in minimum wage to \$10.10 per hour would reduce the average net income of a Burger King® franchisee to \$18,720 per year—a figure lower than the 2014 federal poverty level for a family of three. For a franchisee like me whose net profits are less than half of the \$77,000 average, it would simply put me out of business.

Further, a calculation of profits per employee reveal that those in the QSR industry like me cannot afford to absorb the impact of costs such as a minimum wage increase. In fact, a study from the University of Tennessee's Center for Business and Economic Research concluded that the average net income—or profit—per employee for those in the hospitality industry is \$754—significantly lower than almost every industry in the United States (see attached PPE Executive Summary). An increase in minimum wage to \$10.10 per hour would cost me \$5,928 for each full-time (40 hours per week) minimum wage employee per year (\$2.85 × 40 × 52)—a figure far below the income generated per employee. Again, the math shows that I simply cannot afford this minimum wage increase and, unless I can recoup the costs somewhere else, will go out of business.

IMPACT ON MY BUSINESS

An increase in minimum wage will directly and negatively impact my ability to create

new jobs while limiting the benefits available to my current employees. I currently employ 60 people who work an average of 25 hours per week and earn the current minimum wage as defined by Maine law—\$7.50 per hour. All but a handful of these people were hired within the last 6 months. Mathematically, an increase in the federal minimum wage would cost me an extra \$3,900 per week or \$208,000 per year ($\$2.60 \times 25 \times 60 \times 52$). As I mentioned above, my net income for last year was approximately \$35,100—with an extra \$208,000 in expenses, I will very likely be forced to close my business.

In order to remain in business and continue to employ over 140 individuals, these costs must be recouped somewhere. Most likely, I will be forced to cut employee hours, increase menu prices and/or freeze all possible new hires. The industry has developed equipment engineered to reduce labor hours in the restaurant—an increase in minimum wage would make the purchase of this equipment a more likely consideration. These employees are my second family—many of them have worked for me for over 10 years. A small handful have even been with me for over 20 years. Having to cut their hours or even lay off employees would be almost as devastating to me as it would to my employees.

While an increase in the minimum wage doesn't take into account the overwhelming financial burdens of ACA implementation, I have additional costs that are cutting into my already minimal profits. Increases in food and energy costs have been rising steadily over the last several years. I must additionally consider the fact that my higher paid employees will also be seeking an increase in pay as a result of an increase in minimum wage. My payroll costs are at 30 percent of my net sales with the current wage structure. Simply put, another costly government mandate such as an increase in minimum wage may be the nail in my business's coffin.

THE ACTUAL "MINIMUM WAGE"

In truth, the "minimum wage" is not a floor—it is an opportunity for those who may neither want nor have access to other employment. It is a "starting wage" in which primarily young, inexperienced workers are given the training and experience they would have not otherwise received. As a result of hard work and dedication, many quickly receive pay increases and are promoted within the organization.

The majority of my employees have been promoted due to their hard work and dedication and now serve as managers in my restaurants. In fact, my four General Managers began their careers with me earning the minimum wage and have worked their way to the top position in each of my restaurants. All of my hourly managers began by earning the minimum wage and have each worked hard to earn a management position. I strongly believe in developing the talent of individuals.

One hundred percent of my current staff starting at minimum wage are under 25. In fact, 47 percent of federal minimum wage restaurant employees are teenagers, while 71 percent are under the age of 25. The average household income of a restaurant worker that earns federal minimum wage is \$62,507. Minimum wage income is often a supplement to family wages or as "spending money" for younger workers.

An increase in the federal minimum wage will likely and directly hurt those it was intended to benefit. By increasing costs, small business owners like me will be forced to eliminate entry-level jobs and redistribute

tasks to more senior employees. The availability of job opportunities for those who need it the most will decrease and unemployment will likely rise. In sum, a minimum wage increase will hurt both small business owners and their potential employees across the country—the last thing we need in an already stagnant economy.

I'm proud of the opportunity I offer my employees and of course I wish I could pay them more, but my industry business model makes it very difficult. As I referenced previously, this is a labor intensive business with tight margins. It is challenging enough competing with McDonalds, Wendy's and others, but when mandates like ACA and this proposed wage hike are thrust upon me, I get scared, I really do . . . for me and my employees.

Thank you for the opportunity to explain the effect of a minimum wage increase on my business.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ISRAEL

Mr. CRUZ. Mr. President, every Member of this body has expressed our bipartisan commitment for the United States to stand resolutely with our friend and ally, the nation of Israel. Doing so is right, and it is overwhelmingly in the national security interests of the United States of America.

It was therefore with great sadness that I read this morning about the comments of Secretary of State John Kerry, who reportedly suggested at the Trilateral Commission that Israel could become an apartheid state if his proposed two-state solution to the Israeli-Palestinian peace process fails.

Secretary Kerry has long experience in foreign policy, and he understands that words matter. Apartheid is inextricably associated with one of the worst examples of state-sponsored discrimination in history—the apartheid system in South Africa that was ultimately brought down by the heroic resistance of Nelson Mandela inside the country, supported by a concerted campaign of diplomatic and economic sanctions by the international community.

There is no place for this word in the context of the State of Israel. The term "apartheid" means apart, different, and isolated—the state of the victims of apartheid with which the Jews are tragically all too familiar. The notion that Israel would go down that path—and so face the same condemnation that faced South Africa—is unconscionable. The United States should be aggressively asserting that Israel can never be made an apartheid nation while America exists and stands beside

her because America will be with Israel regardless of the status of the diplomatic process.

Fifteen months ago, almost to the day, John Kerry was confirmed by this body by a vote of 94 to 3. Despite my preference for giving the President the Cabinet members of his choice, I found that I could not join the vast majority of my colleagues and support his nomination because I was convinced that as Secretary of State, John Kerry would place what he considered to be the wishes of the international community above the national security interests of the United States.

I fear that with these most recent ill-chosen remarks, Secretary Kerry has proven these concerns well founded. Rather than focusing on our clear national security interests—which is continuing to guarantee Israel's security through our unquestionable commitment to it—Secretary Kerry has instead repeatedly demonstrated a willingness to countenance a world in which Israel is made a pariah because it will not sacrifice its security to his diplomatic initiatives; likewise, he has previously suggested that Israel might probably be subject to boycotts for the same grounds.

It is no wonder Israel's Defense Minister remarked in January that "the only thing that can 'save us' is for John Kerry to win a Nobel Prize and leave us in peace."

Indeed, my colleague, the senior Senator from Arizona, has suggested that the foreign policy carried out by Mr. Kerry is the equivalent of a "human wrecking ball." The fact that Secretary Kerry sees nothing wrong with making a statement comparing Israel's policy to the abhorrent apartheid policies of South Africa—and doing so on the eve of Holocaust Remembrance Day—demonstrates a shocking lack of sensitivity to the incendiary and damaging nature of his rhetoric.

Sadly, it is my belief that Secretary Kerry has proven himself unsuitable for the position he holds and, therefore, before any further harm is done to our national security interests and to our critical alliance with the nation of Israel, that John Kerry should offer President Obama his resignation and the President should accept it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MICHELLE T. FRIEDLAND TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michelle T. Friedland, of California, to be United States Circuit Judge for the Ninth Circuit.

Mr. LEAHY. Mr. President, more than 2 weeks ago, the Senate voted to end the filibuster on the nomination of Michelle Friedland of California to fill a judicial emergency vacancy on the U.S. Court of Appeals for the Ninth Circuit. That vote was the fourth time this year that the Senate had to overcome a Republican filibuster of a highly qualified circuit court nominee. In stark contrast, the Senate confirmed 18 of President Bush's circuit nominees within a week of being reported by the Judiciary Committee.

The Ninth Circuit is the busiest circuit court in the country. It has the highest number of appeals filed, the highest pending appeals per panel and the highest pending appeals per active judge. It also takes far longer than any other circuit court to resolve an appeal. The delay in resolving these appeals hurts the American people. After the confirmation last month of John Owens and what I expect will be today's confirmation of Michelle Friedland, the Ninth Circuit will be operating at full strength for the first time in more than 9 years. This is an important milestone, but we should not stop there. There are five additional circuit court nominees awaiting Senate confirmation. I hope that Senators who care about Americans having access to the courts will allow the Senate to confirm these nominees without further delay.

Michelle Friedland is an exceptionally talented attorney, who like the other 19 judicial nominees confirmed earlier this year, could and should have been confirmed last year. She was first nominated last August and after her hearing was delayed due to the Republican shutdown of our government, she finally came before the Judiciary Committee for a hearing in early November.

In January, Ms. Friedland's nomination was voted out of the Judiciary Committee with bipartisan support and she has the strong support of both of her home state Senators—Senator FEINSTEIN and Senator BOXER. Nevertheless, we were once again forced to follow the costly ritual of filing and voting on cloture and wasting valuable floor time. There is no good reason we could not have voted to confirm Ms. Friedland last year, and there is no good reason that we did not have a

vote to confirm her 2 weeks ago. Meanwhile, it is our Federal judiciary and the American people who suffer from these delays.

If confirmed, Michelle Friedland would increase the gender diversity on the Ninth Circuit Court of Appeals. She would be the seventeenth woman to ever sit on this appellate court. In comparison, 83 men have been appointed to the Ninth Circuit over the course of its history. Her confirmation will bring the percentage of active female judges sitting on the Ninth Circuit Court of Appeals to nearly 38 percent. Her confirmation will also mark the first time since the 29th judgeship was added in 2007, that it has had a full complement of active judges serving on this busy appellate court.

I hope my fellow Senators will join me today to confirm Michele Friedland to the Ninth Circuit so that she can get to work for the American people.

• Mr. INHOFE. Mr. President, I wish to express my opposition to the nomination of Michelle Friedland to the Ninth Circuit Court of Appeals.

Although Ms. Friedland has a fine resume, it is not her work experience that concerns me but, rather, her views on many issues—views that should give anyone reason to question her appointment as a U.S. Circuit Court judge. Most troubling to me is Ms. Friedland's views that the International Court of Justice preempts U.S. law, despite the Supreme Court's repeated rejection of this notion. For those who don't know, the International Court of Justice is the judicial arm of the United Nations and Ms. Friedland believes decisions from this court should be binding on state courts in the U.S. I am thankful that the Supreme Court hasn't agreed with her and I'm fearful that her appointment to the Ninth Circuit will give her the opportunity to surrender U.S. sovereignty to foreign courts and international law.

Another reason we, as legislators, should oppose Ms. Friedland is that she has expressed views that indicate judges are free to legislate from the bench. As we all learn in grade school, the legislative branch creates the laws, the executive branch enforces them, and the judicial branch interprets them. Despite this, Ms. Friedland believes laws have no force unless a judge says they do. So when legislators, elected by the people, pass a law or a constitution is amended, the new law has no power until a judge deems it enforceable and a constitution, state or U.S., does not create any rights unless the judiciary says it does. This is a dangerous notion that tells me that Ms. Friedland is likely to only enforce laws and constitutional rights with which she agrees.

It is for these reasons that I am opposed to this nomination. •

The PRESIDING OFFICER. Under the previous order, the question occurs on the nomination.

Ms. MIKULSKI. Mr. President, I ask for the yeas and nays.

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

The question is, Will the Senate advise and consent to the nomination of Michelle T. Friedland, of California, to be United States Circuit Judge for the Ninth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Alaska (Mr. BEGICH), the Senator from Iowa (Mr. HARKIN), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Oklahoma (Mr. INHOFE).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay," and the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

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

The result was announced—yeas 51, nays 40, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—51

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

NAYS—40

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

NOT VOTING—9

Begich	Harkin	Moran
Boozman	Inhofe	Pryor
Coons	Landrieu	Rubio

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that the rest of the votes tonight be 10 minutes in duration.

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

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule

XXII, the clerk will report the motion to invoke cloture.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

Harry Reid, Tom Harkin, Jon Tester, Barbara Boxer, Charles E. Schumer, Benjamin L. Cardin, Patrick J. Leahy, Richard J. Durbin, Robert P. Casey, Jr., Christopher A. Coons, John D. Rockefeller IV, Carl Levin, Bill Nelson, Sheldon Whitehouse, Christopher Murphy, Patty Murray, Tom Udall.

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 David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Delaware (Mr. COONS), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "nay."

The yeas and nays resulted—yeas 51, nays 42, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—51

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

NAYS—42

Alexander	Corker	Heller
Ayotte	Cornyn	Hoey
Barrasso	Crapo	Inhofe
Blunt	Cruz	Isakson
Burr	Enzi	Johanns
Chambliss	Fischer	Johnson (WI)
Coats	Flake	Kirk
Coburn	Graham	Lee
Cochran	Grassley	McCain
Collins	Hatch	McConnell

Murkowski	Roberts	Thune
Paul	Scott	Toomey
Portman	Sessions	Vitter
Risch	Shelby	Wicker

NOT VOTING—7

Begich	Landrieu	Rubio
Boozman	Moran	
Coons	Pryor	

The PRESIDING OFFICER. On this vote the yeas are 51, the nays are 42.

The motion is agreed to.

Mr. ALEXANDER. Mr. President, I have many concerns with the nomination of Dr. David Weil to be the Administrator of the Wage and Hour Division at the Department of Labor—DOL.

The Wage and Hour Division is an important agency that oversees the enforcement of more than a dozen laws that govern just about every private sector employment relationship in America. To fill this position, we need someone who can be trusted by both employees and employers to enforce the law without bias, and we need a qualified manager. Unfortunately, I think Dr. Weil fails to meet that standard.

My greatest concern is about his ability to be impartial in carrying out the duties of his office. This role requires that he be a neutral arbiter of law. But we have a number of writings and lectures by Dr. Weil that suggest he may use the power of government to pursue how he thinks the employer/employee relationship should be defined.

Dr. Weil has written a new book called "The Fissured Workplace: Why Work Became So Bad for So Many and What Can Be Done to Improve It." In this book, he suggests the Department of Labor Wage and Hour Division—the division he is nominated to lead—could look for ways to expand its current interpretations of labor law and should target employers who use certain business models. In addition, in his book, Dr. Weil singles out a number of major employers, such as Marriott, Time Warner, Bank of America, Walmart, Hershey, AT&T, Verizon, Subway, Hyatt, Apple, and FedEx. Dr. Weil states that current labor laws and traditional regulatory enforcement allow companies such as these to "have their cake and eat it too," because they use common business models such as subcontracting and supply chains and, therefore, can push liability for compliance with workplace statutes off to other entities that are in their business model.

He further says that companies use multilayer business models "to avoid unionization," and appears to be critical of that, stating that employers "she[d] employment" to find "more subtle ways to shift away from a highly unionized workforce or move work to forms of employment that are both legally and strategically difficult for unions to organize[.]"

Dr. Weil has been critical of the franchising industry as a whole. For example, Dr. Weil believes the Wage and Hour Division should investigate corporate entities for wage and hour violations at individual franchises/locations

even though a direct employer-employee relationship may not exist. He recommends investigating industries that employ significant numbers of low-wage workers, such as the fast food, hotel/lodging, and construction industries.

The franchising industry has been an incredible engine of economic growth in this country and, according to the International Franchise Association, has created hundreds of thousands of successful small businesses, employing over 8 million individuals. Many of these businesses are owned by people who started on the bottom rung of the economic ladder, making minimum wage, and worked their way up all the way to the top. Many of them are owned by women and minorities. For so many people, franchising has been the path to the American Dream.

Take, for example, Laurie Palmer of Waterville, ME, who owns four Burger King franchises and employs approximately 140 people. She is already worried about the prospect of closing her business with possible minimum wage increases and the cost of Obamacare. The last thing she should be worrying about is being singled out for a wage and hour investigation simply because she is a franchisee.

Dr. Weil's responses to written questions while his nomination was before the HELP Committee also raised several questions about his policy positions. He gave non-answers to some pretty simple questions.

He would not answer yes or no when asked if he supports instructing Wage and Hour Division investigators to presume a worker is an employee even if the employer has told investigators the worker is an independent contractor. In other words, if an employer hires an independent contractor, Dr. Weil may feel that he has the discretion to decide that person is really an employee.

This is important because, just this month, a Texas Federal district court judge slapped DOL, and ultimately the taxpayer, with half a million dollars in costs for a failed wage and hour lawsuit. The Wage and Hour Division unsuccessfully tried to claim that a company's independent contractors were employees. After multiple investigative missteps noted by the court, including a wage and hour investigator improperly shredding and burning interview notes and incorrectly assessing a \$6 million penalty against the company, the court found "DOL failed to act in a reasonable manner" and did not believe a reasonable person would conclude the folks in question were employees. If Dr. Weil is confirmed, I hope he reads the court's decision closely to ensure this type of investigative behavior does not happen again.

Dr. Weil's writings suggest he may have a bull's eye on industries that use subcontracting and franchising. And he would not answer yes or no when asked to commit to treating all complaints equally based on the merits instead of the industry. Instead, he committed to

giving the agency's investigators guidance on how to prioritize complaints, but made no indication of what complaints he thinks should be a priority.

I am also concerned about Dr. Weil's lack of management experience. If confirmed, Dr. Weil will be charged with supervising the work of more than 1,800 employees in 54 field offices covering all of our states and territories, with a \$224 million budget. Dr. Weil has no management experience beyond supervising small teams of people at Boston University and Harvard.

Several outside groups, including the Associated Builders and Contractors, the International Franchise Association, and the National Restaurant Association have also expressed their opposition to Dr. Weil. The Wall Street Journal underscored its concerns with Dr. Weil by describing him as "a life-long, left-wing academic with labor union sympathies, no private-sector experience or legal training, and limited management experience."

Last, I will note that this position has not had a confirmed Administrator since the Bush Administration and this fact cannot be blamed on Republican delays or use of the filibuster. The President has nominated two individuals to this position, both of whom voluntarily withdrew before any HELP Committee votes were scheduled. The last nominee withdrew his nomination in August of 2011—a full 32 months ago.

After waiting this long, we need to get this right. I cannot support a nominee who has advocated expanding current law beyond what Congress intended, nor could I support a nominee who is a proponent of targeting industries and employers who use certain business models rather than being responsive to complaints of breaches of the law or one that has the underlying goal of increasing unionization without regard to the desires of employees themselves. Therefore, I cannot support Dr. Weil's confirmation.

Mr. HARKIN. Mr. President, I rise today to express my strong support for the nomination of Dr. David Weil to serve as Administrator of the Wage and Hour Division at the Department of Labor.

The Wage and Hour Division oversees some of the most fundamental protections for American workers: it ensures that people are paid fairly in accordance with our minimum wage and overtime laws. It protects vulnerable children when our child labor laws are abused. It ensures that workers can spend time with their families when a new baby is born or a health crisis is looming. In short, this relatively unknown agency plays a huge role in how Americans experience their day-to-day working lives.

However despite this important mission, this critical agency was unfortunately allowed to atrophy during the last administration. The division took a backseat approach that relied almost exclusively on complaint-driven enforcement—relying on the questionable

assumption that vulnerable workers know their rights and will approach the agency to report violations of the law—rather than taking a more proactive approach to educate workers and seek out industries and populations where abuses are likely to happen. Furthermore, even this complaint-driven system was often poorly managed—the Government Accountability Office issued a harshly critical report finding that Wage and Hour "frequently responded inadequately" to those complaints that it did receive.

The current administration has corrected these problems and beefed up enforcement, revitalizing this essential agency. It has improved the complaint process and encouraged "strategic enforcement" that is geared to efficiently using limited resources to maximize compliance with the law.

With this new vision, the division has made great strides. Over the past 5 years, the Wage and Hour Division has returned more than \$1.1 billion in stolen wages to workers whose rights were violated. They have done the best job ever of targeting their investigations to the workplaces that have the most violations, even when the workers felt too threatened or too disempowered to complain. The Division also successfully completed vital regulations to expand minimum wage and overtime protections to nearly 2 million home health aides. As a result of the division's efforts, these hardworking people will soon get the most basic of worker protections, and our country will benefit from a more stable and reliable workforce to assist people with disabilities and our elderly loved ones live full and independent lives.

There are certainly more challenges ahead for Wage and Hour. In addition to implementing the new minimum wage rules for home care workers in a careful and thoughtful manner, the division will be tasked with developing an important new Obama administration initiative to update our outdated overtime rules. I am a strong supporter of this effort. Too many Americans are working longer and harder without anything to show for their efforts in their paycheck. Often low-wage and modestly paid workers can be forced to work long hours without overtime compensation because the threshold for determining which workers are automatically eligible for overtime pay is set too low. It is long past time to update these rules, to prevent abuses of low-wage workers and ensure fair compensation for those who work long hours.

The Wage and Hour Division will also be tasked with implementing any minimum wage legislation passed here in Congress. While we will, of course, set the contours of the law here in Congress, the Wage and Hour Division will be tasked with ensuring that employees and employers are educated about the new law and that employers are complying with its requirements.

In facing these critical challenges, I can think of no one better to lead the

Wage and Hour Division into the future than Dr. David Weil. Dr. Weil is one of the Nation's leading experts on enforcement of wage and hour, safety and health, and other workplace regulations. He has spent the last 20 years teaching at Boston University's School of Management, where he has done extensive empirical research on the prevalence of wage and hour violations and the effectiveness of different enforcement strategies. Because of his expertise, he has been called on to work extensively with Labor Department officials for many years to help them improve the efficiency and effectiveness of the Wage and Hour Division. He has served as a consultant to the Department of Labor under both Democratic and Republican administrations, and has also advised both Democratic and Republican officials at the State level. His expertise on these issues is indisputable.

Dr. Weil also approaches these issues from a unique perspective. He has spent two decades as a professor of management at a business school, teaching a course on strategic decision-making for businesses. This insight into businesses' decision-making process will be invaluable to working at the Wage and Hour Division—both to understand businesses better and to work with them more effectively. Dr. Weil also has extensive experience in collaborating with a variety of groups, often playing a role of mediator and advisor—skills that will help him work effectively with both worker advocates and the business community to advance the mission of the Wage and Hour Division.

Some of my colleagues on the other side of the aisle have taken issue with Dr. Weil's scholarship promoting strategic enforcement. I will confess that I find these criticisms hard to understand. The basic idea that Dr. Weil has articulated is that we have limited enforcement resources, and that we should target those resources—to the best of our ability—to industries where there is an objectively verifiable pattern of noncompliance and where workers are particularly vulnerable to abuse.

This is a commonsense approach, especially in times of tight budgets. We need to be trying to get the best bang for our enforcement buck, and Dr. Weil has some great ideas for how to do that. I would think all the fiscal conservatives in this Chamber would be applauding his suggestions to build a more efficient and effective Wage and Hour Division. This sort of innovative thinking and strategic and efficient planning will be a tremendous asset to the agency.

Indeed, a group of Dr. Weil's peers, respected academics at a variety of universities, strongly agree with this conclusion. They note: David is one of if not the nation's leading expert on enforcement of safety and health, wage and hour, and other workplace regulations. He has done extensive research

on the effectiveness of different enforcement strategies and has worked intensively with Labor Department officials for many years to improve the efficiency and effectiveness of the policies he will be entrusted to administer. The letter also notes his "long history of public service," including his work with current and former agency leadership on both the Democratic and Republican sides. I ask unanimous consent to have the text of this letter printed in the RECORD.

As this letter confirms, while Dr. Weil has never worked directly for the division, he is intimately familiar with its mission and operations. He knows the Department, he knows the laws, and he can hit the ground running to move this important agency forward.

It is clear that Dr. Weil is an exemplary candidate to administer the Wage and Hour Division. It is unfortunate that the Wage and Hour Division has been without a Senate-confirmed leader for many years now, and I am glad that we will soon be able to change that. I thank Dr. Weil for his willingness to go through this process, and for his commitment to public service. I urge my colleagues on both sides of the aisle to support this nomination and allow it to move forward quickly so that Dr. Weil can get to work doing the important business of the Wage and Hour Division.

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

OCTOBER 29, 2013.

Hon. TOM HARKIN,
Chairman.

Hon. LAMAR ALEXANDER,
Ranking Minority Member, Committee on
Health, Education, Labor and Pensions,
Washington, DC.

DEAR CHAIRMAN HARKIN AND RANKING MEMBER ALEXANDER: We are all academics who study different aspects of employment relations and public policy. Each of us has worked in and/or advised the Department of Labor and other federal and state government agencies in both Democratic and Republican administrations. While we do not all share the same views on employment policy issues, we share a tremendous respect for David Weil and believe he would be an excellent Administrator of the Wage and Hour Division of the Department of Labor.

David is one of if not the nation's leading expert on enforcement of safety and health, wage and hour, and other workplace regulations. He has done extensive research on the effectiveness of different enforcement strategies and has worked intensively with Labor Department officials for many years to improve the efficiency and effectiveness of the policies he will be entrusted to administer.

He brings a long history of public service to this position. Among other things he worked closely with the late John Dunlop, Secretary of Labor in the Ford Administration, on a major study of work practices and productivity in the apparel and textile industries. He currently serves as Co-Director of the Transparency Policy Project at Harvard University's Kennedy School of Government. He is recognized by his colleagues at Boston University as an extremely competent, fair, and thorough administrator.

For the past eight years he has served as the neutral Chair of the Dunlop Agricultural Labor Commission, a position that requires gaining and maintaining respect and trust

from diverse groups of employers, contractors, employees, immigrants, and unions.

For all these reasons, we are pleased to endorse the President's nomination of David Weil to be the Administrator of the Department of Labor's Wage and Hour Division. Please feel free to contact any of us if we can be of further help to your Committee.

Sincerely,

Richard Freeman, Professor, Department of Economics, Harvard University;

Harry Katz, Dean, School of Industrial and Labor Relations, Cornell University;

Lawrence Katz, Professor, Department of Economics, Harvard University;

Thomas Kochan, Professor, MIT Sloan School of Management;

David Levine, Professor, Haas School of Business, University of California-Berkeley;

Lisa Lynch, Dean, Heller School for Social Policy and Management, Brandeis University;

Robert McKersie, Professor Emeritus, MIT Sloan School of Management;

Paul Osterman, Professor MIT Sloan School of Management;

James Rebitzer, Chair, Dept. of Economics, Law & Policy, School of Management, Boston University.

NOMINATION OF DAVID WEIL TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR—Resumed

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. This should be the last vote this evening. The next vote will be by voice.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Delaware (Mr. COONS), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "nay."

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 110 Ex.]

YEAS—51

Baldwin	Blumenthal	Boxer
Bennet	Booker	Brown

Cantwell	Kaine	Reid
Cardin	King	Rockefeller
Carper	Klobuchar	Sanders
Casey	Leahy	Schatz
Donnelly	Levin	Schumer
Durbin	Manchin	Shaheen
Feinstein	Markey	Stabenow
Franken	McCaskill	Tester
Gillibrand	Menendez	Udall (CO)
Hagan	Merkley	Udall (NM)
Harkin	Mikulski	Walsh
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Hirono	Nelson	Whitehouse
Johnson (SD)	Reed	Wyden

NAYS—42

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

NOT VOTING—7

Begich	Landrieu	Rubio
Boozman	Moran	
Coons	Pryor	

The nomination was confirmed.

NOMINATION OF KATHERINE M. O'REGAN TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

The PRESIDING OFFICER. Under the previous order, the clerk will report the O'Regan nomination.

The legislative clerk read the nomination of Katherine M. O'Regan, of New York, to be an Assistant Secretary of Housing and Urban Development.

Mr. CARPER. Mr. President, I ask unanimous consent that all time be yielded back.

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

The question is, Will the Senate advise and consent to the nomination of Katherine M. O'Regan, of New York, to be an Assistant Secretary of Housing and Urban Development?

The nomination was confirmed.

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

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, April 29, 2014, at 11 a.m., the Senate proceed to executive session, and that notwithstanding rule XXII, the Senate proceed to vote on cloture on Executive Calendar Nos. 585, 586, 587, 588, 589, and 590; further, that if cloture is invoked on any of those nominations, all postcloture time be considered expired; that following the series of votes, the Senate resume legislative session; further, that on Wednesday, at a time to be determined by me, after consultation with the Republican leader, the Senate proceed to vote on confirmation of the nominations in the order upon which cloture was invoked; that there

be 2 minutes for debate prior to each vote and all rollcall votes after the first vote be 10 minutes in length; further, with respect to the nominations in this agreement, that upon disposition on Wednesday, the motions to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

LEGISLATIVE SESSION

MINIMUM WAGE FAIRNESS ACT— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

Mr. BROWN. Mr. President, I rise to discuss partly the state of our economy but more precisely the state of our workers. Working Americans are in some sense being attacked from both ends. We have seen an orchestrated attempt to cut safety net programs where a low-income worker making \$9, \$10, or \$11 an hour might be eligible in some cases for SNAP or is surely eligible for the earned income tax credit.

Opponents strongly say that programs such as SNAP foster a culture of dependency and do not reward work. Those same elected officials—some of whom, I might add, have voted to raise their own pay—oppose efforts to ensure that hard work is rewarded with fair pay. Last fall one House Republican said: If anyone is not willing to work, let him not eat.

I am all for quoting Scripture. I do not think it should be used to vilify hard-working people. Detractors of SNAP, opponents of the minimum wage, cannot have it both ways. By raising the minimum wage, it means, frankly, fewer people will be eligible for SNAP, because if their wages are higher, they cannot and should not be eligible for certain benefits. So we create opportunities for Americans to earn a living wage and no longer need those benefits.

One hundred years ago in January, Henry Ford, in 1914, announced that he was going to pay his workers \$5 a day. Nobody thought, when they looked at Henry Ford and his life, nobody thought he was doing it out of the kindness of his heart. But that did not matter; he decided to pay everybody in his plant \$5 a day because he understood that paying them more would mean a more prosperous workforce who could then, presto, have the money in their pocket to begin to buy a car, to buy a Model T or to buy one of Henry Ford's cars.

We should be taking a page from Ford's playbook. Productivity has increased 85 percent in this country since 1979. It used to be as productivity went up, wages went up. Since World War II, between 1945 and 1973, productivity went like this: Wages pretty much paralleled the increase. In other words, workers who were producing more for their boss would get part of the wealth, would share in the wealth they were helping to create for their company, for their boss.

So while productivity has increased 85 percent in the last 35 years, inflation-adjusted wages increased 6 percent, and the value of the minimum wage fell 21 percent. Think about that. Productivity went up 85 percent. Profits went up significantly. Wages went up only 6 percent. The value of the minimum wage fell 21 percent. The value of the minimum wage, since 1968, is actually one-third less today—the minimum wage today is worth one-third less in buying power of the minimum wage in 1968.

Simply put, workers, while they are earning more for their bosses, they are making their companies more profitable, workers are not seeing the wealth they helped to create. Fundamentally, the contract—not literally a legal contract but the contract we once had in this country was, if you work hard, if you take responsibility, if you are productive, if you do things according to sort of society's mores, you would benefit. You would benefit in higher wages. You would benefit in a higher standard of living.

In the aftermath of the recession, the job growth, the increase in jobs, has been in the low-wage job sectors. Men and women who lost good-paying middle-class jobs, generally through no fault of their own, are returning to work at low-wage jobs, jobs that make it difficult to support a family.

Enrollment for programs such as SNAP has grown. I hear some of my sort of tea party colleagues complain that more and more people are getting SNAP. They are, because wages are not going up, because the minimum wage has less buying power than it used to. So many workers that were union, middle-class workers now are making lower wages 45 million people. So, yes, the number of people who are receiving SNAP benefits, food stamps has gone up.

In 2011, 45 million people relied on those benefits. SNAP spending increased, but that is a reason to pass the minimum wage. Increase their wages and fewer people will need that. Too many people who work harder than ever are barely getting by despite their best efforts. That is why millions of fast-food workers in cities across the country took to the streets in December for a National Day of Action, asking for and demanding an increase in the minimum wage.

More than half of frontline fast-food workers, more than half of those who work more than 40 hours per week,

earn so little that they are forced to enroll their family in public assistance. Think of all the companies, all the companies where workers are making such low wages and they are getting food stamps.

So I come to the floor to talk about the minimum wage and to specifically discuss support for the Fair Minimum Wage Act. Majority Leader REID has been supportive of this measure, as have most of my colleagues in this Chamber. We have not yet been able to corral 60 votes, which is what we need to break a filibuster, from those who I think are far out of step with the country, with their constituents, who oppose the minimum wage.

The Fair Minimum Wage Act would raise the minimum wage to \$10.10 an hour in three 95-cent increments. In other words, it is \$7.25 now. Upon the President's signature, it would be \$8.20. One year later it would be \$9.15. Then one year later it would be \$10.10 an hour. The bill also—this is important to note because it is rarely talked about. The bill also raises the Federal minimum wage for tipped workers from the current \$2.13 an hour to 70 percent of the regular minimum wage. If you work in a restaurant, if you are a server, if you push a wheelchair at an airport, if you are a valet, if you are working in a hotel where you get tips, in most cases those employers are only required to pay the subminimum wage, assuming that you are going to get up to the minimum wage with tips.

It does not always happen that way. It is a Federal law that it should, but it does not always happen that way. As Senator DURBIN and I were talking earlier, it is not so easy to enforce that. So if you are in a diner and you are talking to your server, the chances are that your server is making significantly less than the minimum wage, maybe higher than \$2.13—that is the law—but maybe no more than \$3 or \$4 an hour.

If you are in an airport and you see someone pushing an older person in a wheelchair, usually down the concourse, or someone who is disabled for whatever reason, they are only making \$3, \$4 or \$5 an hour.

The tipped minimum wage, \$2.13, has not been raised since 1991. So every time we have raised the minimum wage—we did it bipartisanship; President Bush signed it in 2007. We did one a few years before that—I was in the House then—bipartisanship. The Presiding Officer from Indiana supported these minimum wage increases. But every time we have raised the minimum wage since 1991, the \$2.13 subminimum wage, the tipped wage, has been stuck. It has never been raised. This will raise the tipped wage.

Let me share a couple of letters. I got a letter from Tom in Cuyahoga County, the county I live in, in Northeast Ohio:

Senator Brown, I'm a 50 year old food service worker with a college degree, and I make \$7.40 an hour. I just closed my retirement account that had \$2,500 in it to pay my bills—

and it's still not enough to cover everything. Now with that money gone, I should be able to qualify for food stamps. I only have the most basic bills, and I don't have any credit card debt or loans. How much longer do we have to wait for a livable wage?

The people whom I have met who are working minimum wage or close to minimum wage, \$8-, \$9-, \$10-an-hour jobs, are people who often hold two jobs. They are working hard. They have so little to show for it. For somebody who is willing to work as most people in this country do, they should have a livable wage.

We know there are many more stories such as Tom's that all of us will hear if we go out in our States and listen. Pope Francis I exhorted his parish priests to go out and "smell like the flock." The illusion of the Old and New Testaments and sheep and shepherds was obviously what he was referring to, but he was also referring to the fact of how important it is for people in his church, in the Roman Catholic Church, the priests, the people who minister to people, should understand how people live.

It is an important admonition for politicians too. I think more of my colleagues should get out of Washington and "smell like the flock" as Pope Francis said, meet people trying to make a go of it on a minimum wage, put food on their table to support their families, to put a little aside maybe for retirement someday; all of those are so important.

When we are seeing people working harder and harder, and, frankly, getting paid less and less money for it because of the decline of the buying power of the minimum wage, we know it is time for change.

I ask my colleagues to support the Fair Minimum Wage Act. It will pull millions of people out of poverty. It will help our economy because it will put money in people's pockets that they will immediately spend, generating other economic activity and creating jobs.

I yield the floor.

MORNING BUSINESS

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

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

HOLOCAUST REMEMBRANCE DAY

Mr. REID. Mr. President, today as we convene, I call to the Senate's attention today's commemoration of the Holocaust. The Holocaust was the systematic genocide of 6 million Jews and countless others, carried out by Adolf Hitler and his minions.

Today is Holocaust Remembrance Day. It is a reminder that we must continue to fight against genocide, racism, hatred, and violence. Yet with Holo-

caust Remembrance Day also comes the hope provided us by the survivors.

I think of my friend the late Tom Lantos, a Congressman from California. Tom was a Hungarian Jew and a survivor of the Holocaust—and a survivor he was. I had the good fortune of traveling to Hungary and meeting with him there, and he showed us a number of places where he escaped from the Nazis. It was a remarkable story, and he was a remarkable man.

He once said: "I like to work hard to make this a better country, to provide a just government for our people and make sure we have learned from the past." Tom Lantos' statement should apply to all of us.

Today we remember those who were lost, honor those who survived, and share our grief with the families who suffered the tragedy of Nazi Germany during the Holocaust.

Let us remember the words of Congressman Lantos who, in spite of all he suffered, had great hope and faith that we would work to stop genocide in the future.

IATSE LOCAL 720 75TH ANNIVERSARY

Mr. REID. Mr. President, I rise today to honor and recognize the 75th anniversary for the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts, IATSE, Local 720. Local 720 was chartered on February 23, 1939, by the nine original members—Mickey Burton, Barney Deussen, Clyde Gilbert, Harry Beuford, Arden Lusch, Rudy Rear, Harry Keller, Wally Roper, and Howard Folley. Since that time, because of the hard work and dedicated service of its founding members and their predecessors, it has grown to represent over 2,500 professionals in the entertainment industry, performing over 50,000 dispatches and receiving \$60 million in gross wages in the last year alone.

The union may have started with nine stagehands, but today it represents some of the most highly trained and skilled technicians in the country, including theatrical carpenters, electricians, riggers, audio/video technicians, video projectionists, camera operators, grips, gaffers, trade show technicians, audio engineers, stitchers, hairstylists, and make-up artists. It is the hard work and passion of these members that helped make Las Vegas the Entertainment Capital of the World.

For 75 years Local 720 has fought for the rights of Nevadan workers. I applaud and celebrate with IATSE Local 720 on their 75th anniversary.

TRIBUTE TO MARKO MEDVED

Mr. COCHRAN. Mr. President, it has come to my attention that one of our finest Civil Engineer Corps officers, CAPT Marko Medved, who is the officer in charge of Construction, Marine

Corps Installations West, has announced his retirement from the U.S. Navy.

Captain Medved was born and raised in St. Paul, MN. He and his wife Maria Nagy, reside in San Diego, CA, with their children Jack, 15, and Carly, 13.

I ask unanimous consent that his biography be printed in the RECORD.

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

CAPTAIN MARKO MEDVED, P.E., CIVIL ENGINEER CORPS, UNITED STATES NAVY
OFFICER IN CHARGE OF CONSTRUCTION MARINE CORPS INSTALLATIONS WEST

CAPT Medved's first duty assignment was onboard USS *Leftwich* (DD 984), home ported in Pearl Harbor, Hawaii where he served as the Damage Control Officer, Missile Officer and Fire Control Officer. He deployed with *Leftwich* to serve in Desert Storm and Desert Shield in 1989-1990 and returned again to the Persian Gulf in 1992-1993.

CAPT Medved transferred to the Civil Engineer Corps (CEC) in the summer of 1993. He reported to his first CEC assignment at Resident Officer-in-Charge of Construction, Puerto Rico Area, in January 1994. Here he managed construction contracts in the U.S. Virgin Islands and at Naval Station Roosevelt Roads. CAPT Medved was then reassigned to the Public Works Department (PWD) where he directed the Technical Management Division, then Customer Service for the Base Operating Support Contract. In October of 1997, CAPT Medved joined the "Professionals" of Naval Mobile Construction Battalion Five, leading a Detachment for Training to assist in disaster recovery in Sao Miguel, Azores, Portugal. He later deployed to Okinawa as Charlie Company Commander and Air Detachment Commander. Upon completion of graduate school in August 2000, he reported to the Deputy Chief of Naval Operations (Fleet Readiness and Logistics) staff to serve as Action Officer for Range Planning and Base Realignment and Closure. During the 107th Congress, CAPT Medved served as a Legislative Fellow for Senator Thad Cochran of Mississippi, working on Defense Appropriations. He then served as the Public Works Officer at Naval District Washington, Indian Head, Maryland—the Center for Naval Energetics, until June 2005. Shifting coasts, CAPT Medved lead the Coastal Integrated Process Team at NAVFAC Southwest, supporting bases in San Diego, Ventura County and Monterey. In his next assignment as the Assistant Regional Engineer for Navy Region Southwest, he led the facilities programs for naval bases and reserve centers across six states. Deploying as an Individual Augment, he served as the Public Works Officer for Al Asad Air Base, Iraq, where he supported Marine and Army Division Commanders in Operation Iraqi Freedom.

CAPT Medved graduated with distinction from Annapolis with a Bachelor of Science degree in Ocean Engineering in May 1989. He later attended postgraduate school at the Massachusetts Institute of Technology, earning a Master of Science degree in Construction Engineering and Management in August 2000. In the summer of 2011, he completed the Advanced Management Program at the Duke Fuqua School of Business. He holds qualifications in Seabee Combat Warfare and Surface Warfare, is a member of the Acquisition Professional Community, and is a registered Professional Engineer in Virginia. CAPT Medved's awards include the Legion of Merit, Meritorious Service Medal (three awards), Navy Commendation Medal (three awards), Navy Achievement Medal (three awards), and the Combat Action Ribbon.

REMEMBERING THE ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, I rise today to recognize the 99th anniversary of the Armenian Genocide—a tragedy that has left a dark stain on the collective conscience of the world.

Between 1915 and 1923, more than 1.5 million Armenians were marched to their deaths in the deserts of the Middle East, murdered in concentration camps, drowned at sea, and forced to endure unimaginable acts of brutality at the hands of the Ottoman Empire.

The Armenian Genocide—along with the Holocaust is one of the most studied cases of genocide in history. Countless experts have documented the atrocities that occurred, compiling an overwhelming body of historical evidence on the Armenian Genocide.

However, successive U.S. administrations have refused to call the deliberate massacre of the Armenians by its rightful name, continuing only to refer to it as an annihilation, massacre, or murder.

It has been nearly a century since the Armenian Genocide began and each day that goes by without full acknowledgement by the United States prolongs the pain felt by the descendants of the victims, as well as the entire Armenian community.

For years, I have been urging both Democratic and Republican administrations to finally acknowledge the Armenian Genocide for what it was—genocide. I do so again today.

The United States has often led the international community in speaking out against violence and suffering wherever it occurs. But tragically, our Nation is on the wrong side of history when it comes to the Armenian Genocide. I hope that this year we right this terrible wrong once and for all.

It is time for the United States to join the list of countries from Argentina to France as well as 43 U.S. States that have unequivocally affirmed the Armenian Genocide.

Genocide is only possible when people avert their eyes. Any effort to deal with genocide—whether past, present or future—must begin with the truth.

So this April 24, as we pause to remember the victims of the Armenian Genocide and to celebrate the many contributions Armenian Americans have made to our great nation, I hope that the United States will finally and firmly stand on the right side of history and call the tragedy of 1915–1923 by its rightful name.

TRIBUTE TO H. SAWIN MILLETT

Ms. COLLINS. Mr. President, on May 30, H. Sawin Millett will step down as commissioner of the Maine Department of Administrative and Financial Services, one of many positions he has held during a remarkable career of more than 55 years of dedicated service at all levels of government. I rise today to join the people of Maine in thanking

him for his many contributions as he retires to his family, his farm, and his beloved hometown of Waterford, ME.

Sawin has served five Maine Governors—Republican, Democratic, and Independent—and in the cabinets of four. His energy, expertise, and commitment to responsible and accountable government have been applied to such diverse areas as education, finance, and mental health services.

Sawin served six terms in the Maine legislature and was lead House Republican on the Appropriations Committee during the last three. His institutional knowledge and keen understanding of the State budget process and fiscal operations has been invaluable to our State. Building on his early career as a teacher, coach, and principal, he was the first executive director of the Maine School Management Association and an assistant professor at the University of Southern Maine.

It is fitting that Sawin's life in public service began at the local level, serving as selectmen in the towns of Dixmont and Waterford, and as a town meeting moderator.

The appreciation of Sawin's service crosses party lines. When the announcement of his retirement was made, both sides of the aisle were united in praise for this generous mentor and effective leader who has always been devoted to the people of Maine.

I have had the privilege of knowing Sawin for many years. We served together in the cabinet of Gov. John McKernan, and I was fortunate to have him on my State staff during my first term in the Senate. I also have had the pleasure of knowing his wonderful wife Barbara, who has been a strong and loving partner for more than 57 years. On behalf of the people of Maine, I wish them health and happiness in the years to come.

LET FREEDOM RACE CELEBRATION

Mr. BURR. Mr. President, I rise to thank the great people at the Charlotte Motor Speedway for their hard work in honoring our Nation's military and veterans' families. This Memorial Day Weekend, the 55th Let Freedom Race Celebration at CMS will bring together more than 100,000 military guests to celebrate our military heroes and honor their service. This Memorial Day tradition will, once again, showcase our military strength by demonstrating patriotic unity and pride for those who served in our Armed Forces to protect us.

Over the 55 years of the Memorial Day weekend celebration at Charlotte Motor Speedway, millions of race fans have joined together to celebrate America's military heroes and honor their service. Generations of men and women have worn their Nation's uniform with pride and put their lives on the line to protect and preserve our most precious commodity: freedom. Many of them paid the ultimate price

and should always be remembered for their sacrifice. I commend all those at Charlotte Motor Speedway, and the wider racing community, for their continuing support of our men and women in uniform.

Please join me in recognizing those at the Charlotte Motor Speedway for their efforts in promoting the Let Freedom Race Celebration each May.

COLUMBUS STATE COMMUNITY COLLEGE

Mr. PORTMAN. Mr. President, today I wish to honor Columbus State Community College in recognition of its 50th anniversary and the opportunities it has provided to students throughout Ohio. On September 30, 1963, Columbus State was founded in the basement of Central High School in Columbus, OH. Since its inception, Columbus State has grown tremendously by expanding its enrollment and academic offerings from an initial 67 students to more than 25,000 students. The diverse student body has come from more than 130 countries and all of Ohio's 88 counties.

The mission of Columbus State is "to educate and inspire, providing [its] students with the opportunity to achieve their goals." This mission is vital to the Columbus community. Throughout its 50 years, Columbus State has provided exemplary educational opportunities through more than 200-plus degree and certificate programs. It has awarded nearly 50,000 degrees and has a nearly \$1 billion annual impact on the local economy. The school also provides several transfer options and continuing education opportunities to students.

I have visited Columbus State and seen firsthand the excellent education and training it provides to students, including the resources available through the Center for Workforce Development. The center collaborates with companies in the Columbus region to address workforce needs through innovative approaches to education and customized training. It is helping to ensure that students are prepared with the skills they need for the jobs of the 21st century.

I am pleased to honor Columbus State Community College and congratulate everyone who was a part of making its first 50 years a success.

ADDITIONAL STATEMENTS

TRIBUTE TO IVÓN PADILLA-RODRÍGUEZ

• Mr. HELLER. Mr. President, today I wish to recognize Ivón Padilla-Rodríguez, an honors program student at the University of Nevada, Reno.

Ms. Padilla-Rodríguez was selected for a prestigious 2014 Harry S. Truman Scholarship from among the Nation's most competitive applicants. The award is given annually for those of demonstrated leadership and public

service. She is the fourth student in UNR's history to receive the award. Her hard work is deservedly rewarded through the scholarship, as she plans to utilize the funds toward her goal of becoming a legal advocate.

Focused, bright, and driven are just a few of the words used by Ms. Padilla-Rodríguez's mentors and colleagues to describe her attributes. Overcoming homelessness and becoming a Truman Scholar are far from her only accolades: this year she was also named one of the 10 Top College Women by Glamour Magazine, and in 2011, she secured \$100,000 as a scholarship from Dr. Pepper in one of their annual Tuition Give-away challenges.

A dedication to the community is evident through her commitment to adolescent outreach. In 2012, Ms. Padilla-Rodríguez co-founded Spotlight, a free improvisational theater program in Reno for youth, and she even carried her improvisational talents to Costa Rica, where she shared the skills with orphans while studying abroad.

Above all, Ms. Padilla-Rodríguez has maintained a dedication to her studies. A junior honors student, she is double majoring in English and history, and working toward a minor in philosophy of law, ethics, and politics. In all of her free time, she conducts research at UNR's Latino Research Center on immigration reform. She has been invited as one of 60 college students in the Nation to present her research on Capitol Hill later this month.

I ask my colleagues to join me in congratulating Ivón Padilla-Rodríguez on all of her successes thus far.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries, on Friday, April 11, 2014.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Health, Labor, Education, and Pensions, on Friday, April 11, 2014.

(The message received today is printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2262. A bill to promote energy savings in residential buildings and industry, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-5318. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Consolidation of Permit Procedures; Denial and Revocation of Permits" (RIN0579-AD76) (Docket No. APHIS-2011-0085) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5319. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Spirulina Extract" (Docket No. FDA-2012-C-0900) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5320. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Irradiation in the Production, Processing and Handling of Food" (Docket No. FDA-2001-F-0049, Formerly Docket No. 01F-0047) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5321. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Advisory Committee: Bone, Reproductive and Urologic Drugs Advisory Committee" (Docket No. FDA-2014-N-0355) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5322. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Air Emissions from Existing Municipal Solid Waste Landfills; State of Missouri" (FRL No. 9909-45-Region 7) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5323. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Stephen P. Mueller, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5324. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Clauses with Alternates-Transportation" (RIN0750-AH90) (DFARS Case 2012-D057) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Armed Services.

EC-5325. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report entitled "Report to Congress On Repair of Naval Vessels in Foreign Shipyards"; to the Committee on Armed Services.

EC-5326. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a re-

port relative to transactions involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC-5327. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Certain Consumer Products" (RIN1904-AD08) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Energy and Natural Resources.

EC-5328. A communication from the Chief of the Permits and Regulations Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of the Regulation that Excludes U.S. Captive-Bred Scimitar-Horned Oryx, Addax, and Dama Gazelle from Certain Prohibitions" (RIN1018-BA47) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5329. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Mazama Pocket Gophers" (RIN1018-AZ37) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5330. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing the Island Night Lizard from the Federal List of Endangered and Threatened Wildlife" (RIN1018-AY44) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5331. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Olympia Pocket Gopher, Roy Prairie Pocket Gopher, Tenino Pocket Gopher, and Yelm Pocket Gopher, with Special Rule" (RIN1018-AZ17) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5332. A communication from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2013-2014 Refuge-Specific Hunting and Sport Fishing Regulations" (RIN1018-AZ87) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5333. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Jaguar" (RIN1018-AX13) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5334. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and

Threatened Wildlife and Plants; Determination of Threatened Species Status for the Georgetown Salamander and Salado Salamander Throughout Their Ranges” (RIN1018-AY22) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5335. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Lesser Prairie-Chicken” (RIN1018-AY21) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5336. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Special Rule for the Lesser Prairie-Chicken” (RIN1018-AY21) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5337. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2014 Season” (RIN1018-BA02) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5338. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “NRC Assessment Program for a Medical Event or an Incident Occurring at a Medical Facility” (Management Directive 8.10) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5339. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Reasonably Available Control Technology for the 1997 8-Hour Ozone Standard” (FRL No. 9908-53-Region 1) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5340. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonable Further Progress Plan and 2002 Base Year Emission Inventory” (FRL No. 9908-51—Region 1) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5341. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; Louisiana; Interstate Transport of Fine Particulate Matter” (FRL No. 9909-57—Region 6) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5342. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled “Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Clean Data Determination for the Baton Rouge Area for the 2008 Ozone National Ambient Air Quality Standard” (FRL No. 9909-53—Region 6) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5343. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Missouri” (FRL No. 9909-43—Region 7) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5344. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for the 1997 8-Hour Ozone National Ambient Air Quality Standard” (FRL No. 9909-51—Region 6) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5345. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Significant New Use Rules on Certain Chemical Substances; Withdrawal” (FRL No. 9909-25-OCSP) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5346. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Underground Storage Tank Program: Codification of Approved State Program for South Carolina” (FRL No. 9909-12—Region 4) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5347. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Alaska; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference” (FRL No. 9908-23—Region 10) received in the Office of the President of the Senate on April 10, 2014; to the Committee on Environment and Public Works.

EC-5348. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates” (Notice 2014-27) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Finance.

EC-5349. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Application of the Windsor Decision and Rev. Rul. 2013-17 to Qualified Retirement Plans” (Notice 2014-19) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Finance.

EC-5350. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; McConnellsburg, PA” ((RIN2120-

AA66) (Docket No. FAA-2013-0558)) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5351. A communication from the Deputy Assistant Administrator for Regulatory Programs, 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; Revisions to Headboat Reporting Requirements for Species Managed by the Gulf of Mexico Fishery Management Council” (RIN0648-BD49) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5352. 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; Big Skate in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XD120) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5353. A communication from the Deputy Chief of the Policy and Licensing Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Service Rules Governing Public Safety Narrowband Operations in the 769-775/779-805 MHz Bands” (WT Docket No. 96-86) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5354. 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-XD111) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC-5355. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the designation of a group as a Foreign Terrorist Organization by the Secretary of State (OSS 2014-0491); to the Committee on Foreign Relations.

EC-5356. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Amendment to the International Traffic in Arms Regulations: Central African Republic” (RIN1400-AD56) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Foreign Relations.

EC-5357. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Amendment to the International Traffic in Arms Regulations: Changes to Authorized Officials and the UK Defense Trade Treaty Exemption; Correction of Errors in Lebanon Policy and Violations; and Adoption of Recent Amendments as Final; Correction” (RIN1400-AD49) received in the Office of the President of the Senate on April 11, 2014; to the Committee on Foreign Relations.

EC-5358. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-035); to the Committee on Foreign Relations.

EC-5359. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 14-018); to the Committee on Foreign Relations.

EC-5360. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-190); to the Committee on Foreign Relations.

EC-5361. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-149); to the Committee on Foreign Relations.

EC-5362. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-136); to the Committee on Foreign Relations.

EC-5363. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of April 11, 2014, the following reports of committees were submitted on April 25, 2014:

By Mr. NELSON, from the Special Committee on Aging:

Special Report entitled "Pushing the Envelope: Publishers Clearing House in the New Era of Direct Marketing" (Rept. No. 113-153).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WYDEN, from the Committee on Finance, without amendment:

S. 2260. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes (Rept. No. 113-09154).

S. 2261. An original bill to amend the Internal Revenue Code of 1986 to make technical corrections, to remove provisions that are no longer applicable, and for other purposes (Rept. No. 113-09155).

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. TOOMEY:

S. 2257. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the tax on early distributions for certain Bureau of Prisons correctional officers who retire before age 55, and for other purposes; to the Committee on Finance.

By Mr. REID (for Mr. BEGICH (for himself, Mr. SANDERS, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. BROWN, Mr. TESTER, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOZMAN, Mr. HELLER, Mr. ISAKSON, Mr. JOHANNIS, and Mr. MORAN)):

S. 2258. A bill to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and

for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Ms. CANTWELL, and Mr. CARDIN):

S. 2259. A bill to amend the Elementary and Secondary Education Act of 1965 to allow for data collection about military-connected students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 2260. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. WYDEN:

S. 2261. An original bill to amend the Internal Revenue Code of 1986 to make technical corrections, to remove provisions that are no longer applicable, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mrs. SHAHEEN (for herself, Mr. PORTMAN, Ms. AYOTTE, Mr. BENNET, Ms. COLLINS, Mr. COONS, Mr. FRANKEN, Mr. HOEVEN, Mr. ISAKSON, Ms. LANDRIEU, Mr. MANCHIN, Ms. MURKOWSKI, Mr. WARNER, and Mr. WICKER):

S. 2262. A bill to promote energy savings in residential buildings and industry, and for other purposes; read the first time.

By Ms. AYOTTE (for herself and Mrs. MCCASKILL):

S. 2263. A bill to appropriately limit the authority to award bonuses to employees; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MCCASKILL (for herself, Mr. BLUNT, and Mr. ROCKEFELLER):

S. 2264. A bill to designate memorials to the service of members of the United States Armed Forces in World War I, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 357

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mr. BLUNT) 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. 375

At the request of Mr. TESTER, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 466

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from South Caro-

lina (Mr. GRAHAM) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 553

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 553, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 942

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1239

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1239, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1510

At the request of Mr. COBURN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1510, a bill to provide for auditable financial statements for the Department of Defense, and for other purposes.

S. 1562

At the request of Mr. SANDERS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Montana (Mr. WALSH) were added as cosponsors of S. 1562, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 1635

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1635, a bill to amend the American Recovery and Reinvestment Act of 2009 to extend the period during which supplemental nutrition assistance program benefits are temporarily increased.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1756

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 1828

At the request of Mr. DONNELLY, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1828, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 1839

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. 1839, a bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes.

S. 1862

At the request of Mr. BLUNT, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Oklahoma (Mr. COBURN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1956

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1956, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 2013

At the request of Mr. BURR, his name was added as a cosponsor of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2022

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2022, a bill to establish scientific standards and protocols across forensic disciplines, and for other purposes.

S. 2075

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2075, a bill to prohibit a reduction in funding for the defense commissary system in fiscal year 2015

pending the report of the Military Compensation and Retirement Modernization Commission.

S. 2118

At the request of Mr. BLUNT, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2118, a bill to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes.

S. 2160

At the request of Mr. HOEVEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2160, a bill to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

S. 2192

At the request of Mr. MARKEY, the names of the Senator from Colorado (Mr. BENNET), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2223

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Washington (Mrs. MURRAY) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2223, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the names of the Senator from Nevada (Mr. REID) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, May 7, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing to receive testimony on the following bills: S. 1603, to reaffirm that certain

land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes; S. 1818, to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes; S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes; S. 2041, to repeal the Act of May 31, 1918, and for other purposes; and S. 2188, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes. Those wishing additional information may contact the Indian Affairs Committee (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, May 14, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing to receive testimony on: "Indian Education Series: Ensuring the Bureau of Indian Education has the Tools Necessary to Improve." Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, May 14, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing to receive testimony on: "Wildfires and Forest Management: Prevention is Preservation." Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

MEASURE READ THE FIRST TIME—S. 2262

Mr. BROWN. Mr. President, I understand that S. 2262, introduced earlier today by Senators Shaheen, Portman, and others is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2262) to promote energy savings in residential buildings and industry, and for other purposes.

Mr. BROWN. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for a second time on the next legislative day.

ORDERS FOR TUESDAY, APRIL 29, 2014

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 29, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders to be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that at 11 a.m. the Senate proceed to executive session under the previous order; further, that following the votes, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; and, finally, that the majority control the time from 2:15 p.m. until 3:30 p.m. and the Republicans control the time from 3:30 p.m. until 4:45 p.m.

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

PROGRAM

Mr. BROWN. Mr. President, there will be six rollcall votes starting at 11 a.m. tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN. Mr. President, if there is no further business to come before

the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:09 p.m., adjourned until Tuesday, April 29, 2014, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate Friday, April 11, 2014:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SYLVIA MATHEWS BURWELL, OF WEST VIRGINIA, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES, VICE KATHLEEN SEBELIUS.

CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, April 11, 2014:

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH RANYA F. ABDELSAYED AND ENDING WITH FIRENO F. ZORA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 9, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CHRISTOPHER DAVID FREDERICK AND ENDING WITH JULIO MALDONADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JAMES BENJAMIN GREEN AND ENDING WITH GEOFFREY W. WIGGIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SCOTT THOMAS BRUNS AND ENDING WITH JANELLE WEYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROBERTA MAHONEY AND ENDING WITH ANN MARIE YASTISHOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JULIE ANN KOENEN AND ENDING WITH BRIAN KEITH WOODY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KATHLEEN M. ADAMS AND ENDING WITH SEAN YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KATE E. ADDISON AND ENDING WITH WILLIAM F. ZEMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GERALD MICHAEL FEIERSTEIN AND ENDING WITH DAVID MICHAEL SATTERFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MATTHEW D. LOWE AND ENDING WITH WILBUR G. ZEHR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KEVIN TIMOTHY COVERT AND ENDING WITH PAUL WULFSBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BEATA ANGELICA AND ENDING WITH BENJAMIN BEARDSLEY DILLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARK L. DRIVER AND ENDING WITH KARL WILLIAM WURSTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 10, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SCOTT S. SINDELAR AND ENDING WITH CHRISTINE M. SLOOP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 10, 2014.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, April 28, 2014:

THE JUDICIARY

MICHELLE T. FRIEDLAND, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

DEPARTMENT OF LABOR

DAVID WEIL, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

KATHERINE M. O'REGAN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.