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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Answer us, O God, when we call. Be gracious to us and hear our prayers. Look on our Nation with favor, for Your promises are sure. We thank You that so many of our Nation's Founders put their trust in You. Lord, make us worthy of this godly heritage.

May Your presence on Capitol Hill today so influence our Senators that the thoughts they think and the words they speak will honor You.

Don't be far from us, Lord, but continue to be our hope for years to come. Help us to remember how You have sustained us in the past as You provide for our daily needs.

We pray in Your strong Name. Amen.

The PRESIDENT pro tempore. Thank you, Dr. Black. Your prayers are wonderful.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Today the Senate will resume consideration of the Keystone bill. There are up to 18 rollcall votes scheduled this afternoon on pending amendments to the bill. I want to commend Chairman MURKOWSKI and Senator CANTWELL for working with our colleagues to get literally dozens and dozens of amendments up and voted on in the 3 weeks we have been working on this bill.

Now it is time to get through the remaining amendments and vote up or down on passage of this bill before we leave for the week.

MEASURE PLACED ON THE CALENDAR—S. 272

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 272) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings on this measure.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

KEYSTONE ENERGY DEBATE AND 529S

Mr. MCCONNELL. Mr. President, thanks to the bill managers' efforts that I just referred to, along with the years-long work undertaken by Members on both sides—Senator HOEVEN in particular—we expect this bipartisan bill to finally pass the Senate.

We expect the filibuster of good American jobs to soon come to an end. That is good news for the Senate. It is even better news for the people we represent. It would show their Congress is capable of defying the powerful special interests that oppose Keystone so we can get things done for the middle class.

Constructing this infrastructure project would pump literally billions of dollars into our economy. It would support thousands of jobs, and it would do it all with minimal environmental impact. That is according to what we have heard from the President's own State Department. So it makes sense to get this bipartisan legislation to the President for his signature. We hope he will sign the Keystone jobs bill into law. The President should expect more good ideas to head his way.

That is the goal of this new Congress. We want to get Washington functioning again, and we want to pass commonsense ideas. The Keystone debate is showing how we can do both.

One other issue. I am certainly glad to see President Obama dropped his plan to make it harder for the middle class to save for college with 529s. I fought to ensure these plans were tax-free at the Federal level. Thanks to this incentive to save, literally millions of Americans use 529s to help prepare for college expenses. These are good plans that promote responsible savings. I am not sure why President Obama would have sought to undermine them in the first place, but it certainly is good to see the President coming around to Republicans' pro-middle-class view on this matter.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, 30 days from today, on February 27, the Department of Homeland Security, the

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

lead agency in protecting America from terrorism, will run out of money. The only way to prevent this important government agency from shutting down is for Congress to pass legislation to fund the Department and to do it quickly.

This morning, we moved to the second reading, what is known as a clean appropriations bill, which will provide resources for this critical Department. I hope the Senate can take that up quickly and pass it quickly as well.

We should not even be debating the funding for the Homeland Security Department. Every other government agency has been funded through the end of the fiscal year, the end of September, but not the Department of Homeland Security. The House Republicans insisted on separating this critical agency from the rest of the Federal Government and treating it differently, giving it temporary funding—what is known as a continuing resolution—and making it extremely difficult for the Department of Homeland Security to do its job to keep America safe.

Why did the Republicans insist that this one agency be treated differently, funded in a way that it can't do its job effectively? They are using the deadline, the end of February, on this Department's funding in an attempt to force the Senate to accept extreme anti-immigrant amendments that have been attached to the homeland security bill in the House. The House Republicans' message to the Senate is very straightforward: Accept our controversial immigration amendments or we will shut down the Homeland Security Department. That is the height of irresponsibility. Now is not the time to play politics with homeland security.

Just this weekend the world witnessed another horrible terrorist act, the beheading of a Japanese hostage by the terrorist group ISIS. In light of the terrorist threat we currently face, it would be the height of irresponsibility to shut down the Department of Homeland Security as threatened by the House Republicans. That is one of the key government agencies charged with protecting Americans.

Today I am calling on the Senate majority leader for a clean appropriations bill that we moved forward on the calendar this morning. Let's pass this bill. Let's make sure we do it in a timely way. Let's fund this Department.

Some Republican leaders are arguing, well, it is not such a big deal, giving temporary funding to the Department of Homeland Security, playing roulette with the prospects of whether it will be funded for the rest of this fiscal year.

Last week the Republican chairman of the Senate homeland security committee here in the Senate reportedly said, and I quote, that he ''isn't that concerned about the potential shutdown of the Homeland Security Department.''

Jeh Johnson, the Secretary of Homeland Security, has a much different view. He says our homeland security is already at risk because the Department is operating under a short-term funding bill known as a continuing resolution. Listen to what Secretary Johnson said: ''As long as this Department continues to operate on a [continuing resolution], we are prevented from funding key homeland security initiatives [including] new grants to state and local law enforcement [and] additional border security resources.''

How many times have we heard from the other side of the aisle the highest priority in America is our border security? Many of us agreed and voted for a comprehensive immigration reform that folded more resources than ever into protecting the border. Now the same people, the same elected officials, who have been arguing for a strong border are underfunding the Department with that responsibility. The Secretary reminds us their approach to this is going to jeopardize investments in border security.

What are these amendments the House Republicans feel so strongly about that they are willing to risk the funding of this critical agency? The bill the House passed would defund President Obama's immigration policies, including the Deferred Action for Childhood Arrivals Program known as DACA.

A quick history about how we reached the point we are at today. It was 14 years ago when I introduced the DREAM Act. The DREAM Act was designed to take care of children brought to America by their parents, children who were undocumented, and to give those children a chance, if they led a good life and finished school, if they were prepared to go to college or join our military, to have a path to legal status. Over the years this has been debated widely. Even many Republican leaders have stepped up and said, well, it is fundamentally just. Why would you hold the children responsible for a decision made by their parents to come to this country? Why would you jeopardize the future of a child because the parents came here, overstayed their visa, or failed to file the necessary papers for their child? Even former Arkansas Governor Huckabee, interviewed this Sunday on television, made that very point. You don't arrest a parent for speeding in the front seat and then arrest the baby sitting in the back seat for speeding. He made that point in light of his decisions as the Governor of Arkansas.

Over time this concept of the DREAM Act has been moving toward acceptance by both political parties but moving very slowly. For 14 years we have been debating this one simple idea, that children should not be held responsible for the wrongdoing of their parents, that young people brought to this country and undocumented should be given a chance. And, of course, 2½ years ago, President Obama did something. He did it at the request of many Senators, including myself. We wrote to him and said, Mr. President, while the Senate and Congress debate the future of the DREAM Act, there are literally thousands of these young people who have no future in America. They don't know which way to turn. They can't get drivers licenses. They can't go to school with any government assistance. They don't have any basic idea what their future is going to be.

The President said, here is what I will do. I will create this Deferred Action for Childhood Arrivals Program, the DACA Program. If these young people will come forward, if they will submit a filing fee to cover the cost of the program, if they will submit themselves to background checks, then we will give them temporary status in America—temporary status in America. We are not making them citizens or declaring them legal forever. We are saying they can go to school and work without the fear of deportation.

We estimate there are 2 million young people in our Nation of 350 million-plus who would qualify for this DACA treatment. Six hundred thousand have in fact registered in the 2½ years since the President's decision. DACA put on hold deportation so these young people who grow up in this country would have a chance. These are the DREAMers. They are the ones we have referred to over and over on the floor and tell their stories.

Think about it. America is already invested in these young people. We paid for their education. We sent them to the classrooms in the schools. They stood there every morning by their desk, hand over their heart, pledging allegiance to the same flag we pledged allegiance to this morning. They sang the only national anthem they have ever known. They are just asking for a chance.

Over the years I have come to the floor to tell their stories because leaving the explanation at this point really doesn't touch on the reality of who these DREAMers are. I am going to tell another story this morning, and I want the record to show this young man I am about to speak about, Juan Rios. He is a person whom the House Republicans want to deport. They have said by their vote—by the amendment they put on this appropriations bill—they want Juan Rios to leave the United States of America. That is their goal, deport the DREAMers, all of those who have signed up for DACA and those who might sign up. That is just part of what they are trying to achieve. But that to me is the starting point that ought to be our starting point for debate.

Juan Rios was brought to the United States when he was 10 years old. In high school Juan decided what his calling was. It was military service. He became a leader in the Air Force Junior ROTC in his high school, group commander, and armed drill team captain, and he rose to the rank of cadet lieutenant colonel.

This photo is of Juan in uniform in high school. His dream was to attend

the Air Force Academy. Of course, it is a dream that couldn't happen. He is undocumented. Instead, he enrolled in Arizona State University.

In 2010 Juan Rios graduated from Arizona State University. What course did he study? It was a degree in aeronautical engineering. He is some student.

This is a picture of him at his graduation. But after he graduated with his degree in engineering, he didn't know which way to turn. He couldn't enlist in the military like he wanted to. He couldn't work as an engineer because he was undocumented. His talents were wasted. He sent me a letter at that time and said:

> The United States of America is the country I want to live my life in, where I want to flourish as a productive citizen, where I want to grow old among my lifelong friends and where I want to one day fall in love and raise a family.

So what happened to Juan after DACA, when the Executive order gave him the opportunity to have temporary protection and not be deported? In February 2013, after signing up for DACA, he interviewed for his first engineering job. Today Juan is working as a mechanical engineer in the semiconductor industry.

At the age of 27 he learned how to drive and bought his first car. After living in Arizona for 17 years, he was finally able to visit the Grand Canyon for the first time.

Juan sent a letter to me last week and said:

> I am fortunate to have found the opportunity to prove myself as a professional and to work in a place where I feel my contributions are valued and recognized. The past two years have changed my life in every way imaginable. I think DACA is a responsibility, a privilege, and an opportunity for everyone who receives it to demonstrate that we as a community of Dreamers have so much to contribute to society.

Juan Rios is trying to prove to everyone that he is worth this investment, that he is worth this trust. He has done it. He will continue to do it.

So why in the world do the House Republicans want to deport Juan Rios? Why do they want to give up on this young man, with his idealism, his determination, and his record of accomplishment? Why do they want him to leave the United States of America?

Well, it is because he was brought here as a 5-year-old—undocumented. For that decision by his parents, the House Republicans would say: We have no use for Juan Rios. We don't want him to stay.

There are so many other stories similar to this one. It is clear that DACA works for America. I have been to Chicago so many times and met with these DREAMers. I know these young men and women. I believe in them, and I believe they are going to make a difference in this country.

I also want to remind my friends on the Republican side of the aisle that America is a nation of immigrants. Our diversity is our strength. We come to this great country from so many different places, and we bring so many different cultures, languages, religions, ethnic backgrounds, and cuisines. We bring it all here, and we make it part of America's future.

I know a little bit about this story because my mother was an immigrant herself. She was brought here at the age of 2. Today I stand on the floor of the Senate representing the great State of Illinois. That is my story. That is my family story. That is America's story.

There is something else I would say to the critics of immigrants. Immigrants bring something special to America. Each one of these immigrant families took the greatest risk of their lives to come to America. Some of them literally risked their lives to do it. Others came to this country where they didn't speak the language, knew very few people, and didn't have any idea what their future would be. But they had heard about this America place, and they believed this was a better opportunity for them and for their kids. I am sure that is what brought my family to this country—my mother to this country—and I am sure that is what has brought a lot of people.

That is part of our DNA. Those immigrants, their courage, and their determination to be part of America and its future really bring to this country an energy that just can't be matched in many other places in the world.

House Republicans would kill that dream, and they have showed us that by this horrible amendment they have attached to the Department of Homeland Security appropriations.

They think America is stronger if we tell Juan Rios to leave. I don't. It is shameless to play politics with the life of this young man and hundreds of thousands of others. It is just shameless to put homeland security funding at risk, to punish Juan Rios for having been brought to this country as a child.

The House Republicans feel so strongly about deporting DREAMers they are willing to hold up the homeland security funding bill. The House Republicans are telling the Senate and the President: Deport the DREAMers or we are going to shut down the agency responsible for protecting America from terrorism.

I hope the Senate majority leader will reject this blackmail, and I hope that in the spirit of the Senate, where we came together on a bipartisan basis to pass immigration reform almost 2 years ago, we will reject this hate-filled message from the House Republicans.

For our part, Senate Democrats will insist that the Department of Homeland Security be funded and that the President have the authority—which every President has had—to establish his own immigration policies.

I see there is another colleague on the floor. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the Democrats controlling the second half.

The Senator from Wyoming.

WORKING FOR THE AMERICAN PEOPLE

Mr. BARRASSO. Mr. President, last November the American people sent an unmistakable message to Washington, DC. Voters across the country said they were tired of the gridlock and they were tired of the lack of action by the Democratic-led Senate.

Well, we are now working again for the American people because voters said it was time for a new majority—the Republican majority—to get the Senate working again and to get America on a better course. Republicans heard the message. We heard it loud and clear, and we have been doing exactly what the American people have sent us here to do.

Under Republican leadership the Senate is working again for the American people, and the best example of that is the bill we are considering now in the Senate on the Keystone XL Pipeline project. The Obama administration has blocked and delayed this job-creating project for 6 years. Now Republicans are moving forward. We are moving it forward as well. We have had an open debate on the bill, and we have allowed amendments to the bill.

Imagine that. We are actually debating legislation on the floor of the Senate, and Senators are actually offering amendments to that bill.

We are all familiar with the milestone the Senate reached last week. Last year, under the Democratic leadership, there were a total of 15 up-or-down votes on amendments—15 for the entire year under HARRY REID. That is all the Democratic leader allowed.

But by the end of the day last Thursday, we completed our 25th amendment vote. Just 22 days into the year, the Senate had already been more productive on amendments than it was on 365 days under Democratic leadership.

We didn't stop there. Today the Senate will vote on up to 18 more amendments to the Keystone jobs bill and then another 12 after that.

Several Democratic Senators complained the other day about what they said was a lack of amendment votes on this bill. Well, where were they last year when the Democratic leader allowed only 15 votes to get an up-or-down vote on an amendment for an entire year?

Senator SCHATZ and Senator MARKEY, two Democrats, had never had a vote on one of their amendments in the Senate before Republicans gave them a vote last week. Senator COONS will get his first vote on an amendment today.

All of these amendments aren't the only way again the Senate is working for the American people. Another is going to happen on Thursday. The Energy and Natural Resources Committee is going to hold a hearing on a bill that I introduced earlier this month.

We have four Republican sponsors on that bill and four Democratic sponsors: Senators HEINRICH, BENNET, HEITKAMP, and KAINE. It is the LNG Permitting Certainty and Transparency Act. Now Senator TOOMEY, a Republican, was added as cosponsor, and Senator UDALL, a Democrat, was added as cosponsor. So there are five Republican and five Democratic cosponsors.

This is an idea that the House considered last year, and it passed with bipartisan support. Forty-six Democrats voted in favor of increasing America's exports of liquefied natural gas. The House is expected to vote again and pass a bill like this one this week. This is an idea that has bipartisan support in the Senate as well. So it should be a no-brainer. Plans to send American energy overseas are wrapped up in Washington redtape, and Americans who are eager for the jobs on these projects continue to wait.

This bipartisan bill will do a lot to fix that problem. It would set clear deadlines for Washington to make timely decisions on these import permits—export permits, important permits to export liquefied natural gas.

Once there has been an agreement and an appropriate environmental review, the Secretary of Energy will have only 45 days to act on a permit application. Increasing American natural gas exports would do three important things.

No. 1, it would create jobs. That is, of course, most important. These are American jobs, jobs for Americans. The private sector wants to create these jobs—not government jobs but private sector jobs.

No. 2, it would help to reduce our Nation's trade deficit. The trade deficit currently stands at $39 billion.

No. 3, these exports would support our American allies. Last year Russia invaded Ukraine and seized control of Crimea. Why? Largely because of the natural gas facilities there.

There was a group of Senators who were actually in Ukraine. I was one of them the day the Russian helicopters landed just north of the gas plants there. This was about the gas. Well, we could help reduce the threat Russia poses to Europe by offering more options for our allies to buy American natural gas.

There is no good reason for the endless delays on these export permits. Our bill would speed up the process. These export projects are job creators with bipartisan support. They have been stuck in Washington's bureaucrat gridlock.

The Senate is going to be acting to get these projects moving. That is why the American people sent us to the Senate. It is how the Senate is supposed to work. Committees consider the ideas on both sides, the bills get debated in committee and on the floor, and every Senator has a chance to talk about it and then to offer amendments that might improve legislation. That is how it has always worked before. It is a slow process. It was meant to produce consensus.

The majority leader, HARRY REID, changed all of that. The Democratic majority leader did everything he could to block amendments and to bypass and to skip committees. Did he do it to make better laws? No, not at all. Did he do it to speed up action so the Senate could be more productive? Of course not.

It was a transparent campaign tactic to keep vulnerable Democratic Senators from having to take tough votes. Even Democrats couldn't get votes on their amendments. Well, that gimmick by HARRY REID—the campaign tricks—failed, and the American people were not fooled.

That is one of the reasons voters across the country chose Republicans to lead both Houses of Congress. The American people said they deserve better, and the American people are absolutely right. The American people want Democrats to start working with Republicans to get things done.

That is what Senator HEINRICH and I—and others who are cosponsoring this measure today—are doing with our bill. The American people want an honest debate on important issues such as the Keystone jobs bill, as well. The American people want their representatives in the Senate to be able to offer amendments to bills such as this one.

That is how the Senate should work. That is how the Senate is working under Republican leadership, and that is how it is going to continue to work.

So I am pleased to see the votes are going to be held on these amendments. I am pleased to stand and cast my vote on behalf of the people of Wyoming. I look forward to more votes, more debate, and more consideration of ideas from both sides of the aisle.

It is interesting that President Obama has threatened to veto eight separate pieces of legislation so far this year. It is interesting to the point that it has a headline in today's USA Today, page 2A: ''Obama veto threats are at record high.'' Veto threats are at a record high.

The President has said he will veto another two bills that haven't even been introduced yet. If they haven't even been introduced, how does he know what they are going to say? How does he know what they are going to say once they go through the process of being amended, passed in the House, passed in the Senate, and get to his desk?

The President should reconsider each and every one of these veto threats.

The Senate is moving forward. The White House is putting up roadblocks. That is not what the American people were asking for in November. The American people want us to work together to get things done, to make their lives better. It is about them. It is not about the people who sit in this body, it is about the American people—their quality of life, people living paycheck to paycheck, day to day, what their lives are about.

The Republican Congress and this Senate continue to listen to the American people. The President of the United States continues to ignore them.

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

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FAIR TAX ACT

Mr. MORAN. Mr. President, we have had a lot of talk—certainly in the last year or so and certainly as this new session of Congress begins—on the importance of tax reform. Our country is at a point in time where we certainly are no longer competitive globally. The economy now is one that works against us because of our Tax Code. I think there is general consensus in the Senate that reforming the Tax Code is of significant importance, something that must be done.

I am often asked not only when I am back in Kansas but here in Washington, DC: Do you expect there to be broad-based tax reform? And we keep guessing about the likelihood of that happening.

I think it is typical of elected officials, politicians, to always talk about the need for comprehensive tax reform. We talk about lowering rates, making the tax system more fair, less bureaucratic, less paperwork. I certainly join in those sentiments and believe that the current circumstance we have in regard to our Tax Code is such that it limits the freedom of Americans—American business men and women, individuals, and their families. We make way too many decisions based upon the consequences of those decisions and how they are affected by the Tax Code.

So I am all on board on tax reform, but I wish to talk about what I believe is the best solution toward tax reform. And it is not tinkering with the current system; it is an overhaul of the current Tax Code.

I have joined my colleague from Georgia, Senator PERDUE, in once again introducing the fair tax plan. I started a long time ago in Congress, knowing that we needed to make significant changes in our Tax Code, with

the belief that most Americans ought to be able to file a tax return without the need of professional help, that we ought to be able to make decisions that are in the best interests of ourselves, our families, and our businesses without always going to the Tax Code to see what the consequences of those decisions were. I looked at a variety of proposals that were being considered at the time and continue to be considered today and ultimately reached the conclusion that the Fair Tax is the best option for significant reform. I wish to speak for just a minute about why I think that is the case.

As I said, Senator PERDUE and I introduced S. 25, the Fair Tax Act of 2015. I have been a cosponsor of that legislation. It was originally introduced in the Senate by the former Senator from Georgia, Mr. Saxby Chambliss, and I am pleased to now succeed him in his efforts to see that not only is this topic discussed in Congress but ultimately that the Fair Tax Act becomes law. It is a significant step in the direction of individual freedom.

I would highlight for my colleagues—and I have said this on the Senate floor before—I think the greatest responsibility we have as American citizens is to pass on to the next generation of Americans the freedoms and liberties guaranteed by our Constitution and the opportunity for every American to live the American dream. The Fair Tax, in my view, brings both of those goals front and center. Greater freedom and protection of individual liberties is certainly a component of the Fair Tax, and the opportunity for every American to pursue the American dream is a result that comes from the Fair Tax. It is that Fair Tax direction and individual freedom that caught my attention. It is the concept our Founding Fathers knew so well.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORAN. I ask unanimous consent for additional time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MORAN. Mr. President, the Fair Tax repeals all Federal, corporate, and individual taxes, payroll taxes, capital gains taxes, and estate and gift taxes and replaces them with a revenue-neutral personal consumption tax. The Fair Tax allows Americans to keep the entirety of their income, putting individuals in charge of their own finances, not the government—or, more specifically, not the Internal Revenue Service.

All Americans should be able to trust the IRS, which exercises great authority over the lives of Americans in this country, but we know from past experiences that expectation is no longer founded. So getting rid of the Internal Revenue Service is a significant benefit that comes from the passage of the Fair Tax.

I recognize that consumption taxes can be regressive, meaning they are harmful to those at lower income levels. So the Fair Tax takes that into account by providing a pre-rebate for those who fall below certain poverty income levels so that the basics—the things we by necessity need to by in our individual daily lives—are not covered by a tax, therefore creating greater progressivity to what otherwise would be a more regressive tax and something that I think is still important in this country to make certain we don't overtax those at the lowest income levels in the United States.

Certainly, our current Tax Code has significant complexities with all the paperwork. By some estimates, U.S. companies are currently holding over $20 trillion overseas. With the passage of the Fair Tax, foreign investments would no longer continue to sit on the sidelines when they could be brought back to America to drive economic growth and create jobs. For international businesses looking to relocate to the United States, the Fair Tax would be a welcomed sign. But the Fair Tax also benefits the consumer. It also benefits the everyday citizen, as I said, because of the pre-rebate.

With my time being short, I look forward to having a dialogue on the Senate floor and in the committees over the next few months, and I ask my colleagues to seriously take a look at S. 25 and to join the Senator from Georgia, Mr. PERDUE, and me and others in promotion of a program that reduces the complexity of the Tax Code in our lives, rids us of the Internal Revenue Service, protects the progressivity of the tax circumstance we find today, and most importantly, allows us to continue to pursue the American dream and promotes our individual freedoms and liberties.

The Fair Tax is worthy of people's consideration. It ought to be more than just a talking point. It deserves a debate, a discussion, a vote, and consideration by the Senate.

Mr. President, I yield back the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. BLUMENTHAL. Mr. President, I am very pleased to be here today to speak to my colleagues about funding for the Department of Homeland Security and to be followed by one of my most valued colleagues, Senator MENENDEZ, whose leadership on this issue has been extraordinarily important. I am also pleased to work with him on a letter he sent yesterday to the President concerning Iran sanctions, where his statesmanship-like path to a reasonable solution on this very complex and crucial issue will be enormously important to the future.

The Department of Homeland Security is one of the most significant departments in the U.S. Government. It has a mandate that is as complex and crucial as any in keeping American citizens and communities and capabilities safe and secure in a dangerous, complex, and threatening world.

In my family, when I was growing up, we had a saying: Don't cut off your nose to spite your face. Unfortunately, that path is exactly what some of my colleagues are choosing to follow in threatening to stop funding for the Department of Homeland Security.

We are reminded of the importance of this Department not only as terrorism raises its ugly head repeatedly abroad but also as perhaps more benign threats exist at home—the most recent of them, the snowstorm that hit the Northeast within the past couple of days. The Department of Homeland Security is not only engaged in a fight against terrorism, not only engaged in keeping America safe from threats abroad but is engaged in a wide variety of other tasks that have to do with the Nation's security. That is the key word in its title—''security.''

Americans fear more deeply than ever before that their security is threatened—economic security by stagnating incomes, foreign security as the world becomes more volatile and unpredictable and more threatening, and domestic security as threats abroad metastasize within our own borders.

Many people equate the concept of security at home or homeland security with protection against extreme violence from abroad, violent extremism spawning from abroad and in fact stopping those threats. Finding the wrongdoers and stopping them is one of the major tasks the Department of Homeland Security has, but it has a myriad of additional responsibilities that include aiding the victims of natural disasters and extreme weather, citizenship and immigration, routinely handling matters that involve legitimate applications for visas for entry into the United States, and it fights the scourge of human trafficking. I am privileged to have a Caucus on Human Trafficking with my colleague Senator ROB PORTMAN. So I know it forms a diverse collection of responsibilities that are crucial to security.

In fact, the Department of Homeland Security's responsibilities are comprehensive—so much so that it is simply unacceptable to play politics with its crucial mission. It is irresponsible to hold its funding hostage in a dangerous game of fiscal chicken and threaten daily activities that are vital to America's present and future security.

That is why we are here, because some of my friends across the aisle believe stopping the President from exercising discretion on certain immigration issues affecting specific individuals in this country is worth hamstringing and undercutting the entire Department of Homeland Security and forcing an enormous amount of its vital work to grind to a halt. That is the game of chicken we have. The President is expected to relent if the Department of Homeland Security is stopped from functioning, but it is a game that has no place in this Chamber or in this government.

We can agree or disagree with the President, and I disagree with the Department of Homeland Security on certain of its policies; for example, on detaining children which it has done routinely on a grandiose scale. I have included an amendment in the measure for immigration reform that passed the Senate. It would stop it from detaining children—a practice I consider shameful and unacceptable—and I have a long list of other changes I would like to see made in DHS policies. But the way to effectuate those changes in my view is not to withhold funding to stop DHS in its tracks of providing security for the American people, it is to amend the laws to persuade our colleagues to undertake the legislative process and to appeal ultimately to the court of public opinion which can render a verdict far more powerful than the tactics involved here. Chipping away at the President's authority by not only undercutting him but stopping one of his departments is reprehensible. So I urge my colleagues to cease this tactic.

The President needs discretion. In fact, I know as a prosecutor, as a former attorney general, and as a onetime U.S. attorney for Connecticut that discretion is essential. There is no way any authority can prosecute every crime. So prosecutors need to select cases based on severity of offense and most important the danger to the public because ultimately protecting the public is what security requires. That is true as well for the Department of Homeland Security.

The President has exercised his discretion in a way I find laudable. The exigencies of the present immigration system require the exercise of discretion. The President has done it in a way that is responsible and upholds his duties as Commander in Chief. But even if I disagree with the President on that exercise of discretion with respect to immigration, I would never use this tactic of withholding funding for an entire department, affecting all of its activities and implicating and undercutting security in so dangerous a way.

My hope is we will debate immigration policy, that we will approve an immigration reform bill, that it will be on a bipartisan basis just as it was during the last session, that there will be a lot of good-faith disagreement on the floor of this Chamber about those policies and about the President's actions but that we will keep the lights on at the Department of Homeland Security, that we will shine the light on threats to our security that need to be exposed and pursued, that we will further the security of this Nation and protect the public by making sure the DHS funding as a clean bill is approved right away and that we move forward to make sure DHS continues its vital service to the American people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MENENDEZ. 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. MENENDEZ. Mr. President, as we approach the near end—I think—of the votes and legislation on the Keystone Pipeline—I know we are having a series of votes later today—I know what is likely to be next up is the question of Department of Homeland Security funding. I hope we can come collectively together to fund the Department of Homeland Security, the Department that keeps us safe in an unsafe world, the Department we created after September 11 to bring together disparate government agencies, all charged with keeping our cities, our ports, our airports, our railways, highways, bridges, and neighborhoods safe from the threat of global terrorism. I particularly understand that as a Member of this body who represents, according to the FBI, the most dangerous 2 miles in America, the chemical coastway, airports, seaports along the Hudson waterfront. This is the Department that funds emergency management in our communities. It protects the President. It is engaged in all domestic counterterrorism efforts.

But what are we doing instead? We are being asked, as one of the new Republican majority's first acts of this Congress, to shut down the Department of Homeland Security. Why? Because some of our friends on the other side are willing to take a gamble and put politics ahead of national security, a thinly veiled political stunt in response to the lawful actions of the President of the United States to do something to fix our broken immigration system. Their message is pretty simple: repeal the President's lawful Executive actions on immigration or shut down the Department of Homeland Security. Make no mistake, that is the textbook definition of pure politics: not caring what its impact might be, not caring whom it might hurt, not caring about the families whom it will tear apart, and the fact that it will put our Nation's security at risk.

I have been in this Chamber and in the other Chamber for over 20 years, and I don't think I have ever seen such a cavalier political recklessness played with our national security. Why? To prevent the President from taking lawful action to help DREAMers and immigrant families to come out of the shadows after they pass a criminal background check, register with the government, and get right with the law in exchange for being allowed to temporarily stay in the country and obtain a work permit.

The bottom line is clear: Republicans are doing all of this just to prevent a clean Department of Homeland Security funding bill from being sent to the President, a critical funding bill that the President has rightfully promised to veto should it include their anti-immigration amendments, a veto which Congress will not override. It is a fool's political errand that is neither good policy nor particularly humane.

Our friends on the other side have accepted these anti-immigrant poison pill amendments, knowing full well they will sink the Department of Homeland Security funding bill because they have allowed extremists, such as STEVE KING, to dictate the party's strategy on immigration.

Let's not continuously go down this dark path of partisanship instead of funding national security programs to keep our families and our communities safe. In my view it is shamefully and woefully irresponsible for Republicans to hold up funding for operations that protect every American against terrorism in the wake of what happened in France and against cyber attacks at a time when North Korea just carried out a dramatic attack against a major American corporation.

This is not a time to hold up funding to help the Department of Homeland Security investigate cyber crime that could cripple America's electronic infrastructure or when the world is a tinderbox of jihadists and would-be homegrown terrorists willing to die for a perceived version of Islam.

If Republican colleagues want to seriously consider this ill-conceived approach, they will be forcing a shutdown of the Department of Homeland Security—a shutdown of our national security infrastructure to pursue their agenda of mass deportations that will tear families apart, an agenda that embraces a system that doesn't distinguish between deporting a working mother with U.S. citizen children and a convicted felon.

Instead, I urge my friends on the other side to join us and pass a balanced and comprehensive bill. Let's talk. Let's sit down again and find common ground, as we did in the last Congress where this Senate came together on a bipartisan basis with over 67 votes to send a bill to the House of Representatives that dealt with our broken immigration system, provided for our national security, promoted our national economy, and at the same time made sure our legacy and history as a nation of immigrants was preserved. The answer is not holding up national security funding at a critical time, not turning our backs on the

hard-working men and women at the Department of Homeland Security in law enforcement who are protecting our borders, our airports, and our coastlines. It is not about trying to score political points by conflating national security and immigration reform, which will only make it harder to address security issues at home and almost impossible to move forward on comprehensive immigration reform.

Let's look at what my Republican colleagues are so opposed to. They are opposed to new DHS directives that include a rigorous application process that will ironically help eliminate national security threats. They seem to be opposed to the fact that applicants will have to come forward and register with the government. They will have to pass criminal background checks before they can receive a temporary reprieve from deportation and a work permit. No violent criminals, gang members, or terrorists will be able to take advantage of the program. They seem to be opposed to allowing immigrants who are not a public safety or national security threat to come forward and request deferred action, meaning there will be fewer people living in the shadows, beyond the reach of law enforcement.

These directives identify moms and dads who have a U.S. citizen or a legal permanent resident son or daughter and take them out of the deportation queue. They also take DREAMers out of the deportation queue.

The House amendment to the Department of Homeland Security funding bill would effectively end the new Deferred Action for Parental Accountability Program and the expanded DACA Program for DREAMers. They would also defund every other aspect of the President's November 20 Executive action that would promote border security, public safety, military service, legal immigration, citizenship, immigration integration, entrepreneurship, civil immigration enforcement priorities, including the prioritization of individuals with convicted felonies and gang activity and terrorist ties for deportation.

I will repeat that. It includes a prioritization. I would think the Senate would want to support a prioritization of individuals who are here illegally and are convicted felons and part of gang activities or who have terrorist ties for deportation and any future similar Executive actions.

The only directive our Republican colleagues found acceptable, which is interesting—in my mind, you say: Well, none of it can happen by Executive action. But it seems that the only thing that did happen by Executive action that our colleagues found acceptable pertains to pay increases for Immigration and Customs Enforcement officers, which I believe they certainly deserve.

These amendments would break apart more families and destroy communities by ensuring that we continue to deport the parents of U.S. citizen and lawful permanent resident children. One of the most mean-spirited amendments would prohibit the use of Federal funds or resources to consider or adjudicate any new, renewed, or previously denied application for deferred action for childhood arrivals.

Let's call this amendment what it is: It is an amendment to deport DREAMers and targets all of those young people who came forward and signed up in good faith. I will give an example of whom these amendments attack.

I wish to remind my colleagues of who the DREAMers are. DREAMers are young people who came to this country through no choice of their own. The only flag they have ever pledged allegiance to is that of the United States of America. The only national anthem they know is the ''Star-Spangled Banner.'' Their country is this country.

I was fortunate to speak with people like the Morales-Cano family 2 weeks ago in New Jersey. They are a family of six, including 13-year-old, U.S.-born Rebecca Morales. Their lives have drastically improved thanks to the program Republicans are hoping to dismantle. If the Republicans are successful, Rebecca would be left alone in the United States without her parents or sisters—an American citizen left alone, perhaps in foster care, because Republicans don't care about prioritizing the deportation of convicted criminals over her mom, dad, and sisters.

The story of the Morales-Cano family is a clear example of thousands of deep-rooted families who have waited too long in the shadows for immigration reform.

Three years ago, after attending a deferred action for childhood arrivals workshop that my office organized in New Jersey, all three of Rebecca's older sisters—Ingrid, Evelyn, and Lesly—were given an opportunity to begin a new chapter of their lives after qualifying for the President's 2012 Deferred Action for Childhood Arrivals Program, joining thousands of others who had been granted relief.

Today, look at what this family is doing Ingrid cares for New Jerseyans' health at her job at the Ocean Medical Center. Evelyn moved to Illinois to attend the West Coast Bible College and Seminary. Lesly was able to enroll in Brookdale Community College to pursue her dream of becoming a nurse. Ingrid, Evelyn, and Lesly represent the hundreds of thousands of young individuals who, because of the deferred action for childhood arrivals, can actively contribute to our economy without fear of losing everything they have worked to gain.

Romeo Morales and Mrs. Magda Cano de Morales did not qualify for deportation deferrals under DACA and have continued to live with the constant fear of having their family abruptly separated. But thanks to the deferred action for parents program, recently announced by President Obama, both parents will likely qualify to come out of the shadows, register with the government, pass a background check, and join their daughters in their pursuit of the American dream—unless, of course, the Republicans get their way.

We cannot let that happen, and I will do everything to ensure that we will not let that happen. These are the real faces of our broken immigration system. There are many families like the Morales-Cano family who have been and remain an economic resource we cannot afford to waste. They are hard-working families who simply want to be full participants in American life, full contributors to the American family, and they want to remain united as a family. We should want them to remain united.

I have listened to so many speeches here about family values. Well, the core of a family value is a family being able to stay together, integrated and helping each other and driving each other to success and supporting each other. Ripping families apart is not a family value.

We must see through the smoke and mirrors and do what is right for America. Let's stop playing political games. Let's defeat these poison-pill amendments and pass a clean Department of Homeland Security funding bill. Let's not play politics with national security. Let's remember the people behind the policies. Let's remember the Morales-Cano family and the fate of Rebecca if we allow these amendments to pass.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MURKOWSKI. 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.

KEYSTONE XL PIPELINE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

Pending:

Murkowski amendment No. 2, in the nature of a substitute.

Vitter/Cassidy modified amendment No. 80 (to amendment No. 2), to provide for the distribution of revenues from certain areas of the outer Continental Shelf.

Murkowski (for Sullivan) amendment No. 67 (to amendment No. 2), to restrict the authority of the Environmental Protection Agency to arm agency personnel.

Cardin amendment No. 75 (to amendment No. 2), to provide communities that rely on

drinking water from a source that may be affected by a tar sands spill from the Keystone XL pipeline an analysis of the potential risks to public health and the environment from a leak or rupture of the pipeline.

Murkowski amendment No. 98 (to amendment No. 2), to express the sense of Congress relating to adaptation projects in the United States Arctic region and rural communities.

Flake amendment No. 103 (to amendment No. 2), to require the evaluation and consolidation of duplicative green building programs.

Cruz amendment No. 15 (to amendment No. 2), to promote economic growth and job creation by increasing exports.

Moran/Cruz amendment No. 73 (to amendment No. 2), to delist the lesser prairie-chicken as a threatened species under the Endangered Species Act of 1973.

Daines amendment No. 132 (to amendment No. 2), to express the sense of Congress regarding the designation of National Monuments.

Boxer amendment No. 130 (to amendment No. 2), to preserve existing permits and the authority of the agencies issuing the permits to modify the permits if necessary.

Peters/Stabenow amendment No. 70 (to amendment No. 2), to require that the Administrator of the Pipeline and Hazardous Materials Safety Administration make a certification and submit to Congress the results of a study before the pipeline may be constructed, connected, operated, or maintained.

Collins/Warner amendment No. 35 (to amendment No. 2), to coordinate the provision of energy retrofitting assistance to schools.

Murkowski amendment No. 166 (to amendment No. 2), to release certain wilderness study areas from management for preservation as wilderness.

Sanders amendment No. 23 (to amendment No. 2), to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 photovoltaic systems by 2025.

Merkley amendment No. 174 (to amendment No. 2), to express the sense of Congress that the United States should prioritize and fund adaptation projects in communities in the United States while also helping to fund climate change adaptation in developing countries.

Merkley amendment No. 125 (to Amendment No. 2), to eliminate unnecessary tax subsidies and provide infrastructure funding.

Cantwell/Boxer amendment No. 131 (to amendment No. 2), to ensure that if the Keystone XL Pipeline is built, it will be built safely and in compliance with United States environmental laws.

Tillis/Burr amendment No. 102 (to amendment No. 2), to provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing.

Markey amendment No. 178 (to amendment No. 2), to ensure that products derived from tar sands are treated as crude oil for purposes of the Federal excise tax on petroleum.

Markey amendment No. 141 (to amendment No. 2), to delay the effective date until the President determines that the pipeline will not have certain negative impacts.

Whitehouse amendment No. 148 (to amendment No. 2), to require campaign finance disclosures for certain persons benefitting from tar sands development.

Booker amendment No. 155 (to amendment No. 2), to allow permitting agencies to consider new circumstances and new information.

Burr modified amendment No. 92 (to amendment No. 2), to permanently reauthorize the Land and Water Conservation Fund.

Coons amendment No. 115 (to amendment No. 2), to express the sense of Congress regarding climate change and infrastructure.

Carper amendment No. 120 (to amendment No. 2), to amend the Internal Revenue Code of 1986 to extend the credits for new qualified fuel cell motor vehicles and alternative fuel vehicle refueling property.

Heitkamp amendment No. 133 (to amendment No. 2), to express the sense of Congress that the Internal Revenue Code of 1986 should be amended to extend the credit with respect to facilities producing energy from certain renewable resources.

Cardin amendment No. 124 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Cantwell (for Gillibrand) amendment No. 48 (to amendment No. 2), to modify the definition of underground injection.

Cantwell (for Peters/Stabenow) amendment No. 55 (to amendment No. 2), to require a study of the potential environmental impact of by-products of the Keystone XL pipeline.

Murkowski (for Barrasso) amendment No. 245 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Daines amendment No. 246 (to amendment No. 2), to express the sense of Congress that reauthorizing the Land and Water Conservation Fund should be a priority.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am ready to go this morning. I have comfortable shoes on. I am ready for a good, long day and to process a bunch of amendments. I see the Senate doing its work. I know we have important business before the Senate. I know the Judiciary Committee is holding the hearing to listen to the comments from Loretta Lynch, who has been nominated to be Attorney General.

Obviously these are very important issues the committee is discussing today. Interspersed with all of that, we are going to be having a relatively long series of votes this afternoon, which makes it a little bit choppy and a little bit chaotic, but we have business to do in the Senate.

I am pleased we are at this point where I think we can honestly say we are looking at the final stretch in this discussion on the bipartisan, 60-sponsored bill to approve the Keystone XL Pipeline after more than 2,320 days of delay.

At this point we are past that last call for amendments on the bill. We have spent a lot of time over the past couple of days negotiating which of the roughly 200 first-degree amendments that have been filed would come up for votes. We have a pretty good list. Again, we have 18 of them that will be before us beginning this afternoon. There will be more we will be dealing with at a later point.

But I do think this is significant. I was reading the newspaper this morning, and there is no shortage of critics out there, folks who would say the Senate is broken and can't possibly be fixed.

There was an article from an opinion writer which stated: Within the midst of the Keystone debate, MCCONNELL has had to retreat ''on his promise to allow freewheeling amendments.''

The article then goes on to state that yesterday not much of anything happened on the Senate floor where the pipeline debate had stalled.

In fairness, maybe the debate, in terms of processing amendments on the floor, had stalled out yesterday, but that did not mean there were not significant and serious negotiations going on between the majority and the minority about how we would proceed. Sometimes when someone tunes in and the Senate is in a quorum call, they think nothing is happening. They think the business of the Senate is not being conducted. I need to assure not only colleagues but those who watch this process on C–SPAN that in fact there is still good business being done.

I think that is what has resulted in our opportunity this afternoon to take up some 18 different amendments. There are amendments that are all across the board; 10 of the 18 pending amendments are from colleagues on the other side of the aisle. I think we are certainly being very generous in terms of what is out there. We are trying to ensure that Members who want a vote can have them.

Again, keep in mind, with a couple hundred amendments that come forward, we are going to have a lot of duplication. We are going to have issues people may want to make a statement about but might not necessarily want to ask for a vote on. But those that we have in front of us today—everything from issues relating to solar energy to LNG exports, to further discussion about climate change, wilderness, wind tax credits, the Land and Water Conservation Fund—are truly all over the map.

When it is suggested that somehow or other Senator MCCONNELL as the majority leader is moving back from his commitment to allow for an open amendment process, so-called freewheeling amendments, I don't think a whole picture of what is happening on the Senate floor is being painted. In fact it is a very open and considerable process.

I made mention last week that we broke the records. We blew the top off in terms of the number of amendments we were actually able to process on the Senate floor. We moved through 24 amendments on this bill since the time we started it. Twenty-four amendments is pretty considerable, considering that in all of 2014 there were just 15 amendments that were considered the entire year. In fact, on Thursday alone we processed 15. If we do 18, as is on the roster today, that is pretty significant. I feel good about the point we are at. It is not just because we are churning through amendments, it is because of what the ranking member and I have been able to do as the floor managers on this bill, kind of working back and forth. Yes, sometimes it is tedious. Yes, sometimes it is frustrating. Yes, sometimes Members wish they had more time to talk or there were more hours in our day to process all of this,

but at some point in time I think we have to recognize when we spend 3 weeks on a bill, that is pretty considerable. When we are able to move 50 amendments—close to 50 amendments is where we may be at the end of this legislation and processing—that is of note.

What I appreciate is we are here this morning getting ready to kick off a long afternoon of votes and go back and forth with Members and disruption of their schedules and committee meetings and the inconvenience that causes. But again this is part of what happens around here. It is not a very tightly scheduled environment because we just have so much that is going on. But being able to move forward on this important legislation is good and necessary.

I think we are setting the stage for the balance of this Congress—under the leadership of the Senator from Kentucky, the majority leader, a commitment to have wholesome debate—to have the opportunity for a process that is not only good for Republicans, it is good for Democrats. It is good for the Senate and for the United States.

AMENDMENT NO. 166

I want to quickly mention an amendment I will have up later this afternoon. This is amendment No. 166. I spoke very briefly to it yesterday when I called it up. But it would require wilderness study areas to be released if Congress has not officially designated them as wilderness within one calendar year. Right now what happens is that when a wilderness study area is designated, it can sit out there on the books almost indefinitely. There have been areas that have been sitting out there without congressional action for a couple of decades.

I don't think this was the point of the process. But I would suggest the amendment I have advanced is a critical one to our Western States, certainly to my State of Alaska.

Again, the news on Sunday of the President moving toward a wilderness designation of all of ANWR—with the exception of a very small slice but all of ANWR—all 19 million acres in addition to the 1002 area, the 1.57 million acres that have been specifically designated by Congress for further review and study.

Right now there are 528 wilderness study areas throughout Alaska and the other 11 Western States. Again, these designations have been made by over time by one administration or another. The next step forward in this process is that Congress needs to act, but Congress hasn't acted. We have had some of these that have been pending since the 1980s.

Again, as I suggested yesterday, if we have had something pending for 20, 30 years, I think that is plenty of time to say that Congress has had to review those areas. Even though we have not turned these into wilderness—in other words, even though Congress has not acted to designate these areas as wilderness, what happens to them?

They are treated and managed as if they are wilderness. Effectively, we have de facto wilderness. The law requires that only Congress determines whether an area is designated as wilderness. But what has happened is just kind of a lag, a lull, if you will, so they don't even need the congressional designation if in fact it is already being managed as wilderness.

We look at the intent behind this. It is clear it was never intended to be this way. We were never supposed to have millions of acres of de facto Agency-decided wilderness around the Western United States. We routinely pass public lands legislation into law. I would like to know we could do it a little more often. As recently as last month, it actually has included new wilderness. So we are not saying that in other areas these wilderness study areas don't get officially designated. There is that process, and we demonstrated that just during the lameduck here. But in the instances where Congress has decided not to act on wilderness study areas, agencies need to start looking at what that broader array of options is for managing the land, whatever that multiple use designation might be. They need to be looking at this critically with the local people in the area and with the other stakeholders who are involved in the planning process, but clearly they are not doing that on their own.

So what my amendment would do is essentially provide a 1-year timeframe for wilderness designations to be made. I think, again, that is more than enough time for Congress to consider debate and approve legislation for any area with wide support for a wilderness designation, so we will see that amendment this afternoon.

I know the Senator from Washington was on her way, coming from a committee meeting this morning, and had intended to speak. I see Senator UDALL is also on the floor.

I yield to the Senator from New Mexico if he wishes to speak at this time before Senator CANTWELL comes to the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 55

Mr. PETERS. Mr. President, I rise today to discuss my amendment that was made pending by my friend and the ranking member of the Energy and Natural Resources Committee, the Senator from Washington, Ms. CANTWELL.

The amendment I have offered, amendment No. 55, is a simple, commonsense amendment. It requires the Environmental Protection Agency to complete a study on the potential environmental and health impact of byproducts from tar sands oil that would be transported across our country by the Keystone XL Pipeline.

One of these byproducts of tar sands oil is a black, powdery substance known as petroleum coke or petcoke. It is a residual from this tar sands oil and large amounts of it are produced in the refining process.

In fact, it is estimated basically for every barrel of oil we get from tar sands, one-third of the material is this dark substance called petcoke. If we are transporting an awful lot of oil through the Keystone Pipeline, it naturally follows that we are going to get massive amounts of this petcoke.

I have had an experience with this petcoke in my previous House district in the city of Detroit, where we had petcoke from the refining process of this tar sands oil being piled up along the Detroit River. We had a pile there that was at some times several stories high, a city block long. It was stored along the river in an uncontained fashion. It was blowing into people's homes, it was blowing into businesses, and it was also draining into the Great Lakes watershed.

It caused all sorts of problems. I had complaints from constituents who talked about this substance going into their homes. I had businesses talking about—for example, restaurants in the area—their wait staff getting respiratory problems as a result of breathing this in.

In fact, we had a video to explain how problematic it can be. I had a video taken by a Canadian resident across the Detroit River that showed the petcoke piles. With some wind blowing, a massive black dust cloud was blowing off of these petcoke piles. In the distance you could see the Ambassador Bridge, which is the bridge that connects Canada to the United States. The dust was so thick and so black it obscured the bridge as it was blowing into the neighborhoods, into the river, and then into Canada.

It is a completely unacceptable situation, which is why I believe it is important as we move forward with this legislation that we have a couple of studies.

One, we need to understand what are those environmental and health risks associated with petcoke. It is clear this is particulate matter, and if it is not contained, it gets into people's lungs and creates a dust layer throughout communities.

It is very important as well in the study not only to study the environmental and health impacts, but what are the best practices to handle this material.

With the massive amount of tar sands oil that will come through the Keystone, we will also get massive amounts of petcoke, a substance that has been problematic not only in Detroit, but it has been problematic in the city of Chicago and other places across the country.

So I believe it is very important that we get these kinds of information as this project moves forward, and it is certainly my hope that we can assure that what happened in Detroit, what is happening in Chicago and other places across this country doesn't happen, that we understand what this substance is, and we understand what those best practices are to handle and to transport this material safely.

I urge my colleagues to support amendment No. 55.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 166

Ms. MURKOWSKI. Mr. President, I am glad the junior Senator from Alaska is in the Chair because I am going to be discussing things that are of great concern to Alaskans and really to those who care about the rule of law here and how it applies throughout all 50 States fairly and evenly. As I mentioned just a bit ago, I have offered an amendment that would deal with how wilderness study areas are treated. My proposal is one that would put a time limitation on these study areas.

I mentioned the amendment was precipitated by the President's announcement this weekend about additional areas of wilderness to be designated in Alaska. I have cited two. The 1980 lands bill, ANILCA—I think it is good for us to have a little bit of a refresher on what ANILCA actually did. In one fell swoop ANILCA designated nearly 60 million acres of wilderness in the State of Alaska. That is pretty substantial. It was more than any other President had ever designated at any other time prior to that.

What we have seen since then, with the designation of wilderness, is there has been this fight going back and forth. There have been areas that have been requested for wilderness study areas. But this administration has really taken it a major step forward. On Sunday the President recommended that an additional 12.3 million acres within the Arctic National Wildlife Refuge be designated as wilderness—so an additional 12.3 million acres on top of the 60 million acres that we already have as wilderness in Alaska after ANILCA.

This action by the President means that these 12.3 million acres will immediately be managed as wilderness. As I have mentioned, right now there is no deadline or expiration for this designation. Even if Congress fails to act—and I am going to make darn certain we do not act on this wilderness proposal the President has advanced—these acres are being managed as wilderness.

Let me just show colleagues what it means for us right now. The small map of Alaska is up there in the corner. It is kind of unfair because it needs to be a much bigger map to get the context. Effectively, what the President is proposing is that in addition to the 7.16 million acres of wilderness that currently exist in the ANWR area—and the ANWR area is a big refuge, a big designation. A little over 7 million acres have already been designated as wilderness. That was done back in 1980. But what he is proposing now is effectively taking the whole balance of the refuge area and making wilderness out of that as well—so 12.3 million acres.

Now, keep in mind this also includes the 1002 area up on the northern part of ANWR. That is the area right, which was specifically designated by Congress for further study of its oil and gas potential. Back in 1980, when the wilderness designation was made for the one area—7 million acres of it—it was determined that refuge status would be afforded the balance of the area, and then the 1002 would be reserved—reserved deliberately for study of its oil and gas potential.

That 1980 act was pretty clear in terms of the bargain that had taken place. I am going to read for the record the provision in the law that we refer to as the ''no more'' clause. It states:

> This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.

The act goes on to state that ''no further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by the Congress.''

So the President is basically choosing to ignore the law as set out in ANILCA—the agreement that Alaska has contributed mightily with its share of wilderness.

I remind my colleagues that more than one-half of the wilderness in the entire United States of America is in the State of Alaska. Thus we wrote the law back in 1980 that says no more out of Alaska. They found that balance. Well, this President is tipping that balance.

The coastal plain holds an estimated 10.4 billion barrels of oil. I mentioned yesterday that if we can tap into these resources, we could see 1 million barrels a day coming down our Trans-Alaska Pipeline for nearly 30 years.

Think about what that would mean, Mr. President—1 million barrels a day filling up that Trans-Alaska Pipeline that is now less than half full, an additional 1 million barrels a day coming into this country. Right now, Americans are enjoying the lower prices of oil. But the President said: Don't get used to these low prices because they may go up. Well, they do not have to go up if we can provide more. If we can increase production in this country, we can theoretically decrease that cost. But we have to be allowed to access that.

Think about the source of good-paying jobs, energy security, billions of dollars in new Federal revenues. The energy security part of it is keenly important, but let us also think about the positive national security implications of energy produced in the United States. When we are producing more energy in this country and relying less on others, we are less vulnerable. We have greater ability to deal with hostile nations. Sanctions work better when we don't need to rely on that same oil that some of these nations would like to free up for other countries.

From a national security perspective, this is huge. This is where the intersection with the Keystone Pipeline is so interesting: that at the same time this administration has issued this wilderness study it is also fighting so hard to keep us from building the Keystone XL Pipeline, which would allow us to get crude from our friend and neighbor to the north and utilize it to our benefit. The President is saying: No, I don't want to do that.

I guess he would much rather receive it from Venezuela or wherever. He says he wants Brazil to be our big trading partner when it comes to oil.

Hello. Canada—they share a border. They are our friend. They are our closest friend, our strongest trading partner. Are we going to shut down such an opportunity as that?

And: Oh, by the way, that same week let's just go ahead and take off the table permanently one of the greatest reservoirs of crude we have here in the United States next. Let's just take that off the table, too.

What does that say? What does that say to other countries? That we don't care about our own energy security? I care about our energy security, and I care about our national security.

Again, it stuns me to think that what the President is proposing here is a measure that would take off limits permanently our ability as a nation to access the 1002 area to safely develop this enormous potential.

Keep in mind, we are not talking about accessing the full 1.5 million acres in the 1002. The legislation that has been before this Senate, back in 1995 and 2005, asked to open up 2,000 acres—2,000 acres—out of 19.5 million acres in the whole refuge.

The Presiding Officer knows Alaskans can do this safely. We have set and met the highest environmental standards in the world. We do it every

day. Our pipeline, our amazing 800-mile pipeline, has a decades-long record of responsible production. It has carried nearly 17 billion barrels of oil safely across our State, over 2 mountain ranges, multiple rivers, in areas where we are known to have a few earthquakes. It is an engineering marvel. It has served our State and our country well.

But instead of recognizing this unparalleled opportunity that we have, we are now facing a mounting lockdown of our resource potential. And the Presiding Officer knows the worst part is, it is not just ANWR we are talking about. Our offshore oil reserves are now also going to be restricted.

Just yesterday the President announced he was indefinitely withdrawing 9.8 million acres in the Beaufort and the Chukchi Seas from leasing. So now ANWR is going to be locked up, as well as the Beaufort and Chukchi seas. I don't have a map of these areas that have been taken off limits, but I can tell you that it is an area of roughly 9.8 million acres. There is some real question that I have in my mind. After reading the Interior's press release, I don't have any real comfort that the two sales that are being proposed—one in the Beaufort and one in the Chukchi—will actually stay on schedule.

The Secretary of the Interior is quoted saying that: Interior will continue to consider oil and gas exploration in the Arctic. It is not a very firm commitment, as far as I can see.

But when we look at it altogether—between the ANWR wilderness designation and the Arctic offshore withdrawal—Alaska has lost more than 22 million acres of land and water where energy could be produced for the good of this country, and it has happened in less than 1 week. It has happened over a span of 3 days—22 million acres.

So what is 22 million acres? It is an area about 563 times larger than where we are here in the District of Columbia. It is about 28 Rhode Islands. I know Rhode Island is a small State by comparison, but 28 of them adds up. It is about 4.5 times the size of the State of Massachusetts. Again, this is just to give you an idea of what was taken off limits, indefinitely, by this administration since Sunday.

My reaction to all this has been pretty strong. I think it is pretty obvious to anybody who would take a moment to think about it, but I am amazed our President can look at Alaska and think, this is what we need most right now.

We are facing a pretty significant budget shortfall. I know our Governor has spoken to the President and the Secretary of Interior about Alaska's situation. Then this is what he gets as a ''we will work with you''? I don't think so. This is not an indication of a Federal Government that wants to work with the State to develop its resources.

The Governor asked the Secretary of the Interior for an address, because he said he needed to send an invoice for the lack of any economy Alaska would be able to generate with these actions.

The one thing—the one thing more than anything else that could help our State—is to be able to access our Federal lands and our waters so that we can fill up the Trans-Alaska Pipeline, so that we can not only help Alaska but we can help the rest of the country. But that seems to be the one thing this President is intent on denying, whether it is in ANWR, whether it is in our offshore, or whether it is in our National Petroleum Reserve, where this President basically unilaterally took off about half of that in terms of availability of access.

I noted that when the President made his announcement on Sunday, the video that went out showed beautiful pictures of the refuge area. Again, this is a big area. This whole refuge is about the size of the State of South Carolina. It is big and there are some amazing spaces—I am the first one to admit it, amazing spaces—just as there are all over Alaska.

But I watched that video as he was flying in his airplane to go to India, and I thought to myself: The President hasn't been to Alaska, even though he says he only has three States left to see and Alaska is not included. So I actually asked my staff to find out. By my count, the President has been to Alaska three times during his administration. And he told me, before he was President, he had never been to Alaska. So three times during his administration. All three times were basically to get fuel. And granted, to give him credit, on one of those times he did meet with the troops at Elmendorf, but he never went off the base. The other two times were in the middle of the night for as long as it took to get fuel.

In my mind, that is not visiting Alaska. That is not trying to understand who we are. We have some pretty beautiful, wide-open skies. But when you are flying at 35,000, 45,000 feet looking down, that is not how you get a view of Alaska.

So outside of this short meet-and-greet, outside of a bargaining chip to gain support from national constituencies, he is basically viewing Alaska as a refueling stop—which is no shortage of irony here in the fact that he is happy to refuel Air Force One in Alaska, but he doesn't seem to want fuel produced in Alaska.

I can get pretty frustrated and upset about this. Part of it is because so much of this comes without consultation with us, without listening to the vast majority of Alaskans—as if, once again, we are nothing but a territory and the promises that were made to us at statehood mean nothing.

I was born in the territory. It was not that long ago that Alaskans knew what it meant to be kind of kicked around by folks on the outside. We didn't have a voice. We thought statehood was going to change that. We thought that statehood compact—the promises made that Alaska would be able to deliver to its citizens based on the amazing resource wealth that we had—we thought that was going to count for something. Apparently, not enough.

I was a little bit surprised to read that the White House counselor, Mr. Podesta, thinks I have overreacted to these announcements and to others that I have been told may be coming—more to come—and he suggested my reaction is not warranted.

I would ask any one of the other 99 Senators here: Think about how you would respond if the citizens of your State woke up to a message that we are going to take 12 million acres away from you and your potential to develop in your State; and then on Tuesday, we are going to take away 9.8 million acres. But don't worry, we are the Federal Government, we are here to help. Alaskans want to help themselves. We want to be able to exercise that independence, that free spirit that so many of us in Alaska identify with. We want to help our neighbors, help our families. But this kind of help we don't need. Don't lock us up. Don't shut us out.

It was suggested in Mr. Podesta's comments, and I saw it in other press reports, that somehow or other the Interior Department felt compelled to move forward with the timing of these announcements because we were ratcheting up on ANWR. They suggested I had introduced a bill. I haven't introduced a bill. I do intend to introduce a bill. But to somehow suggest this was precipitated because the delegation is making a charge on ANWR is, at this time, unwarranted.

It did kind of make me wonder, maybe the White House isn't aware of how Alaskans feel about this. So in the few minutes I want to take this morning I want to read a few of the quotes from our State leaders who have come out against this decision since they were announced, particularly as they relate to ANWR.

We have a new, Independent Governor. As I mentioned, he has already had the opportunity to meet with the President and talk about Alaska's issues. Again, he has also met with the Secretary of Interior to talk similarly. Governor Walker says he is ''angry, very angry, that this is happening.''

Our State senate president, Kevin Meyer, said the following:

> The impact of this decision, if allowed to stand, will harm the future of our Great State and will deal a devastating blow to our economy.

I spoke with our house speaker, a gentleman by the name of Mike Chenault from the Kenai Peninsula, an area where we have oil and gas potential in the Cook Inlet. They know about oil and gas. The speaker said:

> The president just doesn't get it, or he does get it and doesn't care about the will and voice of Alaskans. That's beyond offensive.

In response to the President's ANWR announcement, Speaker Chenault also had some pretty choice words. He said:

Alaska's not a territory anymore and it's high time our federal overlords stopped trying to treat us like one.

The Arctic Slope Regional Corporation, whose shareholders, people who actually live on the North Slope, issued a press release stating that:

We are staunchly opposed to this relentless and coordinated effort to designate the Coastal Plain of ANWR as Wilderness. This administration has deliberately ignored the input provided by the most affected people within ANWR.

Colleagues, remember that when this President is suggesting that this area needs to be named or designated as wilderness, the 1002 area, people live there. People live their lives there—children go to school and people work there. They fly in and out. They have a little grocery store. They try to make an honest living there. They subsist, absolutely; but people live there. To quote from the Arctic Slope Regional Corporation, the corporation's shareholders who live there say, ''this administration has deliberately ignored the input provided by the most affected people within ANWR.''

I think the reason they have ignored it is because they forget people actually live there. How can people live in a wilderness?

Democratic State Representative Ben Nageak of Barrow, who is an Inupiat and born in Kaktovik, who lives in the affected area, wrote this:

President Barack Obama and his lieutenants at the Interior Department will permanently harm our people and all Alaskans with his colonial attitude and decision making . . . It's terrifying to see the extent by which our pleas for time and a fair hearing of our views fall on deaf ears 5,000 miles away.

That is a State representative born and raised in this area, an Inupiat, who is saying 5,000 miles from here you are making decisions without listening to us, without listening to our people.

Our North Slope Borough Mayor Charlotte Brower didn't mince any words, either. She said that ''these types of paternalistic, executive fiats seem to be more appropriate for Andrew Jackson's administration than Barack Obama's.''

Pretty tough words. I am starting to think my words were pretty mild based on what I read from the mayor of the North Slope Borough and the Democratic State representative from Barrow.

Mayor Brower has invited President Obama and Secretary Jewell to visit the North Slope, and she asked them to meet with the people who actually live there before proposing these types of sweeping land designations. If the President and the Secretary actually accept that invitation, Mayor Brower concluded:

They might learn that the Inupiat people who have lived on and cared for these lands for millennia have no interest in living like relics in a giant open air museum. Rather, they hope to have the same rights and privileges enjoyed by people across the rest of the country.

That seems like a pretty fair request to me.

Even the New York Times interviewed a few Alaskans who didn't hide their feelings. One woman who said she had voted for the President twice said, ''He has just alienated an entire state.'' She described herself as being ''on the fence'' about ANWR before the proposal, but she added, ''without talking to any of us, just doing it by fiat—that's not how you lead.''

I think she summed it up pretty well. What the President has done, the way he has done it—it is unfair, uncalled for, and it is unwarranted. So for it to be suggested by the counselor from the White House that my response is somehow overreacting or unwarranted, I think they should start listening to all of the people of Alaska. The presiding officer and myself were sent here to represent them and I think we are expressing pretty clearly where Alaskans are coming from on this.

This is wrong. It should not be tolerated. And we will not just sit back while this administration locks up our State and the potential of our people.

We have a lot more we will be discussing about this. Again, I mentioned on Monday that there was a trifecta with what we see coming out of this administration. I have been told by the Secretary that we would see his ANWR designation and that we would then see the 5-year lease sale that would take areas that had been in deferred status and completely withdraw them for an indefinite period of time, and that there would be a third announcement coming relating to the National Petroleum Reserve—the area where folks who said don't go to ANWR, go to NPRA, go to the National Petroleum Reserve. So the first company that tried to do so is trying to make it happen. What this administration is doing with the mitigation costs they are laying in front of them, the company will determine whether it is going to be economic. But my fear is that will be the third kick to Alaska.

So it has been a bad week, a bad week for Alaska. But you know what, we are not people who are deterred by bad news, by bad weather. We have a way to roll with it.

I was looking at the front page of the Fairbanks Daily News-Miner yesterday. They had a little recap of what is going on with the weather. It is about 52 below zero in Fort Yukon and 51 below in Fort Greely where we base our ground-based missile defense system. We are pretty proud of what we do. We can still provide for the defense and protection of this country and do it in some pretty cold weather.

In Fairbanks, where I went to high school, I think the weather this morning was 47 degrees below zero, but the kids still go to school in this kind of weather. We are doing what we do up north. It is not easy, but it is an amazing place and the people there are pretty resilient. We have been kicked this week, but that doesn't mean we are down. It means we are just getting started.

With that, I will have more to say about the process in front of us this afternoon, where we are with Keystone; but again, I am pleased that we have a good series of votes to keep us busy this afternoon, and I appreciate the indulgence of colleagues as we go through a process that can be very disruptive as they are trying to meet with constituents and pursue committee business. But I think we recognize that we want to be on a path toward completion of this bill, and I thank them for their cooperation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT

Mrs. FISCHER. Mr. President, last week my colleague Senator LANKFORD and I introduced the Unfunded Mandates Information and Transparency Act—a bill to enhance transparency about the true costs of burdensome Federal regulations affecting our States and localities.

Twenty years ago the Unfunded Mandates Reform Act, otherwise known as UMRA, was signed into law to reduce the burden of Federal mandates on State and local governments, as well as the private sector. The statute was intended to fix a simple problem while promoting informed decisions by this Congress. But since UMRA's enactment in 1995, many remain concerned that the law has fallen short. In Nebraska and all across America, our constituents continue to face a growing mountain of redtape that stifles economic growth and holds back progress on a number of fronts.

In 2011 alone the Government Accountability Office identified 14 different loopholes that would allow government agencies to avoid conducting the UMRA analysis. In other words, redtape has survived and prospered. By their very nature, Federal mandates are both complex and vague, which is why I have introduced a new bill to fix these shortcomings and increase accountability. My bill, known as the Unfunded Mandates and Information Transparency Act, would address UMRA's loopholes by mandating stricter agency requirements, enhance stakeholder input, and strengthen enforcement mechanisms.

Furthermore, this bill has the power to get the job done. It would allow judges to place a stay on a regulation or invalidate a rule if a Federal agency fails to complete the required UMRA

analysis. It would also close a glaring loophole used by agencies to skirt UMRA requirements.

Last but not least, my bill would expand the scope of reporting requirements to include regulations imposed by independent regulatory agencies, such as the EPA. I know many Nebraskans are deeply concerned about the effects of new EPA requirements, such as the proposed water rule—a rule I have forcefully fought since it was first proposed. Nebraskans already go to great lengths to protect and preserve water resources within our State, but now the EPA is going overboard with this new proposal—one that represents a massive Federal power grab and clear disconnect with Main Street America.

I share the belief of many Nebraskans that the Federal Government should be held responsible for the rules it puts into place. By clearly notifying taxpayers of the costs of each mandate, which the bill I introduced would require, we can better hold the Federal Government accountable for the economic impact of its costly regulations.

I hope my colleagues on both sides of the aisle will join me in supporting this simple, commonsense legislation to help bring greater accountability and transparency to Washington.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. 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. HOEVEN. Mr. President, I return to the floor today to discuss the legislation under consideration. As I did yesterday, I wish to begin by again thanking both the Senator from Alaska on our side of the aisle and the Senator from Washington on the other side of the aisle, who are the bill managers—the legislation managers in this case—of the Keystone XL Pipeline approval legislation that I put forward along with Senator MANCHIN. I wish to begin by thanking both of the managers for their diligence and for their bipartisanship and for working together to advance this legislation, but I also want to make sure all of the Members of this body get a chance to bring their amendments forward, debate those amendments, and have a vote.

This afternoon we have scheduled 18 votes, and that is great. Some of those amendments I support; some I oppose. But we are going to do what this body is supposed to do and what the American people elected us to do, and that is to have this discussion and then vote.

We are working to advance energy policy for this country that can not only truly help create more energy, jobs, and economic growth but also really address the national security implications of making our country energy secure. By that, I mean producing more energy than we consume and working with Canada, our friend and ally, to do that so that we don't have to depend on OPEC to do that and on parts of the world where there is great instability and where our interests are not aligned with the interests of some of those countries.

Also, it enables us to actually weaken some of our opponents that are petro-dependent, countries such as Iran, which is now trying to build a nuclear weapon, as well as, right now, Russia, which is invading its neighbor Ukraine, one of our allies, where we are trying to stop the adventurism of President Putin.

By truly becoming energy secure, by providing more supply of energy, we not only benefit every American at the pump—Americans are saving billions of dollars when they pull up to the pump. That is not only good for American consumers, it is good for our small businesses.

Energy is a foundational industry that strengthens every other industry out there. It makes us more competitive in the global economy across the board. As I say, it weakens some of our opponents. So that is really the debate in which we are engaged.

Yesterday I started to respond to some of the critics who oppose this legislation on the basis of saying this is a project for Canada and not for the United States, and that is not true at all. This pipeline would not only move crude from Canada to our refineries, it would also move crude from production in the United States, including in my State of North Dakota, which now produces 1.2 million barrels of oil a day—second only to Texas—as well as Montana. So it also moves domestic crude to our refineries as well.

Furthermore, it really is about making our Nation energy secure, working with Canada to become energy secure so we don't have to depend on OPEC. That is very much a national interest issue for this country, for this Nation, and for all Americans. I spoke about that a little bit yesterday.

The second issue I would like to address is some of the environmental issues. I started to do that yesterday, but I deferred at that time because anytime we can get people to come to the floor to offer their amendments and make them pending, that is what we want to do. At that point we started getting people to come offer their amendments, and the bill managers, through their hard work, were able to get agreement, and we now have 18 amendments pending on a precloture basis. So we have made real progress in getting everyone involved and hopefully building more bipartisan consensus and getting on the energy debate the American people want and getting to a result where we can actually produce legislation that will help our Nation.

So I started to get into the second point I wanted to discuss, which is some of the environmental aspects of the oil sands development and how technology is being deployed, with hundreds of millions of private dollars invested in new technologies that are not only producing more energy but doing it with a smaller environmental footprint. That helps to reduce the greenhouse gas emissions of oil that is produced in the oil sands.

There are two projects I wish to speak about to give examples of how, if we continue to work to empower this kind of investment in new technologies, we get not only more energy more cost-effectively and more dependably but we also get it with environmental stewardship.

The first project I will speak about is a project that has been undertaken in the oil sands in Alberta, Canada. Going back to this earlier chart, we can see that it is up in the Hardisty area, and this second chart is a picture of the project. It is one that is undertaken by the Shell Oil Company. It is called their Quest project. I will read a little bit about the project.

Shell Canada will this year complete the world's first oil sands carbon capture and storage project.

This is CCS—carbon capture and storage—something we have been working to develop in this country and apply to fossil fuels, not only things such as oil and gas but also coal. This is the new carbon capture technology. They will complete the world's first project. Continuing:

The project, called Quest, will begin permanently storing CO_2 by the end of the year and will permanently store more than 1 million tons per year.

Let me read that again.

The project, called Quest, will begin permanently storing CO_2 by the end of the year and will permanently store more than 1 million tons per year. Quest reduces the emissions from Shell's upgrader by 35 percent—that's the equivalent of taking 175,000 cars off the road each year. Shell will transport the CO_2 50 miles north via pipeline and permanently store it more than a mile below ground under impermeable rock formations.

My point is that here is an example of where a private company is working with the Province of Alberta on this project to invest hundreds of millions of dollars in carbon capture and storage technology that will not only apply to the oil sands, but—think about it—this is also technology that is not only being developed but deployed on a commercial scale in production that we can now take advantage of and use in this country to produce more energy from multiple sources—again, smaller footprint, lower greenhouse gas.

Isn't that the solution to better environmental stewardship where we get more energy that we produce here with our closest friends and allies, with better stewardship through investment by private companies in these new technologies and, in this case, working with Alberta? Alberta is also investing in this technology, but this is the innovation of our country, of our companies. This is the kind of ingenuity and

innovation that helps us build the kind of future we want. In this case, it is a secure energy future by deploying these new technologies.

The other point I will make as we look at this chart is that under the old system of oil sand production—remember, it is excavation, so they would be digging up this area and then extracting the oil from the oil sands. But under this new system of development, which is called in situ, they are actually drilling wells, and then they put steam down the hole to bring the oil up, and then they capture the CO_2 and store it underground, so smaller environmental footprint and lower greenhouse gas emissions.

Since 1990 the greenhouse gas emissions on a per-barrel basis for oil sands production has gone down by 28 percent. So they have reduced it by almost a third. These new technologies will reduce it further going forward.

This is about finding good solutions to create jobs and economic activity and energy security and take us into the future. That is why I wanted to discuss that project for just a minute.

A second project I will reference is Exxon's Kearl project, spelled K-E-A-R-L. Just by way of preface, Exxon currently produces over 100,000 barrels of oil a day in the Canadian oil sands. They are going to increase that amount this year to 345,000 barrels a day. Their objective is to get to half a million barrels a day of oil produced in the Canadian oil sands. They are investing $10 billion in this project. That is their investment in this project and these new, better drilling techniques.

Let me tell my colleagues a little bit about their project. Exxon is doing it differently than Shell and Quest. They are employing different technologies but investing $10 billion to reduce the environmental footprint, to reduce greenhouse gas emissions, but produce a lot of energy for Canada and for our country.

Exxon's Kearl project will use cogeneration for steam, which a low-energy extraction process to recover oil, and heat integration between the extraction and treatment facilities to minimize energy consumption. As a result, oil produced from Kearl will have about the same life-cycle greenhouse gas emissions as many other crude oils refined in the United States as a result of technologies which significantly enhance environmental performance—again, smaller environmental footprint, lower greenhouse gas emissions.

This is how we work to address the challenges we face, whether it is producing energy or anything else. We deploy these new technologies that enable us to do it better.

Other environmental innovations for Kearl include onsite water storage to eliminate river withdrawals in low-flow periods and progressive land reclamation, which will return the land to the boreal forest.

I wish to emphasize that for a minute. What we see around this site, which is actually the Shell site—this is the boreal forest. I have been to Hardisty, and I have seen the oil sands production. I was also taken out to areas where they had reclaimed land that had been formerly used to produce oil sands. Now we can't tell the difference between the land that has been reclaimed and the land that hadn't ever been used in terms of oil production. I was there and I looked at both and I couldn't tell the difference. Of course, that is subjective. You want to return it to the state it was in before it was tapped. With this newer production, there is a much smaller area that we would ultimately have to return to its original state.

I wanted to touch on those two projects for a few minutes as well as point out that the Alberta Government actually requires that all land used in the development of oil sands has to be returned to the same or equivalent condition when it is no longer in use.

The final point I wish to touch on for just a minute or two is another issue that has been brought up, which is pipeline safety. There have been some references to recent pipeline spills—one in Poplar, MT, actually not too far from where I live in western North Dakota. But the spill is from what is called the Poplar Pipeline, which I believe is owned by the Bridger Company. It is a pipeline that goes underneath the Yellowstone River. It was built in the 1950s, so we are talking about a pipeline that is over 50 years old. Isn't that just the point, that whether it is roads or bridges or buildings or pipelines or transmission lines or anything else, we have to make the investment in new facilities rather than just continuing to rely on old facilities?

That is what I want to emphasize about the Keystone XL Pipeline project. This is an investment of $8 billion, not a penny of government investment but $8 billion in private investment in new steel and new technologies.

Also, the Department of Transportation's Pipeline and Hazardous Material Safety Administration—PHMSA—the division of the Department of Transportation that oversees pipeline safety, has required 57 special conditions for this pipeline to make sure it is as safe as possible. I am going to touch on some of those to give a sense of what they are.

The whole point is that here we are trying to create a business climate, a business environment where companies can put billions of dollars into these new technologies and this new infrastructure so that we can have energy as safely as possible, with the best stewardship possible, so we aren't relying on pipelines or other infrastructure that is more than 50 years old.

We are trying to get that upgrade. We are not doing it at taxpayer expense. We are getting tax revenues. We will get hundreds of millions of tax revenues that will come back in from private sector projects where we are trying to empower that investment. At the same time, the PHMSA, the Department of Transportation Pipeline and Hazardous Materials Safety Administration, has all these requirements that they are making part of the approval process—57 different special safety conditions for the Keystone XL Pipeline. They are conditions such as puncture resistance. For example, TransCanada is required by PHMSA in the environmental impact statement to ensure that the steel used in the pipeline can withstand impact from a 65-ton excavator with 3½-inch teeth.

There is corrosion resistance coating, making sure it has a coating on it that is resistant to corrosion. There is cathodic protection. Cathodic protection is applied to a pipe so where it connects to other—it could be structures such as a bridge. It could be any place where the pipes are connected to make sure those other connections don't rust through into the pipe.

For maintenance, TransCanada must submit certification that demonstrates compliance with all 57 conditions before they commence operation of the pipe.

Airplanes will patrol the right of away at least 26 times a year. They will send cleaning and inspection tools through the pipeline once a year to collect and analyze basic sediment and water.

Compare all of this to a pipeline that was built 50 years ago and laid on the floor of a river—versus a pipeline now, where if they have to cross a river, they use directional drilling. So they go down 25 feet below the river and put the pipe 25 feet down in the rock below the river, versus older pipelines that were just laid in there. Again, this is the new technology—the new safeguards.

In horizontal drilling and directional drilling the pipe will be buried approximately 25 feet below riverbeds. So if there any riverbeds that cross, that is 25 feet below using directional drilling.

There are automatic shutoff valves. So they will have automatic shutoff valves and they will be placed every 20 miles along the pipeline route. Extra miles will also be placed where there are protected water crossing and other areas of higher consequence. They can be closed remotely on either side of the line, isolating a damaged area within minutes of detection.

Again, it is about making sure if there is an issue of any kind, that you can minimize and mitigate any kind of spill.

With 100 percent weld inspections, there is a requirement that 100 percent of welds are inspected rather than just some of the welds under a test basis.

With satellite monitoring and leak detection, Keystone XL will have more than 13,500 sensors feeding constant and detailed information about flow rates to the control center 24 hours a day, 7 days a week. That is so that if any kind of a leak is detected, it is immediately shut down so you minimize the amount of product that would leak.

Those are the kinds of safety features—and there are 57 of them—required by the administration's Pipeline and Hazardous Material Safety Administration. When we talk about pipeline safety and somebody comes in and says there is this pipe that broke so we should never have another pipe, we need to talk about that and address that in a sensible way.

We have over 2 million miles of pipe in this country. The point is we do need to build new pipelines and upgrade them and take other steps to make sure the system is safe. But you don't do that by blocking investment in the new technologies and the new pipeline that will help us move product more safely, more cost-effectively, and more dependably.

Those are the three issues I wanted to address. Again, I covered some of them yesterday, but I wanted to make sure that any time we had somebody coming down to offer amendments, we deferred to those individuals. I am pleased now we have 18 amendments pending on a whole gamut of issues related to this project, to this energy discussion, and to our efforts to advance a better energy future for our country.

Again, I look forward to the debate this afternoon, to voting on these amendments, and to continuing to advance this legislation on behalf of the American people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mrs. MURRAY. Mr. President, I wish to take a few minutes to talk about the latest attempt by the Republicans in the House of Representatives—and a few Republicans in the Senate as well—to hold hostage the basic operation of our government, once again, over politics.

While I have several issues with the Department of Homeland Security funding bill that the House has sent to us, I will first discuss this strategy we are seeing from Republicans, as the former chair of the Budget Committee and as someone who has worked across the aisle to break through gridlock in Congress.

Two years ago our country was moving constantly from one manufactured crisis to the next. We had debt limit scares that were rattling our businesses and the markets, we were headed toward an absurd and unnecessary government shutdown, and people across the country were losing faith that their elected officials could get anything done when it came to the budget and to our economy.

But by working together, Congressman PAUL RYAN and I were able to reach a budget deal that prevented another government shutdown and showed the American people that Congress could work together to get things done.

Because of that deal we were able to then pass bipartisan spending bills for the past 2 fiscal years, including 11 of the 12 appropriations bills from last year. Although we have a lot of work to do, it is clear that stability in the Federal budget makes a difference for our economy. We have to work together to build on that growth, to continue that certainty, and to make sure our economy is working for all families, not only the wealthiest few.

Across the country, businesses have added more than 11 million new jobs—over 58 straight months of job growth. The unemployment rate is now under 6 percent and trending downward, and we have reduced the Federal budget deficit by over two-thirds since 2009.

So when I look at the Homeland Security funding bill that the House of Representatives has now sent to us, I see a few things. I see a bill—the way it is drafted and was sent to us will tear apart families who are working hard to make it in America. I see a bill that will put our security at risk, and I see a bill that seriously threatens all of the work we have done recently, Republicans and Democrats, to keep our government functioning because the bill the House has sent over is simply unacceptable.

It will not pass the Senate. Republicans know that. Let's be clear about what this bill is, it is a calculated, political gamble from our Republican colleagues.

This looming showdown over funding the Department of Homeland Security is no accident. In fact, it is actually a risk they have been planning since last year all because of political pressure from the extreme anti-immigration right wing of their party.

If Republicans are willing to risk funding for the Department of Homeland Security for political reasons, I believe the American people deserve to know exactly what that does mean because funding the Department of Homeland Security doesn't only keep the lights on the DHS headquarters, that funding protects our country from terrorist attacks at a time when the world is as dangerous and volatile as ever.

It protects our country and American businesses from cyber attacks, a threat that is all too real as we have now seen in recent months. It supports basic security measures at our airports, at our seaports, and along the border. It even supports our Federal emergency management resources that are on call for every community in America.

In my home State of Washington, this funding supports the Coast Guard, which protects shippers and sailors throughout Puget Sound, and Customs and Border Protection, which helps facilitate billions in international trade moving through my State, the most trade-dependent State in the country.

Not funding these programs is a risk we cannot afford to take. It is reckless and irresponsible and, more than anything else, simply counterproductive for Republicans to put all of this on the line just to score some political points with the tea party and the far right. Unfortunately that appears exactly to be what they are doing.

Once again Speaker BOEHNER and the House Republicans have decided they are willing to break up millions of families and deport millions of DREAMers who are victims themselves of a broken system.

They have decided they are willing to stop the President's policy of focusing our law enforcement on national security threats, gang members, and violent criminals. Once again they have decided they are willing to make bipartisan, comprehensive immigration reform that much more difficult to achieve.

This is much more than only an annual funding bill. This legislation is a message which has been sent to us loud and clear from House Republicans and Speaker BOEHNER that they are willing to continue pushing us from crisis to crisis. They are willing to play politics with our national security, and they are willing to turn their backs on millions and millions of children and families.

For years now we have seen that strategy doesn't work—it doesn't work. It holds us back.

But I have to say I was encouraged when Majority Leader MCCONNELL said that at the end of the day the Senate will fund the Department of Homeland Security.

It is clear the House bill will not pass the Senate, so I truly believe it is time for the majority leader to show, as he has promised, that he will let the Senate and Congress work efficiently.

It is time for the majority leader to bring a clean DHS appropriations bill to the floor. Let's get it done, passed, and move on to the work that is so important to us.

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

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

Mr. SCHUMER. Mr. President, I rise to urge my Republican colleagues to pass a clean bill to fund the Department of Homeland Security for the remainder of the fiscal year.

We are now only 1 month away from a shutdown of the principal Federal agency charged with keeping Americans safe from terrorism and prepared for natural disasters.

The President has said he will veto any funding bill that repeals or rolls back his Executive order on immigration, so anything but a clean bill to fund DHS means one thing and one thing alone. Republicans are unilaterally shutting down the agency.

No matter what your grievance is, we shouldn't be playing politics with national security. It is alarming that even as we can now count the days, 30, until a Republican security shutdown, so many on the hard right are ready to just dismiss the consequences.

Compared to their obsession with President Obama's immigration action and their desire to appease the tea party with radical and practical ideas that would not fix our system, to Republicans shutting down DHS is ''not the end of the world.''

So I will use my time to spell out what a DHS shutdown would mean for our country in the hopes that our Republican colleagues will be jolted back to reality and to common sense. Since this isn't the first time Republicans have put us through a shutdown, we actually have a very good idea as to what a DHS shutdown would look like.

Here are just some of the functions that would cease if Republicans failed to put a clean bill on the floor: The bulk of DHS management and headquarter administrative support activities would cease, including much of the homeland security infrastructure that was built during the 9/11 terrorist attacks to improve command, control, and coordination of disparate frontline activities. Securing the Cities, a critical post-9/11 funding program that helps pay for nuclear detection capabilities in New York City, Los Angeles, and Washington, DC, could not be awarded in fiscal year 2015. The DHS Nuclear Detection Office, which since 9/11 coordinates on a daily or weekly basis with local law enforcement, will stop operating.

FEMA's disaster preparedness unit would cease coordinating regular training activities for law enforcement for weapons of mass destruction events. FEMA employees in Washington and across the country who provide critical preparedness resources to local first responders would be sent home. Twenty-five percent of FEMA's headquarters and regional staff would be furloughed.

FEMA personnel working on grants programs, such as funds for intelligence analysts or firefighter needs, would be furloughed, and even those personnel deemed essential would be denied paychecks until a funding bill is passed. This means we are not paying the Coast Guard, we are not paying the TSA, we are not paying the Border Patrol, the Secret Service or FEMA aid workers.

So make no mistake, a DHS shutdown would hamstring our ability to combat threats to the homeland and to keep our citizens safe. The irony of course is that one of the programs that shutdown would close completely is E-Verify, which stops unscrupulous employers from hiring undocumented workers and cutting everyone's wages.

So in order to make a point on immigration, our Republican colleagues are actually going to stop the program which prevents employers from hiring undocumented workers. Essentially to make a point about needing more immigration enforcement, Republicans are willing to shut down immigration enforcement.

In short, I am perplexed as to why Republicans are playing this game of chicken with DHS funding because the only possible outcome that could come from withholding of a clean DHS bill is the shutdown of several critical post-9/11 programs within the DHS and the furlough of thousands of workers paramount to our Nation's security and disaster preparedness.

At a time when we need all hands on deck to keep America safe, Republican efforts to politicize our security would tie DHS's hands behind their back. So I urge my Republican colleagues in the House and Senate to drop this fool's errand and put a clean DHS funding bill on the floor as soon as possible.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Mr. President, I am here this afternoon to discuss the two concerns I have about the bill currently before the Senate—the regulation that would grant immediate approval of the Presidential permit necessary to construct and operate the Keystone XL Pipeline.

First and foremost, I believe a thorough regulatory review process is critical for any major infrastructure project, particularly one that will cross our country's border. Regulatory review enables the identification of economic impacts from a major project and, more importantly, environmental impacts that infrastructure projects such as the Keystone Pipeline may bring.

We shouldn't trade transparency for expediency when it comes to the construction of an international project that has such scope. I can't support a bill that sacrifices these important protections. That is why I voted in the past against legislation to allow the Keystone XL Pipeline to circumvent the normal review process, and that is why I intend to again vote against this bill.

I also have a number of concerns about the impact of the Keystone Pipeline on our environment. In the past 2 weeks, we have had a spirited debate on this floor, and a number of my colleagues have come to the floor to talk about the pipeline oilspills we have seen in this country.

Just a few days ago, an oil pipeline burst, leaking 50,000 gallons of crude oil into the Yellowstone River in Montana. Yet this spill pales in comparison to the 2010 Kalamazoo River oil spill where over 1 million gallons of oil sands poured into Talmadge Creek in Michigan. The cleanup has already cost more than $1 billion and taken over 4 years to complete. In fact, to date there has been no authoritative study on how the spills of oil sands crude may differ from those of conventional crude oil. This means we have no idea about the spill's long-term effects on the health of wildlife in that river.

The other issue that has been raced onto the floor is the fact that right now, because of the way we define crude oil, TransCanada—supporting and planning to build the Keystone Pipeline—is not required to pay into the federal oil spill liability trust fund, which would ensure taxpayers against any spills. So we have this out-of-state, out-of-country foreign company that is coming in to build this pipeline, and yet they are not required to pay, as any American company would be, into the oil spill liability trust fund. That, to me, doesn't make sense. Circumventing the regulatory process for Keystone prevents us from understanding the health hazards that we would face should another spill occur.

I am also concerned that construction of the Keystone Pipeline will increase carbon emissions and undermine some of the most critical climate policies that we have in place. The pipeline poses threats to our environment that have already been identified. Tar sands greenhouse gas emissions are 81 percent greater than those of conventional oil. That is because the production of oil sands crude is more energy intensive, or more greenhouse gas intensive, than conventional crude production. Additional processes are required to extract the oil, remove the sand, and dilute the oil so that it can flow in a pipeline.

In addition, if the pipeline is approved, much of the boreal wetlands in Alberta, Canada, which act as a carbon sink, would be destroyed, releasing 11 million to 47 million metric tons of CO_2 into the atmosphere.

One of the reasons I am concerned about circumventing the regulatory process is because I believe this could set a precedent for a rushed approval of infrastructure projects currently under consideration in New Hampshire.

In New Hampshire, we have two projects that really merit careful consideration and thorough review that could be affected by a precedent that says we should ignore the regulatory process. In New Hampshire, the Northern Pass transmission proposal, which proposes to deliver hydropower from Quebec into the New England energy markets and goes through northern New Hampshire, would bring power to southern New England, but New Hampshire wouldn't benefit. And any suggestion that we would circumvent the

process is a real concern to people in New Hampshire who would be affected by that project.

The other project is the potential reversal of the Portland-Montreal pipeline, which, if the determination were made to do this, would send oil sands through many New Hampshire communities, and that oil would then be shipped to foreign countries.

So if we set the precedent of trading transparency for expediency with Keystone, without requiring the completion of a comprehensive approval process, local communities in New Hampshire may not have a meaningful voice in the process that deals with Northern Pass or reversing the Portland-Montreal pipeline. I think that is unacceptable.

These three projects—Keystone, Northern Pass, and Portland-Montreal—have one important thing in common: They should undergo the comprehensive environmental and safety approval process required by existing law, and that should be done independent of politics.

Circumventing the Presidential permitting process for cross-border pipelines and electric transmission facilities avoids the due process that is needed to determine whether these projects are in the best interests of the country.

In New Hampshire, Northern Pass and the Portland-Montreal pipeline have raised serious concerns for people who live in areas impacted by these projects. That is why I worked with the entire New Hampshire congressional delegation in a bipartisan way to ensure that both projects undergo a transparent, thorough, and comprehensive review process. That allows the input of local communities who will be affected by these projects.

Like people in New Hampshire and across the country, I share concerns about our Nation's energy future. Throughout my career I have fought for smart policies that will reduce energy costs in New Hampshire and across the country, that will help create jobs, and will protect our air and water from pollution.

But I don't believe mandating a project that bypasses the approval process is a smart policy. We need to be smart and thoughtful about our energy future. I think it would set a dangerous precedent for other projects that could have serious consequences in New Hampshire and in other States around the country.

I appreciate the debate we have had here on the Senate floor about the Keystone Pipeline, but I will be opposing this bill.

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

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

UKRAINE AND SYRIA

Mr. NELSON. Mr. President, I want to speak to the Senate about Ukraine and also about Syria. These are two parts of the world that are of particular critical importance to the United States foreign policy today because of what they portend for the future. The fact that our relationship is so rocky with the President of Russia, President Putin, who right up to just a few days after the Olympics suddenly shows his true colors when he invades Crimea, a part of Ukraine, despite all of the agreements when the Soviet Union broke up in the late eighties, early nineties, the agreements that in exchange for moving all of the nuclear weapons out of Ukraine back into Russia, that Russia would forever recognize and respect the sovereignty of Ukraine—well, that went out the window right after the Olympics, and Mr. Putin showed his true colors.

He could couch it in all kinds of terms, that there is a Russian naval base that was there, but the fact is the whole world knows what he did, and no one could do anything about it. Then he started to move on the eastern part of Ukraine, and that, of course, is going on as we speak. The so-called rebels aren't really rebels. They are a front for the Russian military propped up with actual troops of the Russian military, sometimes disguised as being free and independent players simply because they don't have on their Russian uniforms; but in fact they have taken them off and put on uniforms that are not Russian uniforms to say that they are part of the rebel force. It is a ruse and everybody knows it is a ruse.

I went last August to Ukraine, spoke with almost all of the top-level members of the government and asked what it was they needed. To my surprise, at the time they did not say they needed lethal equipment. They needed up-to-date, up-to-the-minute intelligence, and they needed training.

I have urged the U.S. Government to provide that, and we are providing a number of things. This Senator thinks it is clearly in the interest of the United States that we provide more assistance to the Government of Ukraine so their military can have the equipment, including lethal assistance, to hold off Putin's aggression in Eastern Ukraine.

This is a particularly critical time. I was there last summer, but what has happened in the meantime is over the course of the past year oil has gone from $100 to $46 a barrel. I remember asking someone when I was there and in the Baltic States what did oil need to get to and below in order for Mr. Putin to start really feeling the pinch, and they said anything under $85 a barrel. It is now around $46 a barrel. Although Russia has significant reserves as of a few months ago, about $450 billion of cash in reserves, that is lower now. Those reserves will hold them for a while because of the price they are getting for their oil. They don't have high production costs in Russia, but because the price is so much lower—half of what they were getting—their revenue is significantly down and therefore all of the money that was being supplied by the Russian Government for so many things, a plethora of different social programs—guess who is feeling the pinch. The people of Russia. So the aggressiveness of Mr. Putin internationally is an attempt to try to take his people's eye off of their own financial depravity and, in fact, get it on the international scene where the President of Russia is quite adept at pounding his chest and banging his fist.

The Ukrainians are once again fighting right now as we speak for their territory. The Ukrainian Government took back the Donetsk airport in Eastern Ukraine. Then the rebels came back. And I say ''rebels'' with a wry smile. I mean this is the Russian Army. They came back and they took it again. Last week those Russian-backed rebels broke a shaky ceasefire agreement and they renewed the fighting with the Ukrainian Government military. This Senator feels that we have got to do more to help these people who are trying to protect their independence. If you recall, last year we passed the Ukraine Freedom Support Act which provides further sanctions and lethal aid such as antitank and anti-armor weapons, counter-artillery radars, secure communications equipment, and tactical surveillance drones. All of that was needed.

The fighting that is following appears to be a steady buildup of Russian support for the rebels. General Hodges, the U.S. Army commander in Europe, said last week that since December Russia had doubled its support for the rebels. General Breedlove, the NATO Supreme Commander, said that Russian electronic warfare and defense systems have been detected in the conflict areas. So let's not fool ourselves, the Russian Army is in there and we have to do more to help them.

On Syria, this Senator feels where we are having success right now in Iraq against ISIS with the multiple strikes from the air, with training up the Iraqi Army as the boots on the ground, including some American boots on the ground that are advisers and trainers—at the end of the day we are going to have to do this in Syria if we are going to be successful. It is a lot more complicated in Syria because of the Assad government. The Free Syrian Army we are now starting to train—it is almost an impossible task. We train them, they go in, they try to attack ISIS. ISIS attacks them, but so does the Assad regime. That is not a recipe for success.

We are working with the vetted opposition fighters to go after ISIS in Syria. We have to supply support. We have to supply lethal support in addition to the training and equipment in

order for them to be successful. And for them to be successful, it is absolutely in the interest of the United States. Congress has approved the training and equipping of vetted elements of the Syrian opposition, and the Department of Defense recently announced it will deploy 400 personnel in that effort. We are going to have to do a lot more.

The American people are tired of war, and yet we have a new kind of enemy, and we are going to have to take it right to them where they are.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. 295 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HATCH. Mr. President, I wish to say a few words about some of the amendments we will be voting on later this afternoon—three of them in particular. The amendments I am referring to are the Merkley amendment No. 125, the Carper amendment No. 120, and the Heitkamp amendment No. 133. All three of these amendments address sensitive tax issues that fall squarely into the jurisdiction of the Senate Finance Committee, and all of them address issues that are likely to be litigated as the Finance Committee continues its efforts toward comprehensive tax reform.

The Finance Committee is going to be very active in this Congress. We had our first bipartisan markup this morning. We already had two hearings, with more scheduled for next week, and perhaps more importantly—at least in the context of these three votes we will be having today—we have taken concrete steps in a process we believe will end in the introduction of bipartisan tax reform legislation. We have appointed five tax reform working groups to address the various areas of reform. Our hope is that over the next few months these working groups will study the issues and provide ideas we can use as we develop a comprehensive tax reform proposal.

Ranking Member WYDEN is on board with this effort. We are working together every step of the way. If we start singling out individual tax issues here on the floor—even issues Members may feel passionately about—we are going to undermine this bipartisan process. Virtually everyone in both parties agrees that we need to fix our broken, inefficient Tax Code. Sure, there are disagreements on what the substance of tax reform should look like, but there is a growing consensus on the need for reform, which is encouraging. If we are going to be successful in tax reform, we need to make sure these issues are addressed in the tax-writing committees.

I think it is safe to say that all of the issues my colleagues are trying to address with their amendments are going to be litigated one way or another in the Finance Committee's efforts this year. That being the case, raising these issues as floor amendments on an unrelated bill is, in my view, very counterproductive.

Finally, I would like to note that these amendments would all be subject to a constitutional point of order as they all deal with revenue and would need to be passed first by the House of Representatives. I am not going to raise that point of order at this time; I just want to make note of it for the record.

Given all of these concerns, I hope my colleagues—Senators MERKLEY, CARPER, and HEITKAMP—will withdraw these amendments so these issues can be addressed in the proper forum. If they do not withdraw their amendments, I plan to vote against all three of them and urge all of my colleagues—particularly those who have an interest in a successful tax reform effort—to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Colorado.

Mr. BENNET. I congratulate the Presiding Officer, and I also congratulate Chairman HATCH for the unanimous vote he got in today's markup in the Finance Committee. It was a great bipartisan start to our work, as he said. I hope we will continue to have these discussions in that manner.

AMENDMENT NO. 92, AS MODIFIED

Mr. BENNET. Mr. President, I wish to speak today about the Burr-Bennet amendment No. 92, which we are slated to vote on later today. I will be brief because it is pretty straightforward.

The amendment simply reauthorizes the Land and Water Conservation Fund and ensures that a dedicated portion of LWCF funds go to provide new access for our Nation's sports men and women.

As many in this body know, the Land and Water Conservation Fund is one of the country's best and most important conservation programs. It is authorized to provide $900 million annually for efforts to preserve and increase access to our public lands and waterways. These resources historically have been used for projects that range from building city parks, to purchasing small parcels of isolated land from willing sellers, all the way to preserving the Nation's historic battlefields.

This past summer in Colorado, we completed a huge LWCF project that retired several old mining claims on the San Juan National Forest near the town of Ophir.

Over the Fourth of July weekend, the town invited me and my family to join them in a celebration of the accomplishment, and we took them up on that offer without a moment's hesitation.

Ophir sits at 9,600 feet above sea level. It is the kind of place that has a sign on its main road—clearly painted by the kids who live in the town—indicating that their population totals 163 people, including, according to the sign, 55 kids, 30 dogs, and 15 cats. When we pulled in on the morning of the celebration, it seemed to me that the entire town was there. Over the course of that day—which included a hike, a picnic, and a formal program—it was amazing to hear from the community about the importance of this LWCF project and how many years so many people in the town devoted themselves to getting it done.

Many of our mountain communities get huge portions of their revenue and business through recreation and tourism, and it is for some of these reasons that the town felt LWCF literally helped cement its economic future.

I was an LWCF supporter before that visit, but that day really drove home the value of the program to me. That is only one of countless stories from Colorado. I know it can be replicated thousands of times across the country in all 50 States. Those stories and accomplishments alone make this amendment worth supporting.

Let's also remember that when we are talking about LWCF, we are not talking about taxpayer dollars. When Congress crafted the measure back in 1965, they had a very innovative solution for how to pay for their concept. Instead of using taxpayer dollars from the Treasury, they decided to dedicate a portion of the revenue the government collects from offshore oil drilling to fund LWCF. This argument was very simple and elegant.

As we deplete our natural resources—offshore reserves of oil and gas in this case—we ought to support the conservation of another natural resource: our lands and waterways. As I mentioned, Congress passed a law in 1965, and now it is time to reauthorize it. I thank Senator BURR, who has shown great leadership in crafting the amendment to do just that.

This amendment is thoroughly bipartisan and enjoys cosponsors such as Senator AYOTTE, Senator ALEXANDER, and Senator TILLIS, just to name a few. In fact, I am told there are 246 amendments that have been filed on this bill, and not one amendment has the number of cosponsors that this amendment does. This amendment has more cosponsors than any of the remaining 245 amendments.

Before I close and urge my colleagues to vote yes, I want to paraphrase something I said on the floor last week about another amendment. Conservation policies such as LWCF are important to the American people. Protecting our land and water is mom-and-apple-pie stuff in Colorado, and I know our State is not the only one. Conserved lands and wide-open spaces are a huge economic driver across our country, and it is part of who we are in the West.

We are not only talking about backcountry parcels, such as the one I visited in Ophir, we are talking about building new parks in inner cities and providing new access to hunters and anglers. The LWCF does all of these things and more.

I say to my colleagues, if you are for city kids getting a new playground or making sure we protect gold medal trout streams or any number of benefits in between, then you need to be for amendment No. 92 from Senator BURR. I urge all of my colleagues to support the measure when it comes time for a vote later this evening. I think we would make a very meaningful statement about where the Senate is headed if we could supply the votes necessary to actually adopt this amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 75

Mr. CARDIN. Mr. President, it is my understanding that in about a minute we are going to be voting on the first of a series of amendments. The first amendment is the amendment I have offered which I talked about before. I want to remind my colleagues what this amendment does.

First, it would require a notification to Governors and to county officials of risks to their drinking water supplies that may be caused by the Keystone Pipeline.

Second, the local officials would have the right to bring that information back to the Federal Government so that action could be taken in order to protect their drinking water supplies.

Third, it provides a right of action for property owners for damages caused to their wells and drinking water as a direct result of the Keystone Pipeline construction.

This is a pretty straightforward amendment. It provides States rights in knowing what is happening with regard to their drinking water, and it provides property owners rights for the damages that could be caused as a result of Keystone.

I would urge my colleagues to support the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I would urge colleagues to oppose the Cardin amendment.

In review, it appears that it is designed to halt the construction of this pipeline before it even begins. The amendment tells the President to provide this analysis of the potential risks to public health and environment from a leak or rupture and to provide that to every municipality and every county along the route, as well as to the Governors. Then the Governor can petition the President to effectively locate the pipeline somewhere else, at which point, again, construction could never commence.

The Governors of Montana, South Dakota, and Nebraska have already approved the pipeline route through their States. So this amendment is an effort, I think, to build that opposition over contamination fears and in turn, pressure those Governors to reverse their positions and halt the pipeline's construction.

I think it is important for colleagues to understand the risks to the water supplies along the pipeline path were examined by the State Department's final SEIS. They were found to be not significant. Again, I will vote no on this amendment and strongly encourage my colleagues to join me with this.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 75.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—36

Baldwin	Gillibrand	Nelson
Blumenthal	Heinrich	Peters
Booker	Hirono	Reed
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Casey	Menendez	Stabenow
Coons	Merkley	Udall
Durbin	Mikulski	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden

NAYS—62

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Bennet	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Kirk	Tester
Cornyn	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Daines	McCain	Warner
Donnelly	McCaskill	Wicker
Enzi	McConnell	

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

CHANGE OF VOTE

Ms. HEITKAMP. Mr. President, on rollcall No. 31, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote, since it will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. WICKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 70

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to amendment No. 70, offered by the Senator from Michigan, Mr. PETERS.

Who yields time?

The Senator from Michigan.

Mr. PETERS. Mr. President, as Michiganders, Senator STABENOW and I know firsthand how important the Great Lakes are. The lakes are a vital natural resource and an economic engine for our State, region, and the entire country. Unfortunately, Michiganders also know firsthand the environmental dangers and risks when it comes to pipeline leaks.

We had the worst inland pipeline leak in our Nation's history near Kalamazoo, MI. Cleanup has taken over 4 years and has cost $1.2 billion. There is a 60-year-old pipeline under the Straits of Mackinac where Lake Michigan and Lake Huron come together. I cannot even fathom what would happen if there were an accident that contaminated the Great Lakes. The results would be catastrophic not only for the Great Lakes but also the entire country.

That is why we need to act now and act quickly, and I urge my colleagues to support the Peters-Stabenow amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am not entirely certain I like this amendment. This is the first I have heard PHMSA may not have the resources to do its job. It does seem fair to have PHMSA come tell us if they do not have adequate resources.

What I most strongly oppose with this amendment is its attempt to tie the construction of the Keystone XL Pipeline to an unrelated pipeline in a different State. There is no limit for the PHMSA study and certification included here, so we could be looking, in addition to the already 2,300-some-odd days this delay has been in place, at further delays.

If my colleagues from Michigan are interested in a PHMSA study, I recommend they introduce their effort as a stand-alone bill so it can be considered by the committee of jurisdiction. If it is needed, we can move it through the regular order and certainly consider it in the future.

I would ask my colleagues to oppose this amendment, and I remind colleagues that we are on 10-minute votes.

The PRESIDING OFFICER. The question is on agreeing to the Peters amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—40

Baldwin	Heinrich	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Kirk	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Casey	Markey	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NAYS—58

Alexander	Ernst	Murkowski
Ayotte	Fischer	Paul
Barrasso	Flake	Perdue
Bennet	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heitkamp	Sasse
Carper	Heller	Scott
Cassidy	Hoeven	Sessions
Coats	Inhofe	Shelby
Cochran	Isakson	Sullivan
Collins	Johnson	Tester
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Cotton	Manchin	Toomey
Crapo	McCain	Vitter
Cruz	McCaskill	Wicker
Daines	McConnell	
Enzi	Moran	

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 23

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 23, offered by the Senator from Vermont.

The Senator from Vermont.

Mr. SANDERS. Mr. President, the scientific community tells us very clearly that if we are going to reverse climate change and the great dangers it poses for our country and the planet, we must move aggressively to transform our energy system away from fossil fuels to energy efficiency and sustainable energy.

This amendment would provide a 15-percent rebate to homeowners so that we could install 10 million new solar rooftops across the country within 10 years. This would result in enough new electrical generation to retire nearly 20 percent of our dirty coal-fired plants and create a significant number of new jobs.

So if we are interested in reversing the dangers of climate change and creating jobs, I would urge Senators to support this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, the sponsor of this bill knows that I, too, am a supporter of solar, and I think we all are, but it is important to recognize what this measure would do. When we are talking about the benefits to this country and how much it will cost, it is important to understand this.

When this was first introduced in the 110th Congress, the goal of 10 million solar roofs legislation was too costly, but we have since seen decreased costs and growth in the solar industry that have made this Federal assistance unnecessary. We have seen the residential solar market grow, we have seen the costs drop. The cost of the solar systems have dropped about 60 percent in the last 4 years. Despite these trends, we are not close to reaching that 1 million mark let alone the 10 million installations. So the real question is, How much is this going to cost us to achieve?

The proposed rebate per system is the lesser of 15 percent of the initial capital cost. This puts the Federal Government on the hook for up to $100 billion to pay for these installations.

We can debate the merits of jobs and job creation, but I again urge my colleagues to oppose the Sanders amendment.

The PRESIDING OFFICER. The time has expired.

The question is on agreeing to the Sanders amendment.

Ms. STABENOW. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—40

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	Menendez	Udall
Casey	Merkley	Warren
Coons	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NAYS—58

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Daines	McCain	Warner
Donnelly	McCaskill	Wicker
Enzi	McConnell	
Ernst	Moran	

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CORKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 15

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided prior to a vote in relation to amendment No. 15, offered by the Senator from Texas, Mr. CRUZ.

The Senator from Texas.

Mr. CRUZ. Mr. President, this amendment would expedite the export of liquid natural gas and would provide countries that are members of the WTO the same expedited process that is currently available to free-trade agreement countries.

There are now in the Department of Energy some 28 applications pending to export liquid natural gas. This should be an amendment that would bring together Republicans and Democrats. A recent study showed that allowing us to export LNG could create as many as 450,000 new jobs by 2035 that could produce GDP growth of up to an additional $73.6 billion and produce 76,000 more manufacturing jobs. It would aid our allies such as Ukraine, the Baltics, and Europe, and would weaken countries such as Russia that would use natural gas for economic blackmail.

I would urge all Senators to support this amendment.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. The amendment offered by the Senator from Texas is

drafted so broadly that it allows just about every nation which is a member of the World Trade Organization to automatically receive natural gas exported from the United States of America. The process is just eliminated—automatic.

What will that do? No. 1, it will increase prices to American consumers. The Energy Information Agency has already determined that the LNG export facilities already approved are going to lead to a 50-percent increase in the price of natural gas here in America. It would jeopardize American manufacturing which has seen 700,000 new jobs created in the last 5 years in America largely because of low-priced natural gas. It is going to increase carbon pollution because it is going to slow the pace of change from coal over to natural gas in the generation of electricity. It is going to undermine our trade negotiations because it is all going to be given away here on the Senate floor. And, finally, it is going to harm our national security, because if we converted one-third of our trucks and buses, it backs out all the oil that we import from the Persian Gulf by using natural gas in American vehicles. We are going to ship jobs along with that gas going overseas. I urge a ''no'' vote on the Cruz amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Under the previous order, the question is on agreeing to amendment No. 15 offered by the Senator from Texas, Mr. CRUZ.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—53

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kirk	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	McCain	Vitter
Enzi	McConnell	Wicker
Ernst	Moran	

NAYS—45

Baldwin	Booker	Cantwell
Bennet	Boxer	Cardin
Blumenthal	Brown	Carper
Casey	Klobuchar	Reed
Collins	Leahy	Sanders
Coons	Manchin	Schatz
Donnelly	Markey	Schumer
Durbin	McCaskill	Shaheen
Feinstein	Menendez	Stabenow
Franken	Merkley	Tester
Gillibrand	Mikulski	Udall
Heinrich	Murphy	Warner
Hirono	Murray	Warren
Kaine	Nelson	Whitehouse
King	Peters	Wyden

NOT VOTING—2

Reid Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CRUZ. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 125

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 125, offered by the Senator from Oregon, Mr. MERKLEY.

The Senator from Washington.

AMENDMENT NO. 125 WITHDRAWN

Ms. CANTWELL. Mr. President, I ask unanimous consent that Merkley amendment No. 125 be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 73

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 73, offered by the Senator from Kansas, Mr. MORAN.

The Senator from Kansas.

Mr. MORAN. Mr. President, the U.S. Fish and Wildlife Service has determined that the lesser prairie chicken should be listed in a number of States, including Kansas, as a threatened species. The lesser prairie chicken has had a significant history in our State and a significant population of birds, but as a result of a drought, the habitat for the lesser prairie chicken and other wildlife has been diminished and the number of birds has decreased.

The consequences of listing the lesser prairie chicken that results from a drought is so dramatic and so damaging to the Kansas economy and to the farmers and ranchers and the use of their lands, to the oil and gas industry and the exploration of oil and gas, and to the utility industry in regard to the production and transmission of electricity that this amendment is necessary to set aside that listing as a threatened species and to allow interest holders in Kansas to come together and find a commonsense solution based upon sound science to protect the habitat of this bird.

This is not just a Kansas issue, and in fact, this species is only the precursor to problems others will have in their States.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from New Mexico.

Mr. UDALL. Mr. President, I rise today to oppose the Moran amendment, which would delist the lesser prairie chicken as a threatened species.

To be clear, I appreciate some of the concerns about this listing by farmers, ranchers, and industry. I am concerned about any unintended consequences this listing may have on rural New Mexicans. I strongly support and I assume the Senator from Kansas supports the bipartisan five-State effort for a thorough review.

The Fish and Wildlife Service took numerous steps in this process to respond to all stakeholders and to enable habitat conservation and economic growth. New Mexico has been and continues to be a leader in cooperative conservation in places where the prairie chicken is found. Ranchers and oil and gas industries deserve their praise for their efforts. So it is working and the sky is not falling, but we should not take this top-down political approach. Listing and delisting of the species by Congress goes against the intent of the law, which requires the government to make these decisions based on science, not politics.

I urge my colleagues to vote no.

The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to the Moran amendment.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—54

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Coats	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kirk	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Vitter
Enzi	McConnell	Wicker

NAYS—44

Baldwin	Booker	Cantwell
Bennet	Boxer	Cardin
Blumenthal	Brown	Carper

Casey	Klobuchar	Sanders
Coons	Leahy	Schatz
Donnelly	Markey	Schumer
Durbin	McCaskill	Shaheen
Feinstein	Menendez	Stabenow
Franken	Merkley	Tester
Gillibrand	Mikulski	Udall
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Hirono	Nelson	Whitehouse
Kaine	Peters	Wyden
King	Reed	

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 148

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 148, offered by the Senator from Rhode Island, Mr. WHITEHOUSE.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, the underlying measure benefits specific investors, specific corporations, and pushes regulatory approval of a specific project. In that sense, it has all the earmarks of the biggest earmark ever.

We have learned from other history with earmarks that when you have a project that benefits specific investors and specific corporations and specific entities, there is a valuable premium on having the public know about the campaign contributions relative to that project.

This bill requires the disclosure of over $10,000 in campaign contributions from entities that will make more than $1 million off this project. It is the type of transparency that many of my Republican colleagues had been for before they were against it.

I urge an ''aye'' vote.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, this amendment is virtually identical to the text of what we saw last year. It was tabled by a vote of 52 to 43. This amendment is not relevant to this debate. It is as unnecessary now as it was the first time we voted on it.

To the extent it is legal for a person or a company to make a campaign contribution, Federal and State election laws require public disclosure of those campaign contributions. Any other more general political activities a company or a person may choose to engage in are governed by existing laws and regulations as well. For that reason, I am going to be opposing this amendment for a second time and would encourage my colleagues to do as well.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 148.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SESSIONS).

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

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

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—52

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Shelby
Collins	Isakson	Sullivan
Corker	Johnson	Thune
Cornyn	Kirk	Tillis
Cotton	Lankford	Toomey
Crapo	Lee	Vitter
Daines	McCain	Wicker
Enzi	McConnell	
Ernst	Moran	

NOT VOTING—4

Cruz	Rubio
Reid	Sessions

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. VITTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 132

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 132, offered by the Senator from Montana, Mr. DAINES.

The Senator from Montana.

Mr. DAINES. Mr. President, my amendment simply expresses the sense of Congress that all future national monument designations should be subject to consultation with local governments and the approval of the Governor and legislature of the States in which such designation would occur. This amendment ensures that the people affected most by these designations have a seat at the table and their voices are heard.

The current administration, as well as past administrations—both Republican and Democratic—have made efforts to stretch the intent of the Antiquities Act, threatening Montanans' ability to manage our State's resources.

It is a trend we are seeing. Any bill designation that impacts land management should be locally driven, not spearheaded in Washington.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking in opposition to this amendment, there is a reason why they call it a national monument. That is because it is a national process, and it is a national decision.

Yes, Presidents of the United States consult with Governors and consult with State legislators, but they are not required to have a bill or the authority of the Governor before they make a national monument.

Nearly half of our national parks, including the Grand Canyon and Olympic National Park, were designated under this Antiquities Act. Sixteen Presidents—eight Republicans and eight Democrats—have designated over 130 national monuments since Teddy Roosevelt signed this act in 1906.

I think it has worked well for the United States of America. Please turn down this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 132, the Daines amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 37 Leg.]

YEAS—50

Barrasso	Enzi	Lankford
Blunt	Ernst	Lee
Boozman	Fischer	McCain
Burr	Flake	McConnell
Capito	Graham	Moran
Cassidy	Grassley	Murkowski
Coats	Hatch	Paul
Cochran	Heitkamp	Perdue
Collins	Heller	Portman
Corker	Hoeven	Risch
Cotton	Inhofe	Roberts
Crapo	Isakson	Rounds
Cruz	Johnson	Sasse
Daines	Kirk	Scott

Sessions	Thune	Vitter
Shelby	Tillis	Wicker
Sullivan	Toomey	

NAYS—47

Alexander	Franken	Murray
Ayotte	Gardner	Nelson
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Manchin	Tester
Carper	Markey	Udall
Casey	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	

NOT VOTING—3

Cornyn	Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CRUZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 115

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 115, offered by the Senator from Delaware, Mr. COONS.

The Senator from Delaware.

Mr. COONS. Mr. President, we need to take steps now to prepare for the coming impact of climate change on our Nation's infrastructure.

The Federal Government plays a crucial role in protecting our infrastructure and partnering with State and Federal, tribal, and local governments to prepare.

The Federal Government, including our Pentagon and the highway administration, is already planning and preparing for these impacts. Many States are as well. From my home State of Delaware to Alaska to Florida, all are already planning responsibly for the future impacts of climate change. Preparing now is only responsible, because every dollar invested in planning and preparing is projected to save us up to $4 in future disaster relief.

This amendment is supported by a number of organizations—the American Society of Civil Engineers, the National Wildlife Federation, the Union of Concerned Scientists, and others.

This amendment does not speak to the human role in climate change or emissions. It simply acknowledges that climate change is having an impact on our infrastructure and suggests that planning is responsible.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I had a conversation with our colleague from Delaware, and I told him I think this is an area where we might be able to work together.

I had actually introduced an amendment that deals with the adaptation that helps to assist those communities that have been affected by climate. We see that up in the coastline of Alaska. Senator MERKLEY has an amendment that also deals with adaptation. This is about resilience.

I am going to oppose the sense-of-the-Senate at this time because of some of the language. I get a little confused or am not certain we are stating it in the right manner. But I do think this process has been healthy in the sense that by having an opportunity to have amendments come forward, we find out where there might be areas where we can work to develop future initiatives that we all might be able to support on a bipartisan basis. I look forward to working with the Senator from Delaware.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. MURKOWSKI. 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 clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—47

Ayotte	Franken	Murray
Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	

NAYS—51

Alexander	Ernst	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Murkowski
Boozman	Gardner	Paul
Burr	Graham	Perdue
Capito	Grassley	Portman
Cassidy	Hatch	Risch
Coats	Heller	Roberts
Cochran	Hoeven	Rounds
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Sessions
Crapo	Kirk	Shelby
Cruz	Lankford	
Daines	Lee	
Enzi	McCain	

Sullivan	Tillis	Vitter
Thune	Toomey	Wicker

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 35

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 35, offered by the Senator from Maine, Ms. COLLINS.

The Senator from Maine.

Ms. COLLINS. Mr. President, the Senator from Virginia, Mr. WARNER, and I are offering an amendment that would help school officials to learn about existing Federal programs to improve energy efficiency in order to reduce school energy costs. It would not authorize any new programs or any new funding. It would simply require a review of existing Federal programs and require the Department of Energy to establish a coordinating structure so that schools can more easily navigate the many programs that are scattered across the Federal Government.

I know of no opposition to the amendment. To try to make life easier for my colleagues, if it is acceptable to the managers, I would be happy to accept a voice vote.

I don't know if my colleague from Virginia has any comments he would like to make.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I agree with the Senator from Maine, and I would urge a voice vote as well.

Ms. MURKOWSKI. Mr. President, I thank both Senators, and I ask unanimous consent that the 60-vote affirmative threshold on the Collins amendment be vitiated, and I urge its adoption by voice vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there any further debate on the Collins amendment No. 35?

If not, the question is on agreeing to the amendment.

The amendment (No. 35) was agreed to.

AMENDMENT NO. 120

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 120, offered by the Senator from Delaware, Mr. CARPER.

The Senator from Washington.

AMENDMENT NO. 120 WITHDRAWN

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Carper amendment No. 120 be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 166

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 166, offered by the Senator from Alaska, Ms. MURKOWSKI.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have had an opportunity to speak on this amendment several different times. Effectively, what we are doing is releasing wilderness study areas if within 1 year of receiving the recommendation Congress has not yet designated the study area as wilderness.

Effectively, what is happening is designations will come from the administration. Congress is the entity that is to approve them. But in the interim these areas are managed as de facto wilderness. In fact, many areas have been managed as de facto wilderness for decades because the Congress has not acted.

So simply, what we do in this amendment is to put a time period. Until the Congress makes a final determination on the wilderness study area, these areas will be determined not to be wilderness and not managed as such. But they are putting a time parameter on that so that they are not managed as wilderness areas indefinitely.

I would urge a ''yes'' vote from my colleagues.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this is a sweeping attack on millions of acres of land recommended for wilderness. This would nullify much of the Obama administration's plan for the Arctic National Wildlife Refuge and would also immediately abolish wilderness studies on BLM lands in 12 Western States. It would also abolish protection for 2.3 million acres in national wildlife refuges. These lands have been refuges, and they should be managed accordingly. So I would ask my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to the Murkowski Amendment No. 166.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—50

Barrasso	Flake	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoeven	Rounds
Coats	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kirk	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Vitter
Ernst	Moran	Wicker
Fischer	Murkowski	

NAYS—48

Alexander	Feinstein	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Boxer	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden

NOT VOTING—2

Reid	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. CORNYN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 133

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 133, offered by the Senator from North Dakota, Ms. HEITKAMP.

The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, this amendment will provide a sense of the Senate that we will provide some certainty to the American wind and other renewable industries by taking a look at the production tax credits and actually having a forward progress report so that they know exactly what the rules will be in the future, however short or long that may be. Every year, as we do the tax extenders, there are people waiting to find out if they still have a job. People in my State are waiting to know whether they are going to be put to work the next day or even the next week based on what this Congress does. It is so critical that we actually have predictability in this industry.

This is a jobs bill, and it is an energy bill. I can't imagine anything more germane to the Keystone XL Pipeline than a bill that provides both jobs and certainty to an ''all of the above'' essential, which is wind.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise in opposition to this amendment. I believe we do need more certainty, and the certainty ought to be that it is time for this tax credit—particularly the wind PTC—to expire. This was enacted 23 years ago as a temporary tax measure. There has been a lot of wind that has blown since that time, and we have a mature industry. In fact, the other day the President said we are No. 1 in the world in wind power.

We ought to have more certainty, and the certainty that needs to be there is that the tax credit is going to end and that we stop picking winners and losers in the energy economy.

With that, I yield the floor.

Mr. GRASSLEY. Mr. President, I would like to speak on Amendment No. 133, offered by Senator HEITKAMP of North Dakota. The amendment is a sense of Congress that the renewable electricity tax credit should be extended for 5 years. While I supported the amendment, I would like to express my concerns regarding the consideration of this amendment at this time.

I have been an outspoken supporter of renewable energy for many years. In fact, I first authored the wind production tax credit in 1992 to drive this renewable energy technology. I have worked for many years to provide as much certainty as possible to grow the domestic wind industry. Iowa has seen an enormous investment in wind energy manufacturing and wind farm development. I know firsthand the boom-and-bust cycle that exists for renewable energy producers when Congress fails to extend these critically important tax incentives.

But I also know this credit won't go on forever. It was never meant to, and it shouldn't. In 2012 the wind industry was the only industry to put forward a phaseout plan. A number of my colleagues here in the Senate have been working to construct a responsible, multiyear phaseout of the wind tax credit. That is why I am somewhat puzzled by an amendment that suggests a 5-year extension of this credit. It seems disconnected with reality.

I would remind my colleagues on the other side that in November of 2014, the House offer on tax extenders included a multiyear extension of the wind production tax credit that would have provided the certainty and soft landing that most of us and the industry support, but President Obama issued a veto threat before the ink was dry, and as a result the wind incentive expired.

Again, I strongly support wind energy, but I support a prudent way forward on an extension of the production tax credit. This amendment fails terribly in that regard. That is why I am disappointed that the Senator from North Dakota insisted on going forward with a 5-year extension on this bill. This is not a real effort to extend the wind incentive. I am afraid this was simply a politically motivated effort designed to score political points.

It is unfortunate that in this case, politicking has trumped efforts to achieve sound, responsible policy.

Rather than offer ''gotcha'' amendments on an unrelated bill, we should be working together to craft an extension of these important tax incentives that work for the wind industry, that are realistic politically, and that make sense for the American taxpayer. That effort requires regular order, working through the Finance Committee, to determine the most prudent path forward. It should be done in the context of comprehensive tax reform, where all energy tax provisions are on the table, rather than as a sense of the Congress on the unrelated Keystone XL bill.

I hope that with this political exercise behind us, those of us who seek to ensure a responsible transition for the wind production tax credit can get to work and achieve a sensible policy for those who depend on it. It is too bad that this ill-timed, ill-conceived amendment may have actually harmed those efforts.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COATS. 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 clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—47

Baldwin	Gillibrand	Murray
Bennet	Grassley	Nelson
Blumenthal	Heinrich	Peters
Booker	Heitkamp	Reed
Boxer	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Collins	Markey	Udall
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	

NAYS—51

Alexander	Daines	Manchin
Ayotte	Enzi	McCain
Barrasso	Ernst	McConnell
Blunt	Fischer	Moran
Boozman	Flake	Murkowski
Burr	Gardner	Paul
Capito	Graham	Perdue
Cassidy	Hatch	Portman
Coats	Heller	Risch
Cochran	Hoeven	Roberts
Corker	Inhofe	Rounds
Cornyn	Isakson	Sasse
Cotton	Johnson	Scott
Crapo	Lankford	Sessions
Cruz	Lee	Shelby
Sullivan	Tillis	Vitter
Thune	Toomey	Wicker

NOT VOTING—2

Reid Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 48

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 48 offered by the Senator from New York, Mrs. GILLIBRAND.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I urge my colleagues to vote in favor of the Keystone XL Pipeline Act. As it stands now, gas companies in this country do not have to comply with the Safe Drinking Water Act—the law that keeps our tapwater clear, safe, and clean.

For decades now, this loophole has exempted hydrofracking and gas storage companies from this law, even though every other energy industry, including oil and coal industries, is legally obligated to comply. If big coal can comply with this law, so can gas companies.

This special exemption is unfair, it is unnecessary, and it is unsafe. My amendment would finally remove it from the law. I urge my colleagues not to let this chance pass us by.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, claiming the 1 minute in opposition. As the Senator from New York has described, this would apply to the requirements of the Safe Drinking Water Act to underground ejection of natural gas. Currently the Safe Drinking Water Act expressly prohibits this application.

This amendment to add the requirements to the Safe Drinking Water Act is beyond the scope of the immediate Keystone debate. We are debating the approval of a pipeline that is going to carry oil, not gas. If the Senator from New York wants to debate the issues of fracking—most certainly those issues are before the Energy and Natural Resources Committee, and the Safe Drinking Water Act—I would welcome a stand-alone bill. We will have those discussions, but on this measure I would oppose and encourage Members to vote against the Gillibrand amendment.

I would remind Members we are so close to wrapping up this series of amendments. If we can ask the folks to stick around for these final few and keep to the 10-minute line. I know Senator FEINSTEIN is looking to encourage the women of the Senate to gather for a meal later on, and that would be important for us.

The PRESIDING OFFICER. The question is on agreeing to Gillibrand amendment No. 48.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—35

Baldwin	Franken	Nelson
Blumenthal	Gillibrand	Peters
Booker	Hirono	Reed
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	Menendez	Stabenow
Casey	Merkley	Warren
Coons	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	

NAYS—63

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Gardner	Paul
Bennet	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heinrich	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Kaine	Tester
Cotton	Kirk	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Udall
Donnelly	McCain	Vitter
Enzi	McCaskill	Warner
Ernst	McConnell	Wicker

NOT VOTING—2

Reid Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Ms. CANTWELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the pending Murkowski substitute, as amended, be considered original text for the purposes of further amendment.

I ask unanimous consent that when the Senate resumes consideration of S. 1 tomorrow, Thursday, January 29,

there be 15 minutes equally divided in the usual form and the Senate proceed to vote on the following amendments in the order listed: Barrasso No. 245; Cardin No. 124; Burr No. 92, as modified; Daines No. 246; Vitter No. 80, as further modified with the changes at the desk; Udall No. 77; further, that all amendments on this list be subject to a 60-vote affirmative threshold for adoption and that no second-degrees be in order to any of the pending amendments to this bill. I ask unanimous consent that there be 2 minutes of debate equally divided between each vote and that all votes after the first in this series be 10-minute votes.

I further ask that once these amendments have been disposed of, the Senate agree to proceed to the motion to reconsider the failed cloture vote on S. 1; that the motion to reconsider be agreed to and the Senate proceed to vote on the motion to invoke cloture on the bill, upon reconsideration. I ask consent that if cloture is invoked on the bill, as amended, all time postcloture be considered expired at 2:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 80), as further modified, is as follows:

At the end, add the following:

TITLE __—OUTER CONTINENTAL SHELF OIL AND GAS LEASING REVENUE

SEC. __01. REVENUE SHARING FROM OUTER CONTINENTAL SHELF WIND ENERGY PRODUCTION FACILITIES.

The first sentence of section 8(p)(2)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(2)(B)) is amended by inserting after ''27 percent'' the following: '', or, beginning in fiscal year 2016, in the case of projects for offshore wind energy production facilities, 37.5 percent''.

SEC. __02. OUTER CONTINENTAL SHELF LEASING PROGRAM REFORMS.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based on the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area.

''(B) The Secretary shall include in each proposed oil and gas leasing program under this section any State subdivision of an outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) that the Governor of the State that represents that subdivision requests be made available for leasing. The Secretary may not remove such a subdivision from the program until publication of the final program, and shall include and consider all such subdivisions in any environmental review conducted and statement prepared for such program under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

''(C) In this paragraph, the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning area (other than the North Aleutian Basin planning area or the North Atlantic planning area) that—

''(i) is estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) is estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. __03. DISPOSITION OF REVENUES.

(a) DEFINITIONS.—Section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) by redesignating paragraphs (5) through (11) as paragraphs (6) through (12), respectively;

(2) by inserting after paragraph (4) the following:

''(5) COASTAL STATE.—The term 'coastal State' means—

''(A) each of the Gulf producing States; and

''(B) effective for fiscal year 2016 and each fiscal year thereafter—

''(i) the State of Alaska; and

''(ii) for leasing in the Atlantic planning areas, each of the States of Florida, Georgia, North Carolina, South Carolina, and Virginia.'';

(3) in paragraph (10) (as so redesignated), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The term 'qualified outer Continental Shelf revenues' means—

''(i) with respect to the Gulf producing States, in the case of fiscal year 2017 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2016, from leases entered into on or after December 20, 2006;

''(ii) with respect to each of the coastal States described in paragraph (5)(B)(ii), all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into in the Atlantic planning areas on or after October 1, 2015; and

''(iii) with respect to the State of Alaska, in the case of fiscal year 2022 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2021, from leases entered into on or after March 1, 2005.''; and

(4) in paragraph (11) (as so redesignated), by striking ''Gulf producing State'' each place it appears and inserting ''coastal State''.

(b) DISPOSITION OF REVENUES.—Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) in the section heading, by striking ''**FROM 181 AREA, 181 SOUTH AREA, AND 2002–2007 PLANNING AREAS OF GULF OF MEXICO**'';

(2) by striking ''Gulf producing State'' each place it appears (other than paragraphs (1) and (2) of subsection (b)) and inserting ''coastal State'';

(3) in subsection (a), by striking paragraph (2) and inserting the following:

''(2) 50 percent of qualified outer Continental Shelf revenues in a special account in the Treasury from which the Secretary shall disburse—

''(A) in the case of qualified outer Continental Shelf revenues generated from outer Continental Shelf areas adjacent to Gulf producing States—

''(i) 75 percent to Gulf producing States in accordance with subsection (b); and

''(ii) 25 percent to provide financial assistance to States in accordance with section 200305 of title 54, United States Code, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title; and

''(B) in the case of qualified outer Continental Shelf revenues generated from outer Continental Shelf areas adjacent to coastal States described in section 102(5)(B), 100 percent to the coastal States in accordance with subsection (b).'';

(4) in subsection (b)—

(A) in the subsection heading, by striking ''GULF PRODUCING STATES'' and inserting ''COASTAL STATES'';

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) ALLOCATION AMONG CERTAIN ATLANTIC STATES AND THE STATE OF ALASKA FOR FISCAL YEAR 2016 AND THEREAFTER.—

''(A) IN GENERAL.—Subject to subparagraph (B), effective for fiscal years 2016 and each fiscal year thereafter, the amount made available under subsection (a)(2)(B) shall be allocated to each coastal State described in section 102(5)(B) in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each coastal State described in section 102(5)(B) that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

''(B) MINIMUM ALLOCATION.—The amount allocated to a coastal State described in section 102(5)(B) each fiscal year under subparagraph (A) shall be at least 10 percent of the amounts available under subsection (a)(2)(B).''; and

(D) in paragraph (4) (as redesignated by subparagraph (B)), by striking ''paragraphs (1) and (2)'' and inserting ''paragraphs (1), (2), and (3)''; and

(5) in subsection (f), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), the total amount of qualified outer Continental Shelf revenues made available to coastal States under subsection (a)(2) shall not exceed—

''(A) in the case of the coastal States described in section 102(5)(A)—

''(i) $500,000,000 for fiscal year 2017;

''(ii) $520,000,000 for fiscal year 2018;

''(iii) $525,000,000 for each of fiscal years 2019 and 2020;

''(iv) $575,000,000 for each of fiscal years 2021 through 2025; and

''(v) $699,000,000 for each of fiscal years 2026 through 2055;

''(B) in the case of the coastal States described in section 102(5)(B)(ii)—

''(i) $25,000,000 for each of fiscal years 2018 through 2020;

''(ii) $75,000,000 for each of fiscal years 2021 through 2025;

''(iii) $200,000,000 for each of fiscal years 2026 through 2055; and

''(iv) $300,000,000 for each of fiscal years 2056 through 2065; and

''(C) in the case of the State of Alaska—

''(i) $25,000,000 for each of fiscal years 2022 through 2025;

''(ii) $100,000,000 for each of fiscal years 2026 through 2055; and

''(iii) $199,000,000 for each of fiscal years 2056 through 2065.''.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I think Members have been given the outline for tomorrow morning that will take us through a final vote on cloture so that we can get to final passage of the Keystone XL Pipeline.

I appreciate the consideration and the courtesy of all Members. It has been a long day. We have worked through about a dozen additional amendments, if my count is correct, and we have done it in pretty good order. We have done it while there have been a number of committee meetings going on, which can be very disruptive, but I think with the level of cooperation we have had, we will be able to conclude our business at a relatively civilized hour this evening.

I appreciate the good work of my partner and ranking member Senator CANTWELL in getting us to this place. I am hopeful that with the number of amendments we have outlined for the morning and then the handful of germane amendments we will have in the afternoon, we will be able to move on to other business before the Senate. But I thank my colleagues for all of the effort and cooperation we have had to this point.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I wish to thank my colleague from Alaska for her hard work in getting us through this process. I think our colleagues can see the daylight to finishing this up tomorrow, hopefully. I know Members have worked across the aisle on some of these remaining issues, and we are still trying to work a few of them out. So hopefully tomorrow will go as smoothly as today has.

I would like to turn now to my colleague from New Mexico to call up his amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 77

(Purpose: To establish a renewable electricity standard, and for other purposes)

Mr. UDALL. Mr. President, I ask unanimous consent to set aside the pending amendment so that I may call up my amendment No. 77.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. UDALL], for himself, Mr. MARKEY, and Mr. BENNET, proposes an amendment numbered 77.

Mr. UDALL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of January 20, 2015, under ''Text of Amendments.'')

Mr. UDALL. Mr. President, let me just say to the two leaders on the floor who have participated in this open amendment process that I really appreciate the way Chairwoman Murkowski and Ranking Member CANTWELL have worked through this bill. I really appreciate all their help.

I have heard, at least on our side of the aisle, over and over that this is the way the Senate should be moving, this is the way we should be working. So I think all of us are very appreciative of how the two managers of the bill have worked together.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank our colleague for his kind comments. We do have one more consent request here very briefly.

I ask unanimous consent that the order of votes on the Burr and the Daines amendments be reversed.

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

Ms. MURKOWSKI. With that, Mr. President, I again thank Members for their cooperation today and look forward to yet another productive day tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I want to express my appreciation to the bill managers for their hard work today and for their efforts in the work that was done in a bipartisan way on this legislation. I know both the bill managers have spent an awful lot of time putting together these amendments, and I think they have really bent over backward to make sure Members on both sides of the aisle have had an opportunity to file their amendments, to make those amendments pending, and to get votes on the amendments. So I would like to express my appreciation to both of them for all the work they have done and for the process today in voting on amendments.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

THE ECONOMY

Mr. FLAKE. Mr. President, yesterday the Congressional Budget Office—the CBO—released its budget and economic outlook showing the forecast through 2025. It should strike fear in the heart of anybody who is concerned about this country's financial future.

The very short-term news is good. The deficit is projected to fall—but only for another 2 years. In 2017 the deficit is projected to start rising again to $1.1 trillion in 10 years. That is the annual deficit. By 2025 the deficit will be 4 percent of our overall economy.

Right now the country's debt in cumulative deficits over the years—the cumulative debt—is $18 trillion. This year we will pay about $277 billion just servicing that debt. That amount might seem low, but it is because of artificially low interest rates. In 10 years we will pay about $827 billion a year just to service the debt. That is 3 percent of our economy just to pay interest on the debt. That is unsustainable.

Don't take my word for it, though. You can take CBO's. They said:

Such large and growing Federal debt would have serious negative consequences, including increasing Federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a financial crisis.

I have been working on these issues—this issue in particular—for a long time, and I have to admit that sometimes it is tough to get people to focus on this topic. But we shouldn't be fooled and patting ourselves on the back just because we have done things such as getting rid of earmarks. That is a good thing, but it is certainly insufficient to address our spending.

The culture in Washington is still the culture of runaway spending, not just in earmarks, as I said, not just in wasteful spending. For example, spending on Social Security, Medicare, and Medicaid will nearly double over the next decade alone. This is not a revenue problem that we are having. Projected revenues will exceed their 50-year historical average of 17 percent of GDP this year and will grow to over 18 percent of the economy in this decade.

The culture of spending in Washington is something that defies logic, defies math and an honest assessment of who we are as a country. As a result, the United States is fast becoming a once-prosperous nation. We don't want that designation. It is truly a frightening distinction. Yet too few in Washington are motivated to get this country's fiscal house in order. One has to wonder how bad it is going to have to get to prod those who are not yet motivated.

Some will argue that we need to take baby steps to address our fiscal crisis. I think we are well past that time, but whatever kinds of steps we take, we need to take them now. We need to turn this culture of spending in Washington to one that will fully repair our economy. That will give the private sector the stability and confidence to create jobs. We also need to reform our cumbersome Tax Code. Most of all, we need to relieve future generations of the burden of our financial mess.

In short, it is well past time to start climbing our way out of this fiscal hole we are in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here now for the 87th consecutive week the Senate has been in session to urge action on climate change.

We have had an interesting couple of weeks on the Keystone Pipeline, but from a climate change and carbon pollution point of view, this would obviously not be helpful. Indeed, it would

be a disaster leading to as much as 27 million—27 million—metric tons of additional carbon dioxide emitted per year. To put that number into some perspective, that is the equivalent of adding 6 million cars and trucks to our roads for 50 years. So it is a very considerable carbon price to pay.

We have seen a poster used on the Senate Floor that says it will have no environmental effect. That is not precisely true. Indeed, precisely the opposite is true. This is the environmental effect it will have, and it is considerable. The report referred to went on to say that it would be offset by the fact that this fuel would go out by rail anyway. But that offset was conditioned on a fuel price above $75 per barrel of oil, and we are at $50. So there is no way that conclusion can stand, and the underlying fact is what prevails—27 million metric tons of additional carbon dioxide.

It is obviously very bad from an environmental perspective. It is a lot of ''not much'' from a jobs perspective. Every 4 days we add more jobs than the construction of this pipeline just through the economic recovery that is taking place.

This is a little bit hard to explain, particularly when you think that this bill is going to be dead on arrival at the White House. We have known from the beginning that this is going to be vetoed. But it has allowed the oil and the fossil fuel industry to show their hands. This is all being done on behalf of a foreign oil company and on behalf of the fossil fuel industry.

When we look at what we have been through in the past couple of days, there are some interesting choices the Senate has made if you are a foreign oil company. If you are a foreign oil company, we will let you use eminent domain to extinguish the property rights of farmers and ranchers and take their farms and ranches away. If you are a foreign oil company, we will exempt you from the oilspill recovery fund—the Federal excise tax on petroleum—so you don't have to pay the taxes American companies have to pay. If you are a foreign oil company, we will not require you to use American steel in a pipeline being built across America being touted as a source of American jobs. If you are a foreign oil company, we won't require you to sell it in the American market even though it is touted as a product that will help balance America's energy portfolio.

So, so far, not much good to show for all of this but one thing, and that is that this exercise has at last brought the issue of climate change to the floor of the Senate.

We have not had much debate about climate change since the Citizens United decision back in 2010 allowed the fossil fuel industry to cast a very long shadow of intimidation across this body. They spend a huge amount of the money that has been freed up by Citizens United. They spend a huge amount of dark money that flows post Citizens United. And since then, the Republican Party has been virtually muzzled on that subject. So having Republicans talk about climate change on the Senate floor was something of a revelation, and I don't think we should underestimate the importance of that or undervalue what was said.

The senior Senator from North Carolina came to the floor and said this:

> The concept that climate change is real, I completely understand and accept. To the point of how much man is contributing, I don't know, but it does make sense that man-made emissions are contributing.
>
> . . . the greenhouse gas effect seems to me scientifically sound. The problem is that how you fix this globally is going to require more than just the U.S. being involved.

Which I think we all agree with.

The senior Senator from Alaska, who is our chairman of the Energy and Natural Resources Committee and the floor manager on this very bill, agreed, stating that she hopes we can all, quoting her, get beyond the discussion as to whether or not climate change is real and talk about what do we do.

I look forward to that discussion about what do we do. It is not enough just to say, OK, we finally concede that climate change is really happening. We really do have to get on to what do we do.

Even if you disagree with me that climate change is real and very significant and consequential for our country, if you will spot me that there is just a 10-percent chance that I am right—even just a 2-percent chance that I am right—when we consider the possible harms, it is something that grownup adults and responsible people ought to take a look at and come together and decide what to do.

We have been through some very notable benchmarks. We hit for the first time last year 400 parts per million of carbon dioxide in our atmosphere for more than 3 months. They have been tracking this in Hawaii, at the top of the mountain at the Mauna Loa laboratory for decades now, and 400 parts per million for more than 3 months is a new record.

To put that in context: For as long as human beings have been on this planet, all the way back to when we were living in caves, the range of carbon in the atmosphere has been 170 to 300 parts per million. So we are well outside the range that has been our comfortable safe range for human habitation of this planet during our entire human experience, and 400 is a big move when our entire range is only 130 points and now we are 100 parts per million out of that.

Some of this lands in the oceans. The oceans have absorbed about a quarter of all our carbon emissions. We can measure their pH level. This isn't complicated. This isn't something we have to do with elaborate computer models.

What we see is that the pH level of the oceans is changing rapidly. The oceans are acidifying rapidly. When I say rapidly, they are acidifying at a rate that we have not seen in 25 to perhaps 30 or 50 million years. Indeed, some studies say nothing like this has been seen on the face of the Earth for as long as 300 million years. When we consider that our species has been around for about 200,000 years, that is a pretty long window to be launching new and dramatic changes in our oceans.

There is nothing new about the science that supports this. John Tyndall wrote the first report about the greenhouse gas effect to the British Academy of Sciences in 1861. The pages who are here and have studied history will know that 1861 was the year President Lincoln took office. So the scientific community has been aware of the greenhouse gas phenomenon since Abraham Lincoln was driving up and down Pennsylvania Avenue in a carriage with his top hat on.

There is not much new that is there, and the latest data is clearer and clearer that we just continue apace to warm the planet.

Professor Jonathan Overpeck is at the University of Arizona, and Arizona is certainly feeling the heat. Professor Overpeck said:

> The global warmth of 2014 is just another reminder that the planet is warming and warming fast. . . . Humans, and their burning of fossil fuels, are dominating the Earth's climate system like never before.

It is equally clear, when we look at the oceans, they not only absorb a lot of the carbon dioxide and acidify as a result—they absorb most of the heat. In fact, they absorb 90 percent of the excess heat that has been trapped by the greenhouse gases that we have flooded our atmosphere with.

I certainly see that in Rhode Island, where Narragansett Bay's mean winter water temperature is up 3 to 4 degrees Fahrenheit since we had our big hurricane of 1938. That is significant, because it means more likely storms. It is associated with sea level rise. We have 10 more inches of sea level at the Newport Naval Station. So if the 1938 hurricane were to repeat itself now, it would have 10 more inches of sea to hammer against our shores. And that is not a complicated measure, either. We do that with thermometers.

So since the Industrial Revolution, human beings have dumped 2 trillion metric tons of carbon dioxide into the air and into the atmosphere. Said another way, that is 2,000 billion metric tons of carbon dioxide.

The notion that has no effect, when we have known since Abraham Lincoln's day that carbon dioxide is a greenhouse gas, and when we put that much in and when we can measure that it is at 400 for the first time in human history—connect the dots. How much does it take? It is really pretty obvious.

Folks who remain skeptical—well, I know, I am not a scientist. I get that. So ask one. That is all I request. And I don't think that is too much to ask of colleagues. And, by the way, do me one favor. You can ask the scientist that you please, but please don't ask a scientist who is in the pay of the fossil

fuel and the denial industry. There are a bunch of them who are out there. They turn up at all the usual denial conferences. They write in the denial journals. They take money from the denial organizations that all have fossil fuel industry funding behind them. Go to someplace neutral.

For instance, go to your own State university, like the University of Arizona or the University of Oklahoma. The dean of the relevant department at the University of Oklahoma signed the IPCC report and started Climate Central. Ask your own university. Ask any major scientific organization. All the major recognized scientific organizations in the United States of America are on board, agree that this is real, agree that this is important, agree that it is vital, and believe that we are actually near the tipping point that may make the damage irrecoverable.

If you don't want to go to your home State university and if you don't want to go to America's major scientific societies, try NOAA and NASA.

Think about NASA for a moment. As I give this speech, there is a Rover that is the size of an SUV being driven around on the surface of Mars. We built a Rover, shot it to Mars, landed it safely, and are now driving it around. Do we think those scientists might actually know something? Do we think they might know what they are talking about? Do we think they might merit our confidence? So ask them and see what they say.

Or, if you want, ask some of America's leading corporations. If you are from Arkansas, go and ask Walmart. They will tell you. If you are from Georgia, go and ask Coca-Cola. They will tell you. This is not hard to discover once you get away from that little stable of denial scientists who are so closely affiliated with the fossil fuel industry.

I do this every week because we have the arrogance so often here to think how much our laws—the laws that we pass—matter. But the laws that we pass are passing things. They come and they go. They have their time. They are repealed, they are replaced, they fall into desuetude.

But some laws last, and those are the laws that God laid down upon this Earth that guide its operations. Those are the laws of physics, the laws of chemistry, the laws of biology, the law of gravity. We cannot repeal those laws. We must face their consequences. And we know the consequences of continuing to emit gigatons of carbon dioxide into our planet is going to launch us into an environment in which the habitability of Earth as we have known it will be put into question.

History makes its judgments about every generation. If we do not take calm and reasonable and sensible precautions about this obvious known and admitted risk, then when that risk comes home to roost, we will be duly shamed.

So let us avoid that. Let us get to work. Let us take advantage of the opening that the distinguished senior Senator from Alaska and the distinguished senior Senator from South Carolina have opened for us, and let us do what is right by our country and by the judgment that we can anticipate from history.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

TRIBUTE TO BEN RICHMOND

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a great Kentuckian and a man who has dedicated his entire career to promoting civil rights and helping people. My good friend Ben Richmond, the longtime president and CEO of the Louisville Urban League, recently announced his impending retirement from that position. Mr. Richmond has served as president and CEO of the Louisville Urban League for nearly 30 years—since 1987.

Mr. Richmond is a civil rights champion who has led a venerable civil rights institution such as the Louisville Urban League to new heights. Under his tenure, the Louisville Urban League has promoted job training and education for many in Louisville's African-American community. His body of work is so outstanding that in 2007 he received from the city the Dr. Martin Luther King Jr. Freedom Award, a recognition for a local activist who is dedicated to King's principles and who has promoted peace, equality, and justice.

Since Mr. Richmond took over the Louisville Urban League, the staff has grown from around 20 to 30 and the annual budget grown from under $1 million to around $3.3 million. Mr. Richmond is the driving force for fundraising for the budget.

The Louisville Urban League placed more than 200 people in jobs last year with a combined annual income of nearly $5 million. It helped about 1,000 prepare for finding employment through career expos, job training, referrals, and career counseling. It also has many programs to help youth and seniors.

The Louisville Urban League is nearly halfway towards realizing their goal of seeing 15,000 local African Americans earn college degrees between 2012 and 2020. Mr. Richmond oversaw the Louisville Urban League's move to a new headquarters in 1990. And under Mr. Richmond's tenure, the Louisville Urban League was just one of 13 Urban League affiliates nationwide to receive a top score in a self-audit required by the National Urban League.

I should add my interest in the Urban League is personal—my father once served on the board of the Louisville Urban League. I believe he knew Ben Richmond. We are lucky, that after his retirement, Mr. Richmond plans on staying in Louisville. Our city can continue to benefit from his wisdom and experience.

I want to wish my good friend Mr. Ben Richmond all the best in retirement, and I ask my Senate colleagues to join me in congratulating Ben for his successful tenure at the helm of the Louisville Urban League. The city of Louisville and the State of Kentucky have certainly benefitted immeasurably by his many efforts over the decades.

The Louisville Courier-Journal newspaper recently published an article extolling Mr. Ben Richmond's many accomplishments. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Courier-Journal, Jan. 21, 2015]

URBAN LEAGUE CEO RICHMOND RETIRING

(By Sheldon S. Shafer)

Ben Richmond, a cornerstone of local social activism for more than a quarter century and a major advocate of economic equality, is retiring as president and CEO of the Louisville Urban League.

Richmond announced his impending retirement at an Urban League board meeting Tuesday, after serving as head of the civil-rights organization since 1987.

Under the leadership of Richmond, a mainstay in the push to improve economic development in western Louisville, the Urban League has long been dedicated to promoting job training and education, primarily for Louisville's poorer citizens.

Richmond ''has been one of the anchors for diversity and for stability in not only the African-American community but the overall Louisville community,'' said Raoul Cunningham, Louisville NAACP president. ''I am going to miss Ben, his counsel and his cooperative spirit.''

Richmond ''has become known around the country for innovative and groundbreaking approaches to helping residents improve their quality of life,'' said Dan Hall, a University of Louisville vice president and the Urban League board chairman. ''He is intensely passionate about helping individuals find a pathway to success.''

Richmond received Louisville Metro's Dr. Martin Luther King Jr. Freedom Award in 2007, an annual recognition given by the city to a local activist dedicated to King's principles and who has promoted peace, equality and justice.

Then-Mayor Jerry Abramson said at the time that ''over his decades of leadership, countless lives have been improved through Ben's tireless efforts in workforce development, housing and youth programs.''

The national Urban League was founded in 1910, and the Louisville agency in 1921. The

local league was set up chiefly to help rural black Southerners who had moved to Louisville after World War I.

The Louisville Urban League under Richmond has greatly expanded its reach. It placed about 250 people in jobs last year and helped around 1,000 more prepare for finding employment. The league's career-development efforts range from helping job seekers draft resumes to mock job interviews.

In recent times the league has sponsored Saturday morning enrichment classes for children. And it has found buyers for dozens of new single-family homes built on vacant or abandoned property under its Project Rebound program in Russell, helping to transform the surrounding neighborhood.

League efforts annually include career expos; job training, referrals and career counseling; a variety of services for employers; homeownership training and counseling; a health and wellness program called Get Fit Louisville; a walk to defeat childhood obesity; and a long list of programs to help both youths and seniors in many ways.

Benjamin K. Richmond, 71 and single, was born in Durham, N.C., and raised in Jackson, Miss.

Richmond came to the Louisville Urban League as president and CEO in 1987, after top jobs with league affiliates in Wisconsin and Michigan. Richmond here replaced the league's longtime leader, the late Art Walters. Walters, who died in 2010 at age 91, directed the Louisville Urban League from 1970 to 1987.

Since Richmond took over, the league's staff has grown from around 20 to 30—also aided by dozens of volunteers—and its annual budget has grown from under $1 million to around $3.3 million this year. The funds have been cobbled together largely by Richmond—from Metro United Way and numerous public and private sources.

The current budget, for instance, includes about $340,000 from United Way, less than $100,000 from Metro Government and a $1.2 million federal grant earmarked primarily for programs for seniors.

The league has several departments, including the Center for Workforce Development, the Center for Housing and Financial Empowerment and the Center for Youth Development and Education.

Richmond said in an interview Monday that he expects to remain on the job until around June 30, or until a replacement is named by the agency's board, after a planned national search. He said he may then stay on under a contract for a while longer.

Richmond intends to stay in Louisville, while traveling some to visit relatives in Mississippi and Arizona.

But he pledges to remain active, noting that ''there are many opportunities in both the public and private sectors here. I will see what emerges. But I want to have fun.''

Among many achievements during his tenure, Richmond cited:

Opening the league headquarters in 1990 at 1535 W. Broadway, a 19,000–square-foot office, community meeting site, classroom and job-training facility. The league invested $1.6 million in the headquarters, which was paid off long ago. Richmond said the league headquarters has spurred significant nearby development along Broadway.

The economic impact of the league in terms of finding jobs for more than 200 people last year. Their combined annual income should be nearly $5 million.

Richmond noted that in recent years the league helped find jobs for dozens of minorities in construction of the KFC Yum! Center, and he said the league was instrumental in getting the PGA of America to establish an urban youth golf program and also hire top staff minorities.

That a halfway point has nearly been reached toward a goal—shared with partner organizations such as Simmons College and Jefferson Community and Technical College—to have 15,000 local African-Americans earn college degrees between 2012 and 2020. The minority effort is part of the community's 55,000 Degrees effort.

That the league last year received a top score in a self-audit—a review of its staff, policies, finances and procedures—required every three years by the National Urban League. The Louisville agency was just one of 13 affiliates of the national organization to achieve that status, Richmond said.

Richmond said he is proud that under his oversight the local league has attained financial stability, adding that he believes his organized is widely respected.

Under Richmond, the league has become more diversified. About half of its 36–member board and about half the staff are white. Richmond said he has strived to ''practice what we preach—racial diversity.''

Richmond ''has been a tremendous leader,'' said Metro Councilman David Tandy, D–4th District. ''There is still work to do, but he has been at the forefront of the second, or third, wave of the civil-rights movement, focusing on economic opportunity. ... He has played a pivotal role in the community.''

Richmond ''has tried to create opportunities and meet challenges our community has faced,'' said longtime ally Sam Watkins, president of the Louisville Central Community Center, another West End-based, pro-development group.

''He's been a champion for west Louisville and has been proactive in trying to garner desperately needed attention for the area's issues and problems.''

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

RULES OF PROCEDURE

Mr. ROBERTS. Mr. President, the Committee on Agriculture, Nutrition and Forestry has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator STABENOW, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

RULE I—MEETINGS

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 Swearing in of Witnesses.—Witnesses in committee or subcommittee hearings may be

required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 Limitation.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

RULE 4—NOMINATIONS

4.1 Assignment.—All nominations shall be considered by the full committee.

4.2 Standards.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 Information.—Each nominee shall submit in response to questions prepared by the committee the following information:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and

(3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 Hearings.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 Action on Confirmation.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

RULE 5—QUORUMS

5.1 Testimony—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 Business.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

5.3 Reporting.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 6—VOTING

6.1 Rollcalls.—A roll call vote of the members shall be taken upon the request of any member.

6.2 Proxies.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 Polling.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

RULE 7—SUBCOMMITTEES

7.1 Assignments.—To assure the equitable assignment of members to subcommittees, no member of the committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 Attendance.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 Ex Officio Members.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 Scheduling.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee business meeting may be held at the same time.

7.5 Discharge.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition. The full committee may at any time, by majority vote of those members present, discharge a subcommittee from further consideration of a specific piece of legislation.

7.6 Application of Committee Rules to Subcommittees.—The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 8—INVESTIGATIONS, SUBPOENAS AND DEPOSITIONS

8.1 Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

RULES OF PROCEDURE

Mr. ALEXANDER. Mr. President, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, I submit for publication the Rules of Procedure for the Committee on Health, Education, Labor, and Pensions, as unanimously adopted by the committee on January 28, 2015.

I ask unanimous consent that the text of the Rules of Procedure be printed in the RECORD.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

UNITED STATES SENATE

RULES OF PROCEDURE

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD–430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not

present, the ranking majority member present, shall preside at all meetings. The chairman may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a ''yea and nay'' vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chairman for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.— Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk shall distribute to each member of the committee or subcommittee a document, prepared by the sponsor of the bill or joint resolution. If the bill or joint resolution has no underlying statutory language, the document shall consist of a detailed summary of the purpose and impact of each section. If the bill or joint resolution repeals or amends any statute or part thereof, the document shall consist of a detailed summary of the underlying statute and the proposed changes in each section of the underlying law and either a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and, in italics, the matter proposed to be added, along with a summary of the proposed changes; or a side-by-side document showing a comparison of current law, the proposed legislative changes, and a detailed description of the proposed changes.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chairman and ranking minority member agree on a shorter period of time, the minority shall have no fewer than three business days to prepare supplemental, minority or additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education and background of the nominee relating to the position to which the individual

is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term ''majority'' as used in the committee's rules and guidelines shall refer to the party of the chairman for purposes of party identification. Numerical requirements for quorums, votes and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chairman at least 24 hours before an executive session. The chairman shall promptly distribute all filed amendments electronically to the members of the committee. The chairman may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

* * * * *

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A*(a)* of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A(*a*) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. At least seven days prior to public notice of each committee or subcommittee hearing, the majority should provide notice to the minority of the time, place and specific subject matter of such hearing.

3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. Witnesses will be urged to submit testimony even earlier whenever possible. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members. Witness testimony may be submitted and distributed electronically.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Special Committee on Aging, having adopted rules governing its procedures for the 114th Congress, have a copy of their rules printed in the RECORD pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate.

Thank you for your consideration of this request.

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

SPECIAL COMMITTEE ON AGING

JURISDICTION AND AUTHORITY

S. Res. 4, 104, 95th Congress, 1st Session (1977)[1]

(a)(1) There is established a Special Committee on Aging (hereafter in this section referred to as the ''special committee'') which shall consist of nineteen Members. The Members and chairman of the special committee shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee consists of nine Senators.

(2) For the purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)–(d), and 2(a) and (d) of rule XXVII of the Standing Rules of the Senate; and the purposes of section 202(I) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less than once year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the serve of individual consultants or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended) and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the special committee or any Member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any Member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the Member signing the subpoena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

RULES OF PROCEDURE

159 Cong. Rec S1002 (daily ed. Feb. 28, 2013)

I. CONVENING OF MEETINGS

1. MEETINGS. The Committee shall meet to conduct Committee business at the call of the Chairman. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI (3).

2. NOTICE AND AGENDA:

(a) WRITTEN OR ELECTRONIC NOTICE. The Chairman shall give the Members written or electronic notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(b) SHORTENED NOTICE. A meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting on shortened notice. An agenda will be furnished prior to such a meeting.

3. PRESIDING OFFICER. The Chairman shall preside when present. If the Chairman is not present at any meeting, the Ranking Majority Member present shall preside.

II. CONVENING OF HEARINGS

1. NOTICE. The Committee shall make public announcement of the date, place and subject matter of any hearing at least one week before its commencement. A hearing may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing on shortened notice.

2. PRESIDING OFFICER. The Chairman shall preside over the conduct of a hearing when present, or, whether present or not, may delegate authority to preside to any Member of the Committee.

3. WITNESSES. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

4. OATH. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any Member, may request and administer the oath.

5. TESTIMONY. At least 48 hours in advance of a hearing, each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, in a format determined by the Committee and sent to an electronic mail address specified by the Committee, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than five minutes to orally summarize his or her prepared statement. Officials of the federal government shall file 40 copies of such statement with the clerk of the Committee 48 hours in advance of their appearance, unless the Chairman and the Ranking Minority Member determine there is good cause for noncompliance.

6. COUNSEL. A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his or her rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association.

7. TRANSCRIPT. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed sessions and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his or her transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious errors of fact. The Chairman or a staff officer designated by him shall rule on such request.

8. IMPUGNED PERSONS. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record; and

(b) request the opportunity to appear personally before the Committee to testify in his or her own behalf.

9. MINORITY WITNESSES. Whenever any hearing is conducted by the Committee, the Ranking Member shall be entitled to call at least one witness to testify or produce documents with respect to the measure or matter under consideration at the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the hearing.

10. CONDUCT OF WITNESSES, COUNSEL AND MEMBERS OF THE AUDIENCE. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts him or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

III. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. PROCEDURE. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern Committee investigations or matters enumerated in Senate Rule XXVI(5)(b). Immediately after such discussion, the meeting or hearing or portion thereof may be closed by a vote in open session of a majority of the Members of the Committee present.

2. WITNESS REQUEST. Any witness called for a hearing may submit a written or an electronic request to the Chairman no later than twenty-four hours in advance for his or her examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. CONFIDENTIAL MATTER. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

IV. BROADCASTING

1. CONTROL. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

2. REQUEST. A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his or her testimony cameras, media microphones, and lights shall not be directed at him or her.

V. QUORUMS AND VOTING

1. REPORTING. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. COMMITTEE BUSINESS. A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present.

3. HEARINGS. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

4. POLLING:

(a) SUBJECTS. The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) Committee rules changes and (3) other Committee business which has been designated for polling at a meeting.

(b) PROCEDURE. The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is one of the areas enumerated in Rule III(1), the record of the poll shall be confidential. Any Member may request a Committee meeting following a poll for a vote on the polled decision.

VI. INVESTIGATIONS

1. AUTHORIZATION FOR INVESTIGATIONS. All investigations shall be conducted on a bipartisan basis by Committee staff. Investigations may be initiated by the Committee staff upon the approval of the Chairman and the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge.

2. SUBPOENAS. The Chairman and Ranking Minority Member, acting together, shall authorize a subpoena. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

3. INVESTIGATIVE REPORTS. All reports containing findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

VII. DEPOSITIONS AND COMMISSIONS

1. NOTICE. Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. COUNSEL. Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule II(6).

3. PROCEDURE. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the record. If a witness objects to a question

and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he or she may refer the matter to the Committee or the Member may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Committee.

4. FILING. The Committee staff shall see that the testimony is transcribed or electronically recorded.

5. COMMISSIONS. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VIII. SUBCOMMITTEES

1. ESTABLISHMENT. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. JURISDICTION. Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. RULES. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

IX. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of a majority of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: ''Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.''

X. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed or via polling, subject to Rule V (4).

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

RULES OF PROCEDURE

Mr. VITTER. Mr. President, the Senate Committee on Small Business and Entrepreneurship today adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules adopted by the Senate Committee on Small Business and Entrepreneurship be printed in the RECORD.

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

RULES FOR THE U.S. SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR THE 114TH CONGRESS

JURISDICTION (ESTABLISHED IN THE SENATE STANDING RULES)

Per Rule XXV(1) of the Standing Rules of the Senate:

(1) Committee on Small Business and Entrepreneurship to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

GENERAL SECTION

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and 1970 (as amended), shall govern the Committee.

MEETINGS

(a) The regular meeting day of the Committee shall be the first Thursday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 3 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefore, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside. For any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless thirty written copies and an electronic copy, with a summary page attached, of such amendment has been delivered to the Clerk of the Committee at least 24 hours prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

QUORUMS

(a)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term ''routine business'' includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

NOMINATIONS

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

HEARINGS

(a)(1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.

(b)(1) Any Member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(2) The Chair and Ranking Member will negotiate the number of witnesses for each hearing, but in the absence of an agreement between the Chair and the Ranking Member the ratio between the majority and minority witnesses will be no less than 3–2 or 2–1 when a smaller panel is justified. Interrogation of witnesses at hearings shall be conducted on behalf of the Committee by Members of the Committee or such Committee staff as is authorized by the Chair or Ranking Minority Member.

(3) Witnesses appearing before the Committee shall file with the Clerk of the Committee a written statement of the prepared testimony at least two business days in advance of the hearing at which the witness is to appear unless this requirement is waived by the Chair and the Ranking Minority Member.

(c) Any witness summoned to a public or closed hearing may be accompanied by counsel of his or her own choosing, who shall be permitted while the witness is testifying to advise the witness of his or her legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(d) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be authorized by the Chair with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chair may subpoena attendance or production without the consent of the Ranking Minority Member when the Chair has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chair or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(e) The Chair shall rule on any objections or assertions of privilege as to testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings.

(f) Testimony may be submitted to the formal record for a period not less than two weeks following a hearing or roundtable, unless otherwise agreed to by Chair and Ranking Member.

DEPOSITIONS

At the direction of the Chair, with notification to the ranking minority member of not less than 72 hours, the staff is authorized to take depositions from witnesses. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Any Committee member, or a member of the Committee staff designated by the Chair or ranking minority member, shall be given the opportunity to attend and participate in the taking of any deposition. Witnesses at depositions shall be examined under oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. The transcript of a deposition shall be filed with the committee clerk. The transcript or any portion of the transcript shall only be made public either by vote of the majority or at the direction of the Chair after notifying the ranking minority member.

CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chair with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

MEDIA & BROADCASTING

(a) At the discretion of the Chair, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chair by submitting a written request to the Committee Office by 5 p.m. the day before the meeting. Notice of televised or broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

SUBCOMMITTEES

The Committee shall not have standing subcommittees.

AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

COMMITTEE ON INDIAN AFFAIRS

RULES OF PROCEDURE

Mr. BARRASSO. Mr. President, the Committee on Indian Affairs has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

SENATE COMMITTEE ON INDIAN AFFAIRS COMMITTEE RULES FOR THE 114TH CONGRESS

RULES OF PROCEDURE

Rule 1. The Standing Rules of the Senate, Senate Resolution 4, and the provisions of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, as supplemented by these rules, are adopted as the rules of the Committee to the extent the provisions of such Rules, Resolution, and Acts are applicable to the Committee on Indian Affairs.

MEETING OF THE COMMITTEE

Rule 2. The Committee shall meet on Wednesday/Thursday while the Congress is in session for the purpose of conducting business, unless for the convenience of the Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

OPEN HEARINGS AND MEETINGS

Rule 3(a). Hearings and business meetings of the Committee shall be open to the public except when the Chairman by a majority vote orders a closed hearing or meeting.

(b). Except as otherwise provided in the Rules of the Senate, a transcript or electronic recording shall be kept of each hearing and business meeting of the Committee.

HEARING PROCEDURE

Rule 4(a). Public notice, including notice to Members of the Committee, shall be given of the date, place and subject matter of any hearing to be held by the Committee at least one week in advance of such hearing unless the Chairman of the Committee, with the concurrence of the Vice Chairman, determines that holding the hearing would be non-controversial or that special circumstances require expedited procedures and a majority of the Committee Members attending concurs. In no case shall a hearing be conducted with less than 24 hours' notice.

(b). Each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, at least 48 hours in advance of a hearing, in a format determined by the Committee and sent to an electronic mail address specified by the Committee.

(c). Each Member shall be limited to five (5) minutes of questioning of any witness until such time as all Members attending who so desire have had an opportunity to question the witness unless the Committee shall decide otherwise.

BUSINESS MEETING AGENDA

Rule 5(a). A legislative measure or subject shall be included in the agenda of the next following business meeting of the Committee if a written request by a Member for consideration of such measure or subject has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include legislative measures or subjects on the Committee agenda in the absence of such request

(b). Any bill, resolution, or other matter to be considered by the Committee at a business meeting shall be filed with the Clerk of the Committee. Notice of, and the agenda for, any business meeting of the Committee, and a copy of any bill, resolution, or other matter to be considered at the meeting, shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is published except by the approval of a majority of the Members of the Committee. The notice and agenda of any business meeting may be provided to the Members by electronic mail, provided that a paper copy will be provided to any Member upon request. The Clerk shall promptly notify absent Members of any action taken by the Committee on matters not included in the published agenda.

(c). Any amendment(s) to any bill or resolution to be considered shall be filed with the Clerk not less than 48 hours in advance. This rule may be waived by the Chairman with the concurrence of the Vice Chairman.

QUORUM

Rule 6(a). Except as provided in subsection (b), a majority of the Members shall constitute a quorum for the transaction of business of the Committee. Except as provided in Senate Rule XXVI 7(a), a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

(b). One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee.

VOTING

Rule 7(a). A recorded vote of the Members shall be taken upon the request of any Member.

(b). A measure may be reported without a recorded vote from the Committee unless an objection is made by a Member, in which case a recorded vote by the Members shall be required. A Member shall have the right to have his or her additional views included in the Committee report in accordance with Senate Rule XXVI 10.

(c). A Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and conforming changes to the measure.

(d). Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8(a). Witnesses in Committee hearings may be required to give testimony under oath whenever the Chairman or Vice Chairman of the Committee deems it to be necessary.

(b). At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any Member, any other witness shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. All such statements shall be made public by the Committee unless the Committee, in executive session, determines that special circumstances require a full or partial exception to this rule.

(c). Members of the Committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the Committee in the manner required in the case of Presidential nominees.

CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the Committee or any report of the proceedings of a closed Committee hearing or business meeting shall be made public in whole or in part, or by way of summary, unless authorized by a majority of the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the Committee which is open to the public may be covered in whole or in part by television, Internet, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

RECOGNIZING THE U.S. COAST GUARD

Mr. SESSIONS. Mr. President, today I honor the 100th anniversary of the U.S. Coast Guard, officially established on this day, January 28, 1915, when President Woodrow Wilson signed legislation merging the Revenue Cutter Service and the U.S. Life-Saving Service into one organization.

The Coast Guard has a long and noble history, dating back to 1790, of defending the shores of our Nation. It remains a vital component of our national security infrastructure—performing law enforcement, lifesaving, and military duties. Whether it is intercepting drug smugglers in the Gulf of Mexico or rescuing stranded fishermen off the coast of Alaska, the Coast Guard always answers the call and performs its mission bravely. Our Nation is safer thanks to the work done by the brave men and women of the U.S. Coast Guard.

I am honored that my home State of Alabama has a significant Coast Guard presence in the city of Mobile. U.S. Coast Guard Sector Mobile is home to over 200 Active-Duty military and civilian personnel who play a crucial role in enforcing our Nation's laws and providing maritime security along the gulf coast of Alabama, Mississippi, and Florida. Mobile is also home to one of the Coast Guard's largest units, the U.S. Coast Guard Aviation Training Center. The Aviation Training Center is home to roughly 600 Active-Duty military and civilian personnel, and it serves as the Coast Guard's aviation and capabilities development center—responsible for training Coast Guard pilots. It also serves as an operational Coast Guard air station, performing traditional Coast Guard aviation missions such as search and rescue, homeland security, and environmental protection in an area encompassing the Gulf of Mexico from the Louisiana-Texas border to the Florida panhandle.

I am proud of what these Coast Guard installations do to protect the people of the gulf coast and the Nation as a whole. I would like to thank the U.S. Coast Guard for everything it does to enhance and ensure the national security of the United States, and I congratulate and honor the Coast Guard on its 100th anniversary.

SUPPORTING TEACHERS AND SCHOOL LEADERS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Senate Health, Education, Labor and Pensions Committee hearing yesterday be printed in the RECORD.

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

SUPPORTING TEACHERS AND SCHOOL LEADERS

Today's hearing is all about better teaching—how we can create an environment so teachers, principals, and other leaders can succeed.

Governors around the country are focused on one issue: better jobs for the citizens in their states. And it doesn't take very long for a governor, which I once was, to come to the conclusion that better schools mean better jobs and a better life.

Since no one has figured out how to pass a better parents law, it doesn't take long to realize how important a great teacher is.

I certainly came to that conclusion quickly in 1984, when I was governor of Tennessee and I considered the holy grail of K–12 education to be finding a fair way to encourage and reward outstanding teaching.

I spent a year and a half, devoting 70 percent of my time, persuading the legislature to establish a career ladder—a master teacher program that 10,000 teachers voluntarily climbed. They were paid more and had the opportunity for 10- and 11-month contracts.

Tennessee became the first state in the nation to pay teachers more for teaching well. Rarely a week goes by that a teacher doesn't stop me and say, ''Thank you for the master teacher program.''

It was not easy. A year before I'd been in a meeting of southern governors and one of them said, ''Who's gonna be brave enough to take on the teachers union?''

I had a year and a half brawl with the National Education Association before I could pass our teacher evaluation program.

Since then, there's been an explosion of efforts to answer these questions a great number of states and school districts are tackling: How do we determine who is an effective teacher? How do we relate student achievement to teacher effectiveness? And, having decided that, how do we reward and support outstanding teaching so we don't lose our best teachers?

In 1987, the National Board for Professional Teaching Standards began to strengthen standards in teaching and professionalize the teaching workforce. To date, more than 110,000 teachers in all 50 states and DC have achieved National Board Certification.

In 2006, the Teacher Incentive Fund was created to help states and districts create performance-based compensation system for teachers based on evaluation results.

According to the National Center on Teacher Quality, in 2014:

27 states required annual evaluations for all teachers

44 states required annual evaluations for new teachers

35 states required student achievement and/or student growth to be a significant or the most significant measure of teacher performance.

So when I came to Washington as a United States Senator in 2003, everyone expected—since I thought rewarding outstanding teaching was the Holy Grail—that I would make

everyone do it. To the surprise of some, my answer was no—you can't do it from Washington. Nevertheless, over the last 10 years, Washington has tried.

Here is how: No Child Left Behind told states that all teachers of core academic subjects needed to be ''Highly Qualified'' by 2006, and it prescribed that definition in a very bureaucratic manner. That hasn't worked. I don't know of many people who really want to keep that outdated definition—even Secretary Duncan waived the requirements related to highly qualified teachers when he granted waivers to 43 states, the District of Columbia, and Puerto Rico.

Unfortunately, the Secretary replaced those requirements with a new mandate requiring teacher evaluation systems—first in Race to the Top, which gave nearly $4.4 billion to states, and second, in the waivers.

To get a waiver from No Child Left Behind, a state and each local school district must develop a teacher and principal evaluation system with seven required elements—such as that it will use at least three performance levels; and will use multiple measures, including student growth; and will include guidelines and supports for implementation—and each element must be approved by the U.S. Department of Education.

The problem is that, after 30 years, we are still figuring out how to do this.

Our research work on measuring growth in student achievement and relating it fairly to teacher effectiveness was started in 1984, but former Institute of Education Science Director Russ Whitehurst told the New York Times in 2012 that states ''are racing ahead based on promises made to Washington or local political imperatives that prioritize an unwavering commitment to unproven approaches. There's a lot we don't know about how to evaluate teachers reliably and how to use that information to improve instruction and learning.''

The second problem is that some states haven't been willing or able to implement the systems the way the U.S. Department of Education wants them to.

California, Iowa, and Washington state had their waiver requests denied or revoked over the issue of teacher evaluations.

In Iowa's case, it was because the state legislature wouldn't pass a law that satisfied the requirement that allowed for teachers and principals to be placed into at least three performance levels—not effective, effective, and highly effective.

California simply ignored the Administration's conditions when they applied for a waiver, particularly the requirement that teacher evaluation systems be based significantly on the results of state standardized tests.

In April, Washington state's waiver was revoked by Secretary Duncan because their state legislature would not pass legislation requiring standardized test results to be used in teacher and principal evaluation systems—instead the law in Washington allows local school districts to decide which tests they use.

Whether or not this federal interference with state education law offends your sense of federalism, like it does mine, it has proved impractical.

The federal government in its well-intentioned way, trying to say, ''We want better teachers, and we're going to tell you exactly how to do it, and you must do it now'' has created an enormous backlash. It's made even harder something that was already hard.

Even in Tennessee, despite 30 years of experience and nearly $500 million in Race to the Top funding, the implementation of a new teacher evaluation system has been described in an article in my hometown newspaper as ''contentious.''

Given all of the great progress that states and local school districts have made on standards, accountability, tests, and teacher evaluation over the last 30 years—you'll get a lot more progress with a lot less opposition if you leave those decisions there.

I think we should return to states and local school districts decisions for measuring the progress of our schools and for evaluating and measuring the effectiveness of teachers.

I know it is tempting to try to improve teachers from Washington. I also hear from governors and school superintendents who say that if ''Washington doesn't make us do it, the teachers unions and opponents from the right will make it impossible to have good evaluation systems and better teachers.''

And I understand what they're saying. After I left office, the NEA watered down Tennessee's Master Teacher program.

Nevertheless, the Chairman's Staff Discussion draft eliminates the Highly Qualified Teacher requirements and definition, and allows states to decide the licenses and credentials that they are going to require their teachers to have.

And despite my personal support for teacher evaluation, the draft doesn't mandate teacher and principal evaluations.

Rather, it enables States to use the more than $2.5 billion under Title II to develop, implement, or improve these evaluation systems.

In a state like Tennessee, that would mean $39 million potentially available for continuing the work Tennessee has well underway for evaluating teachers, including linking performance and student achievement.

In addition, it would expand one of the provisions in No Child Left behind—the Teacher Incentive Fund that Secretary Spellings recommended putting into law and that Secretary Duncan said, in testimony before the HELP Committee in January 2009, was ''One of the best things I think Secretary Spellings has done . . . the more we can reward excellence, the more we can incentivize excellence, the more we can get our best teachers to work in those hard-to-staff schools and communities, the better our students are going to do.''

And third, it would emphasize the idea of a Secretary's report card—calling considerable attention to the bully pulpit a secretary or president has to call attention to states that are succeeding or failing.

For example, I remember President Reagan visited Farragut High School in Knoxville in 1984 to call attention to our Master Teacher program. It caused the Democratic speaker of our House of Representatives to say, ''This is the American way,'' and come up with an amendment to my proposal that was critical to its passage. President Reagan didn't order every other state to do what Tennessee was doing, but the president's bully pulpit made a real difference.

Thomas Friedman recently told a group of senators that one of his two rules of life is that he's never met anyone who washed a rented car.

In other words, people take care of what they own.

My experience is that finding a way to fairly reward better teaching is the holy grail of K–12 education—but Washington will get the best long-term result by creating an environment in which states and communities are encouraged, not ordered, to evaluate teachers.

Let's not mandate it from Washington if we want them to own it and make it work.

MESSAGE FROM THE HOUSE

At 11:24 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 159. An act to stop exploitation through trafficking.

H.R. 181. An act to provide justice for the victims of trafficking.

H.R. 246. An act to improve the response to victims of child sex trafficking.

H.R. 285. An act to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts.

H.R. 350. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes.

H.R. 398. An act to provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately and for other purposes.

H.R. 460. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes.

H.R. 469. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

H.R. 515. An act to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

MEASURES REFERRED

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

H.R. 246. An act to improve the response to victims of child sex trafficking; to the Committee on the Judiciary.

H.R. 350. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes; to the Committee on the Judiciary.

H.R. 398. An act to provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 460. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 469. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to

improve the identification and assessment of child victims of sex trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 272. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, 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–390. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–462, ''License to Carry a Pistol Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–391. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–463, ''Zion Baptist Church Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–392. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–464, ''Bishop Iola B. Cunningham Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–393. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–467, ''Civil Marriage Dissolution Equality Clarification Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–394. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–468, ''Nap Turner Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–395. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–469, ''Stroke System of Care Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–396. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–471, ''N Street Village Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–397. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–472, ''Solid Waste Facility Permit Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–398. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–473, ''Repeal of Prostitution Free Zones and Drug Free Zones Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–399. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–474, ''Medical Marijuana Expansion Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–400. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–475, ''H Street, N.E., Retail Priority Area Incentive Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–401. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–482, ''Affordable Homeownership Preservation and Equity Accumulation Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–402. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–483, ''Food Policy Council and Director Establishment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–403. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–484, ''Commission on Health Disparities Establishment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–404. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–485, ''Disposition of District Land for Affordable Housing Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–405. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–486, ''Special Education Student Rights Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–406. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–487, ''Enhanced Special Education Services Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–407. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–488, ''Special Education Quality Improvement Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–408. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–489, ''Vehicle-for-Hire Innovation Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–409. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–490, ''Grocery Store Restrictive Covenant Prohibition Temporary Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–410. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–491, ''Retirement Technical Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–411. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–493, ''Truth in Affordability Reporting Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–412. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–494, ''St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–413. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–495, ''Transaction Modernization Electronic Delivery or Posting Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–414. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–496, ''Closing of a Portion of the Public Alley System Square 368, S.O. 13–09586, Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–415. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–497, ''Captive Insurance Company Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–416. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–498, ''Nationwide Mortgage Licensing System Conformity Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–417. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–499, ''Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–418. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–500, ''Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–419. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–502, ''Plan for Comprehensive Services for Homeless Individuals at 425 2nd Street, N.W., Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–420. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–503, ''Public Space Enforcement Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–421. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–506, ''District Government Certificate of Good Standing Filing Requirement Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–422. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–511, ''Housing Production Trust Fund Baseline Funding Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–423. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 20–512, ''SeVerna, LLC, Real Property Tax Exemption and Real Property Tax Relief Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–424. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–514, ''Promoting Economic Growth and Job Creation Through Technology Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–425. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–515, ''Winter Sidewalk Safety Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–426. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–516, ''Dignity for Homeless Families Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–427. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–517, ''Lawrence Guyot Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–428. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–518, ''Percy Battle Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–429. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–519, ''Uniform Certificate of Title for Vessels Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–430. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–520, ''Department of Parks and Recreation Fee-based Use Permit Authority Clarification Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–431. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–521, ''Cashell Alley Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–432. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–522, ''Standard Deduction Withholding Clarification Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–433. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–530, ''Conversion Therapy for Minors Prohibition Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–434. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–531, ''Wage Transparency Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–435. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–532, ''DC Rocks, So We Need One Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–436. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–533, ''D.C. No Taxation Without Representation Way Designation Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–437. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–534, ''Criminalization of Non-Consensual Pornography Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–438. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–535, ''Dedication of a Public Alley in Square 752, S.O. 14–15491, Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–439. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–536, ''Grandparent Caregivers Program Subsidy Transfer Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–440. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–537, ''Pepco Cost-Sharing Fund for DC PLUG Establishment Temporary Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–441. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–538, ''Trash Compactor Tax Incentive Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–442. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–539, ''Behavioral Health System of Care Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–443. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–540, ''Copper Intrauterine Device Access Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–444. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–548, ''Community Development Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–445. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–549, ''Youth Tanning Safety Regulation Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–446. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–550, ''Public-Private Partnership Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–447. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–551, ''N Street Village, Inc. Tax and TOPA Exemption Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–448. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–552, ''Guardianship Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–449. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–553, ''Closing of a Portion of Manchester Lane, N.W., adjacent to Square 2742, S.O. 08–3083, Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–450. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–554, ''Turkey Bowl Revenue Generation and Sponsorship Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–451. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–555, ''Fiscal Year 2015 Budget Support Clarification Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–452. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–556, ''Soccer Stadium Development Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–453. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–558, ''Small and Certified Business Enterprise Waiver and Recertification Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–454. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–559, ''Insurance Holding Company and Credit for Reinsurance Modernization Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–455. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–560, ''Sex Trafficking of Children Prevention Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–456. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–561, ''Firefighter Retirement While Under Disciplinary Investigation Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–457. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–562, ''Inspector General Qualifications Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–458. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–588, ''Trauma Technologists Licensure Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. Res. 35. A resolution commemorating the 70th anniversary of the liberation of the Auschwitz extermination camp in Nazi-occupied Poland.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 44. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship.

By Ms. COLLINS, from the Special Committee on Aging, without amendment:

S. Res. 46. An original resolution authorizing expenditures by the Special Committee on Aging.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Foreign Relations.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. Res. 49. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nominations beginning with Colonel Tony D. Bauernfeind and ending with Colonel William P. West, which nominations were received by the Senate and appeared in the Congressional Record on January 7, 2015.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Rodrick A. Koch, to be Lieutenant Colonel.

Air Force nomination of James F. Richey, to be Lieutenant Colonel.

Marine Corps nominations beginning with Morris A. Desimone III and ending with Andrew R. Strauss, which nominations were received by the Senate and appeared in the Congressional Record on January 13, 2015.

Marine Corps nominations beginning with Steven P. Hulse and ending with Anthony C. Lyons, which nominations were received by the Senate and appeared in the Congressional Record on January 13, 2015.

Marine Corps nomination of Brian L. White, to be Lieutenant Colonel.

Marine Corps nominations beginning with Steven R. Lucas and ending with James N. Shelstad, which nominations were received by the Senate and appeared in the Congressional Record on January 13, 2015.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director.

*Adri Davin Jayaratne, of Michigan, to be an Assistant Secretary of Labor.

*Mary Lucille Jordan, of Maryland, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2020.

*Michael Young, of Pennsylvania, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2020.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CRUZ (for himself, Mr. GRASSLEY, Mr. INHOFE, Mr. VITTER, and Mr. BLUNT):

S. 273. A bill to amend title 18, United States Code, to prohibit the intentional discrimination of a person or organization by an employee of the Internal Revenue Service; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mr. GRASSLEY, Mr. INHOFE, and Mr. VITTER):

S. 274. A bill to prohibit the Department of the Treasury from assigning tax statuses to organizations based on their political beliefs and activities; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. WARNER):

S. 275. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program; to the Committee on Finance.

By Mr. MENENDEZ:

S. 276. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Ms. BALDWIN):

S. 277. A bill to amend the Education Sciences Reform Act of 2002 and the Educational Technical Assistance Act of 2002 to strengthen research in adult education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT (for himself, Mr. CORNYN, Mrs. FISCHER, and Mr. ROBERTS):

S. 278. A bill to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephone interactions by executive branch employees with individuals, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE:

S. 279. A bill to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mrs. MCCASKILL, Mr. BLUNT, Mr. JOHNSON, Mr. KING, Mr. MANCHIN, and Mr. PAUL):

S. 280. A bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUNT (for himself and Mr. RUBIO):

S. 281. A bill to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself, Mrs. MCCASKILL, Mr. JOHNSON, Ms. AYOTTE, Ms. HEITKAMP, Mr. ENZI, and Mr. MCCAIN):

S. 282. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE (for himself, Mr. ROBERTS, Mr. BLUNT, Mr. GRASSLEY, Mr. RUBIO, Mr. CRAPO, Mr. KIRK, Mr. INHOFE, Mrs. CAPITO, Mr. WICKER, Mr. RISCH, Mr. PERDUE, Mr. DAINES, Mr. HELLER, Mr. BURR, Mr. VITTER, Mr. MCCAIN, Mr. GRAHAM, Mr. ISAKSON, Mr. ENZI, Mr. PAUL, Mr. TOOMEY, Mr. MORAN, Mr. CRUZ, Mr. PORTMAN, Mr. ALEXANDER, Mr. BOOZMAN, Mr. CORNYN, Mr. COCHRAN, Mr. MCCONNELL, Mr. SCOTT, Mrs. FISCHER, Mr. THUNE, Mr. CORKER, Mr. BARRASSO, Mr. LEE, and Mr. SHELBY):

S. 283. A bill to prohibit the Internal Revenue Service from modifying the standard for determining whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. MCCAIN, Mrs. SHAHEEN, Mr. RUBIO, Mr. DURBIN, Mr. WICKER, Mr. MARKEY, Mr. KIRK, and Mr. BLUMENTHAL):

S. 284. A bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes; to the Committee on Foreign Relations.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 285. A bill to authorize the construction of a replacement medical center of the Department of Veterans Affairs in Aurora, Colorado, and to direct the Secretary of Veterans Affairs to enter into an agreement with the Chief of Engineers to act as the construction agent with respect to such construction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO (for himself, Mr. TESTER, and Ms. MURKOWSKI):

S. 286. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. DURBIN (for himself, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. 287. A bill to establish the Food Safety Administration to protect the public health by preventing foodborne illness, ensuring the safety of food, improving research on contaminants leading to foodborne illness, and

improving security of food from international contamination, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. ISAKSON, Mr. RUBIO, and Mr. SCOTT):

S. 288. A bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. BROWN, Ms. KLOBUCHAR, Mrs. BOXER, Mr. MARKEY, Mr. CARDIN, Mr. FRANKEN, Mr. CASEY, and Mr. SCHUMER):

S. 289. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on the Budget.

By Mr. MORAN (for himself, Ms. AYOTTE, Mr. RUBIO, and Mr. MCCAIN):

S. 290. A bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INHOFE (for himself, Mr. GRASSLEY, Mr. SESSIONS, Mr. VITTER, and Mr. CRUZ):

S. 291. A bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. FLAKE, Mr. ROBERTS, Mr. CRAPO, Mr. DAINES, Mr. HATCH, Mr. ROUNDS, Mr. MORAN, Mr. LANKFORD, Mr. ENZI, Mr. CRUZ, and Mrs. FISCHER):

S. 292. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. FLAKE, Mr. ROBERTS, Mr. CRAPO, Mr. BOOZMAN, Mr. HATCH, Mr. ROUNDS, Mr. MORAN, Mr. LANKFORD, Mr. VITTER, Mr. RISCH, Mr. HELLER, Mrs. FISCHER, and Mr. WICKER):

S. 293. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

By Mr. PORTMAN (for himself, Mr. MANCHIN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. KAINE, Mr. MORAN, Mr. THUNE, Mr. VITTER, Mr. WARNER, Ms. AYOTTE, Mr. CORNYN, Mr. GRAHAM, and Mr. WICKER):

S. 294. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mr. SCHUMER, Ms. AYOTTE, Mr. BLUMENTHAL, Mr. BLUNT, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. CORNYN, Mr. DAINES, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Ms. KLOBUCHAR, Mr. LEE, Mr. MARKEY, Mr. MCCAIN, Mrs. MURRAY, Mr. PERDUE, Mr. PORTMAN, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. MANCHIN):

S. 295. A bill to amend section 2259 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER (for himself and Mr. MANCHIN):

S. 296. A bill to amend title 38, United States Code, to enhance treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself, Mr. MANCHIN, and Mr. UDALL):

S. 297. A bill to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mr. BENNET, Mr. PORTMAN, Mr. NELSON, Mr. BLUNT, Mr. BROWN, Mr. KIRK, and Mrs. MURRAY):

S. 298. A bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PORTMAN (for himself and Mr. BLUMENTHAL):

S. Res. 43. A resolution expressing the sense of the Senate that children trafficked in the United States should be treated as victims, and not criminals, especially during the upcoming Super Bowl, an event around which many children are at risk for being trafficked for sex; to the Committee on the Judiciary.

By Mr. ALEXANDER:

S. Res. 44. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Mr. VITTER:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship; from the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Ms. COLLINS:

S. Res. 46. An original resolution authorizing expenditures by the Special Committee on Aging; from the Special Committee on Aging; to the Committee on Rules and Administration.

By Mr. CORKER:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Mr. ROBERTS:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

By Mr. BARRASSO:

S. Res. 49. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. BROWN (for himself, Mr. PORTMAN, and Mr. CARPER):

S. Res. 50. A resolution congratulating The Ohio State University football team for winning the 2015 College Football Playoff national championship; considered and agreed to.

By Mr. VITTER (for himself and Mr. CASEY):

S. Res. 51. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

By Mr. CARDIN (for himself and Mr. WICKER):

S. Res. 52. A resolution calling for the release of Ukrainian fighter pilot Nadiya Savchenko, who was captured by Russian forces in Eastern Ukraine and has been held illegally in a Russian prison since July 2014; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 33

At the request of Mr. BARRASSO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 37

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 37, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes.

S. 48

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 48, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 50

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 50, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 51

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 192

At the request of Mr. ALEXANDER, the names of the Senator from Maine (Ms.

COLLINS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 233

At the request of Mr. LEE, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 233, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 248

At the request of Mr. MORAN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 248, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 265

At the request of Mr. SCOTT, the names of the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 265, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 269

At the request of Mr. KIRK, the names of the Senator from Delaware (Mr. COONS), the Senator from South Dakota (Mr. ROUNDS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. ROBERTS), the Senator from Montana (Mr. DAINES), the Senator from Idaho (Mr. CRAPO), the Senator from North Dakota (Mr. HOEVEN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Georgia (Mr. ISAKSON), the Senator from Mississippi (Mr. WICKER), the Senator from South Carolina (Mr. SCOTT), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. LEE), the Senator from Nebraska (Mr. SASSE), the Senator from Maine (Ms. COLLINS), the Senator from Iowa (Mr. GRASSLEY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 269, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. RES. 35

At the request of Ms. MIKULSKI, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 35, a resolution commemorating the 70th anniversary of the liberation of the Auschwitz extermination camp in Nazi-occupied Poland.

AMENDMENT NO. 15

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 15 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 35

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 35 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 70

At the request of Mr. PETERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 70 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 73

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 73 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 115

At the request of Mr. COONS, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 115 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 120

At the request of Mr. CARPER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 120 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 124

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 124 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 132

At the request of Mr. DAINES, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 132 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 148

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 148 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. TESTER, and Ms. MURKOWSKI):

S. 286. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Indian Affairs.

Mr. BARRASSO. Mr. President, I rise today to introduce legislation that would further advance the goals of Indian self-governance and self-determination. The legislation is entitled, the Department of the Interior Self-Governance Act of 2015. I thank my colleagues who have joined me as original cosponsors of this legislation, including Indian Affairs Committee Vice Chairman Senator TESTER and Senator MURKOWSKI.

One of the cornerstones of Federal Indian policy is the concept of tribal self-determination and self-governance. In 1975, Congress passed the Indian Self-Determination and Education Assistance Act. The Act, Public Law No. 93–638 authorizes Indian tribes to carry out certain Federal Indian programs, activities, and functions within the Department of the Interior and the Department of the Health and Human Services.

Self-governance is both a policy and procedure whereby, pursuant to the Indian Self-Determination and Education Assistance Act, Indian tribes administer Federal programs for Indians. Tribal administration of these programs promotes local control and decision-making for these important programs that affect the local tribal community.

Tribal administration through these processes also serves to reduce Federal bureaucracy. This legislation promotes accountability by maintaining requirements that Indian tribes must demonstrate a higher level of responsible governance and administration. Good governance is vital for continuing this policy.

The act gives authority to the Secretaries of the Interior and Health and Human Services to enter into 638 contracts and self-governance compacts with Indian tribes. Each 638 contact or self-governance compact identifies functions and activities to be carried out by the tribe, as well as any administrative, reporting, or other requirements that must be followed.

Despite the increased flexibility in the tribal self-governance program, Indian tribes have stated to Congress that the Department of the Interior has, for many years, resisted the efforts by tribes to carry out Interior programs. Without additional reforms, the success of the Indian Self-Determination and Education Assistance Act cannot reach its full potential.

The bill intends to clarify and expand the provisions of the Indian Self-Determination and Education Assistance Act. This legislation will give tribes a better opportunity to advance the policy of tribal self-governance by authorizing the Secretary of the Interior to select up to 50 new Indian tribes to participate in the tribal self-governance program. In addition, the bill clarifies that provisions of water settlements and their authorizing legislation will not be affected by the self-governance amendments. Furthermore, nothing in this will expand or limit programs eligible for self-governance compacts beyond those already authorized under current law.

This bipartisan bill is supported by Indian tribes across the country. I urge my colleagues to support this legislation.

By Mr. DURBIN (for himself, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. 287. A bill to establish the Food Safety Administration to protect the public health by preventing foodborne illness, ensuring the safety of food, improving research on contaminants leading to foodborne illness, and improving security of food from international contamination, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Safe Food Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.

TITLE I—ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION

Sec. 101. Establishment of food safety administration.
Sec. 102. Consolidation of separate food safety and inspection services and agencies.
Sec. 103. Additional duties of the administration.

TITLE II—ADMINISTRATION OF FOOD SAFETY PROGRAM

Sec. 201. Administration of national program.
Sec. 202. Registration of food facilities.
Sec. 203. Preventive process controls to reduce adulteration of food.
Sec. 204. Performance standards for contaminants in food.
Sec. 205. Inspections of food facilities.
Sec. 206. Food production establishments.
Sec. 207. Federal and State cooperation.
Sec. 208. Foreign supplier verification program.
Sec. 209. Imports.
Sec. 210. Traceback.
Sec. 211. Food safety technology.

TITLE III—RESEARCH AND EDUCATION

Sec. 301. Public health assessment system.
Sec. 302. Public education and advisory system.
Sec. 303. Research.

TITLE IV—ENFORCEMENT

Sec. 401. Prohibited acts.
Sec. 402. Mandatory recall authority.
Sec. 403. Injunction proceedings.
Sec. 404. Civil and criminal penalties.
Sec. 405. Presumption.
Sec. 406. Whistleblower protection.
Sec. 407. Administration and enforcement.
Sec. 408. Citizen civil actions.

TITLE V—IMPLEMENTATION

Sec. 501. Definition.
Sec. 502. Reorganization plan.
Sec. 503. Transitional authorities.
Sec. 504. Savings provisions.
Sec. 505. Conforming amendments.
Sec. 506. Additional technical and conforming amendments.
Sec. 507. Regulations.
Sec. 508. Authorization of appropriations.
Sec. 509. Limitation on authorization of appropriations.
Sec. 510. Effective date.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the safety of the food supply of the United States is vital to the public health, to public confidence in the food supply, and to the success of the food sector of the Nation's economy;

(2) lapses in the protection of the food supply and loss of public confidence in food safety are damaging to consumers and the food industry, and place a burden on interstate commerce;

(3) the safety and security of the food supply requires an integrated, systemwide approach to preventing foodborne illness, a thorough and broad-based approach to basic and applied research, and intensive, effective, and efficient management of the Nation's food safety program;

(4) the task of preserving the safety of the food supply of the United States faces tremendous pressures with regard to—

(A) emerging pathogens and other contaminants and the ability to detect all forms of contamination;

(B) an aging and immune-compromised population, with a growing number of people at high risk for foodborne illnesses, including infants and children;

(C) a concern regarding food fraud for economic gain, especially with mislabeling and intentionally misleading claims;

(D) an increasing volume of imported food, without adequate monitoring and inspection; and

(E) maintenance of rigorous inspection of the domestic food processing and food service industries;

(5) Federal food safety standard setting, inspection, enforcement, and research efforts should be based on the best available science and public health considerations and food safety resources should be systematically deployed in ways that most effectively prevent foodborne illness;

(6) the Federal food safety system is fragmented, with at least 15 Federal agencies sharing responsibility for food safety, and operates under laws that do not reflect current conditions in the food system or current scientific knowledge about the cause and prevention of foodborne illness;

(7) the fragmented Federal food safety system and outdated laws preclude an integrated, systemwide approach to preventing foodborne illness, to the effective and efficient operation of the Nation's food safety program, and to the most beneficial deployment of food safety resources;

(8) the National Academy of Sciences recommended in the report ''Ensuring Safe Food from Production to Consumption'' that Congress establish by statute a unified and central framework for managing Federal food safety programs, and recommended modifying Federal statutes so that inspection, enforcement, and research efforts are based on scientifically supportable assessments of risks to public health; and

(9) the lack of a single focal point for food safety leadership in the United States undercuts the ability of the United States to exert food safety leadership internationally, which is detrimental to the public health and the international trade interests of the United States.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish a single agency to be known as the ''Food Safety Administration'' to—

(A) regulate food safety and related labeling to strengthen the protection of the public health;

(B) ensure that food facilities fulfill their responsibility to produce food in a manner that protects the public health of all people in the United States;

(C) lead an integrated, systemwide approach to food safety and to make more effective and efficient use of resources to prevent foodborne illness;

(D) provide a single focal point for food safety leadership, both nationally and internationally; and

(E) provide an integrated food safety research capability, utilizing internally-generated, scientifically and statistically valid studies, in cooperation with academic institutions and other scientific entities of the Federal and State governments, to achieve the continuous improvement of research on foodborne illness and contaminants;

(2) to transfer to the Food Safety Administration the food safety, labeling, inspection, and enforcement functions that, as of the day before the effective date of this Act, are performed by other Federal agencies; and

(3) to modernize and strengthen the Federal food safety laws to achieve more effective application and efficient management of the laws for the protection and improvement of public health.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term ''Administration'' means the Food Safety Administration established under section 101(a)(1).

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of Food Safety appointed under section 101(a)(3).

(3) ADULTERATED.—

(A) IN GENERAL.—The term ''adulterated'' has the meaning given such term in—

(i) section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) for food regulated under such Act;

(ii) section 1(m) of the Federal Meat Inspection Act (21 U.S.C. 601(m)) for food regulated under such Act;

(iii) section 4(g) of the Poultry Products Inspection Act (21 U.S.C. 453(g)) for food regulated under such Act; and

(iv) section 4(a) of the Egg Products Inspection Act (21 U.S.C. 1033(a)) for food regulated under such Act.

(B) INCLUSION.—In applying the definitions cited in subparagraph (A), poisonous or deleterious substances in food shall be treated as an added substance if the poisonous or deleterious substances are known to cause serious illness or death in persons, including in sensitive populations.

(4) AGENCY.—The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(5) CATEGORY 1 FOOD FACILITY.—The term ''category 1 food facility'' means a facility that slaughters animals for food.

(6) CATEGORY 2 FOOD FACILITY.—The term ''category 2 food facility'' means a facility that processes—

(A) raw meat, poultry, or seafood in a manner that may reduce but is not validated to destroy contaminants; or

(B) other products that the Administrator determines by regulation to be at high risk of contamination.

(7) CATEGORY 3 FOOD FACILITY.—The term ''category 3 food facility'' means a facility—

(A) that processes meat, poultry, or seafood, or other products that the Administrator determines by regulation to be at high risk of contamination; and

(B) whose processes include one or more steps validated to destroy contaminants.

(8) CATEGORY 4 FOOD FACILITY.—The term ''category 4 food facility'' means a facility that processes food but is not a category 1, 2, or 3 food facility.

(9) CATEGORY 5 FOOD FACILITY.—The term ''category 5 food facility'' means a facility that stores, holds, or transports food prior to delivery for retail sale.

(10) CONTAMINANT.—The term ''contaminant'' includes biological, chemical, physical, or radiological hazards, natural toxins, pesticides, drug residues, decomposition, parasites, allergens, and unapproved food or color additives.

(11) CONTAMINATION.—The term ''contamination'' refers to a presence of a contaminant in food, which may occur naturally or be introduced into a food.

(12) FEED FACILITY.—The term ''feed facility'' means a domestic or foreign feed manufacturer, processor, packer, warehouse, or other facility that—

(A) if operating in the United States, manufactures, slaughters, processes, or holds animal feed or feed ingredients; or

(B) if operating elsewhere, manufactures, slaughters, processes, or holds animal feed or feed ingredients intended for consumption in the United States.

(13) FOOD.—

(A) IN GENERAL.—The term ''food'' means a product intended to be used for food or drink for a human or an animal.

(B) INCLUSIONS.—The term ''food'' includes any product (including a meat food product, as defined in section 1(j) of the Federal Meat Inspection Act (21 U.S.C. 601(j))), capable for use as human and animal food that is made in whole or in part from any animal, including cattle, sheep, swine, goat, or poultry (as defined in section 4 of the Poultry Products Inspection Act (21 U.S.C. 453)), and animal feed.

(14) FOOD FACILITY.—

(A) IN GENERAL.—The term ''food facility'' means a domestic or foreign food manufacturer, slaughterhouse, processor, packer, warehouse, or other facility that—

(i) if operating in the United States, manufactures, slaughters, processes, or holds food or food ingredients; or

(ii) if operating outside the United States, manufactures, slaughters, processes, or holds food intended for consumption in the United States.

(B) EXCLUSIONS.—For the purposes of registration, the term ''food facility'' does not include—

(i) a farm, restaurant, other retail food establishment, nonprofit food establishment in which food is prepared for or served directly to the consumer; or

(ii) a fishing vessel (other than a fishing vessel engaged in processing, as that term is defined in section 123.3(k) of title 21, Code of Federal Regulations).

(15) FOOD PRODUCTION ESTABLISHMENT.—The term ''food production establishment'' means any farm, ranch, orchard, vineyard, aquaculture facility, or confined animal-feeding operation.

(16) FOOD SAFETY LAW.—The term ''food safety law'' means—

(A) the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) related to and requiring the safety, labeling, and inspection of food, infant formulas, food additives, pesticide residues, and other substances present in food under that Act;

(B) the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and of any other Act that are administered by the Center for Veterinary Medicine of the Food and Drug Administration;

(C) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.);

(D) the Federal Meat Inspection Act (21 U.S.C. 601 et seq.);

(E) the FDA Food Safety Modernization Act (Public Law 111–353);

(F) the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

(G) the Sanitary Food Transportation Act of 1990 (49 U.S.C. App. 2801 et seq.);

(H) chapter 57 of title 49, United States Code;

(I) Public Law 85-765 (commonly known as the ''Humane Methods of Slaughter Act of 1958'') (7 U.S.C. 1901 et seq.);

(J) the provisions of this Act; and

(K) such other provisions of law related to and requiring food safety, labeling, inspection, and enforcement as the President designates by Executive order as appropriate to include within the jurisdiction of the Administration.

(17) INTERSTATE COMMERCE.—The term ''interstate commerce'' has the meaning given that term in section 201(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(b)).

(18) MISBRANDED.—The term ''misbranded'' has the meaning given to it in—

(A) section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) for food regulated under such Act;

(B) section 1(n) of the Federal Meat Inspection Act (21 U.S.C. 601(n)) for food regulated under such Act;

(C) section 4(h) of the Poultry Products Inspection Act (21 U.S.C. 453(h)) for food regulated under such Act; and

(D) section 4(l) of the Egg Products Inspection Act (21 U.S.C. 1033(l)) for food regulated under such Act.

(19) PROCESS.—The term ''process'' or ''processing'' means the commercial slaughter, packing, preparation, or manufacture of food.

(20) SAFE.—The term ''safe'' refers to human and animal health.

(21) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(22) VALIDATION.—The term ''validation'' means the act of obtaining evidence that the process control measure or measures selected to control a contaminant in food is capable of effectively and consistently controlling the contaminant.

(23) STATISTICALLY VALID.—The term ''statistically valid'' means evaluated and conducted under standards set by the National Institute of Standards and Technology.

TITLE I—ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION

SEC. 101. ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the executive branch an agency to be known as the ''Food Safety Administration''.

(2) STATUS.—The Administration shall be an independent establishment (as defined in section 104 of title 5, United States Code).

(3) HEAD OF ADMINISTRATION.—The Administration shall be headed by the Administrator of Food Safety, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) DUTIES OF ADMINISTRATOR.—The Administrator shall—

(1) administer and enforce the food safety law;

(2) serve as a representative to international food safety bodies and discussions;

(3) promulgate regulations to ensure the security of the food supply from all forms of contamination, including intentional contamination; and

(4) oversee—

(A) implementation of Federal food safety inspection, labeling, enforcement, and research efforts to protect the public health;

(B) development of consistent and science-based standards for safe food;

(C) coordination and prioritization of food safety research and education programs with other Federal agencies;

(D) prioritization of Federal food safety efforts and deployment of Federal food safety resources to achieve the greatest benefit in reducing foodborne illness;

(E) coordination of the Federal response to foodborne illness outbreaks with other Federal and State agencies; and

(F) integration of Federal food safety activities with State and local agencies.

SEC. 102. CONSOLIDATION OF SEPARATE FOOD SAFETY AND INSPECTION SERVICES AND AGENCIES.

(a) TRANSFER OF FUNCTIONS.—For each Federal agency specified in subsection (b), there are transferred to the Administration all functions that the head of the Federal agency exercised on the day before the effective date of this Act (including all related functions of any officer or employee of the Federal agency) that relate to administration or enforcement of the food safety law, as determined by the President.

(b) TRANSFERRED AGENCIES.—The Federal agencies referred to in subsection (a) are—

(1) the Food Safety and Inspection Service of the Department of Agriculture;

(2) the Center for Food Safety and Applied Nutrition of the Food and Drug Administration;

(3) the part of the Agriculture Marketing Service that administers shell egg surveillance services established under the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

(4) the resources and facilities of the Office of Regulatory Affairs of the Food and Drug Administration that administer and conduct inspections of food and feed facilities and imports;

(5) the Center for Veterinary Medicine of the Food and Drug Administration;

(6) the resources and facilities of the Office of the Commissioner of the Food and Drug Administration, known as the Office of Food and Veterinary Medicine, that support—

(A) the Center for Food Safety and Applied Nutrition;

(B) the Center for Veterinary Medicine; and

(C) the Office of Regulatory Affairs facilities and resources described in paragraph (4);

(7) the part of the Research, Education, and Economics mission area of the Department of Agriculture related to food and feed safety;

(8) the part of the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration of the Department of Commerce that administers the seafood inspection program;

(9) the part of the Animal and Plant Inspection Health Service of the Department of Agriculture related to the management of animals going into the food supply; and

(10) such other offices, services, or agencies as the President designates by Executive order to carry out this Act.

SEC. 103. ADDITIONAL DUTIES OF THE ADMINISTRATION.

(a) OFFICERS AND EMPLOYEES.—The Administrator may—

(1) appoint officers and employees for the Administration in accordance with the provisions of title 5, United States Code, relating to appointment in the competitive service; and

(2) fix the compensation of those officers and employees in accordance with chapter 51 and with subchapter III of chapter 53 of that title, relating to classification and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—The Administrator may—

(1) procure the services of temporary or intermittent experts and consultants as authorized by section 3109 of title 5, United States Code; and

(2) pay in connection with those services the travel expenses of the experts and consultants, including transportation and per

diem in lieu of subsistence while away from the homes or regular places of business of the individuals, as authorized by section 5703 of that title.

(c) BUREAUS, OFFICES, AND DIVISIONS.—The Administrator may establish within the Administration such bureaus, offices, and divisions as the Administrator determines are necessary to perform the duties of the Administrator.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Administrator shall establish advisory committees that consist of representatives of scientific expert bodies, academics, industry specialists, and consumers.

(2) DUTIES.—The duties of an advisory committee established under paragraph (1) may include developing recommendations with respect to the development of regulatory science and processes, research, communications, performance standards, and inspection.

TITLE II—ADMINISTRATION OF FOOD SAFETY PROGRAM

SEC. 201. ADMINISTRATION OF NATIONAL PROGRAM.

(a) IN GENERAL.—The Administrator shall—

(1) administer a national food safety program (referred to in this section as the ''program'') to protect public health; and

(2) ensure that persons who produce or process food meet their responsibility to prevent or minimize food safety hazards related to their products.

(b) COMPREHENSIVE ANALYSIS.—The program shall be based on a comprehensive analysis of the hazards associated with different food and with the processing of different food, including the identification and evaluation of—

(1) the severity of the health risks;

(2) the sources and specific points of potential contamination extending from the farm or ranch to the consumer that may render food unsafe;

(3) the potential for persistence, multiplication, or concentration of naturally occurring or added contaminants in food;

(4) opportunities across the food production, processing, distribution, and retail system to manage and reduce potential health risks; and

(5) opportunities for intentional contamination.

(c) PROGRAM ELEMENTS.—In carrying out the program, the Administrator shall—

(1) adopt and implement a national system for the registration of food facilities and regular unannounced inspection of food facilities;

(2) verify and enforce the adoption of preventive process controls in food facilities, based on the best available scientific and public health considerations and best available technologies;

(3) establish and enforce science-based standards for—

(A) substances that may contaminate food; and

(B) safety and sanitation in the processing and handling of food;

(4) implement a statistically valid sampling program to ensure that industry programs and procedures that prevent food contamination are effective on an ongoing basis and that food meets the performance standards established under this Act;

(5) implement procedures and requirements to ensure the safety and security of imported food;

(6) coordinate with other agencies and State or local governments in carrying out inspection, enforcement, research, and monitoring;

(7) access the surveillance data of the Centers for Disease Control and Prevention, and other Federal Government agencies, in order to develop and implement a national surveillance system to assess the health risks associated with the human consumption of food or to create surveillance data and studies;

(8) partner with relevant agencies to identify and prevent terrorist threats to food;

(9) establish a process for providing a single point of contact to assist impacted consumers in navigating Federal, State, and local agencies involved in responding to or monitoring a foodborne outbreak;

(10) develop public education risk communication and advisory programs;

(11) implement a basic and applied research program to further the purposes of this Act; and

(12) coordinate and prioritize food safety research and educational programs with other agencies, including State or local agencies.

SEC. 202. REGISTRATION OF FOOD FACILITIES.

(a) IN GENERAL.—The Administrator shall require that all food and feed facilities register before the facility can operate in the United States or import food, feed, or ingredients into the United States.

(b) REGISTRATION REQUIREMENTS.—

(1) IN GENERAL.—To be registered under subsection (a)—

(A) all food facilities covered under this Act shall comply with registration requirements in section 415 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d);

(B) for food facilities that have not registered under such section 415 prior to the date of enactment of this Act, the requirement in subparagraph (A) applies beginning on the day that is 180 days after the date of enactment of this Act; and

(C) for food facilities that have registered under such section 415 prior to the date of enactment of this Act, such facilities shall file an amended registration within 180 days of such date of enactment to deliver the information required by paragraph (2).

(2) CATEGORIES.—In addition to the information required under section 415 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d) to be included in registration, a food facility shall—

(A) list the facility's primary purpose and business activity, including the dates of operation if the food facility is operating seasonally; and

(B) list the types of food handled at the facility and identify the activities conducted in the facility, that are relevant to determining whether the facility is a category 1, 2, 3, 4, or 5 facility.

(3) PROCEDURE.—Upon receipt of a completed or amended registration described in paragraph (1), the Administrator shall notify the registrant of the receipt of the registration, review the activities identified in the registration, designate the facility as a category 1, 2, 3, 4, or 5 food facility for the purposes of inspection, and assign a registration number to each food facility.

(4) LIST.—The Administrator—

(A) shall compile and maintain an up-to-date list of food facilities that are registered under this section, in accordance with section 415(a)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d(a)(5)); and

(B) may establish regulations on how the list may be shared with other governmental authorities.

SEC. 203. PREVENTIVE PROCESS CONTROLS TO REDUCE ADULTERATION OF FOOD.

(a) IN GENERAL.—The Administrator shall review existing regulations on hazard analysis and process controls and amend existing regulations as appropriate, upon the basis of best available public health, scientific, and technological information, to ensure that those regulations are working effectively to—

(1) ensure food facilities operate in a sanitary manner so that food is not adulterated;

(2) limit the presence of contaminants in food;

(3) meet the performance standards established under section 204;

(4) ensure fully processed or ready-to-eat foods are processed using reasonably available techniques and technologies to eliminate contaminants;

(5) label food intended for final processing outside commercial food facilities with instructions for handling and preparation for consumption that will destroy contaminants;

(6) require sampling and testing at a frequency and in a manner sufficient to ensure that process controls are effective on an ongoing basis and that performance standards are being met; and

(7) provide for agency access to records kept by food facilities and submission of copies of the records to the Administrator, as the Administrator determines appropriate.

(b) PROCESSING CONTROLS.—The Administrator may require any person with responsibility for or control over food or food ingredients to adopt process controls, if the process controls are needed to ensure the protection of the public health.

SEC. 204. PERFORMANCE STANDARDS FOR CONTAMINANTS IN FOOD.

(a) PERFORMANCE STANDARDS.—Whenever the Administrator determines that a foodborne contaminant presents the risk of serious adverse health consequences or death to consumers, causes food to be adulterated, or could promote the spread of communicable disease described in section 361 of the Public Health Service Act (42 U.S.C. 264), the Administrator shall issue a performance standard (in the form of guidance, action levels, or regulations) to prevent or control the contaminant.

(b) ENFORCEMENT.—

(1) IN GENERAL.—Not later than 1 year after the promulgation of a performance standard under this section, the Administrator shall implement a statistically significant sampling program to determine whether food facilities are complying with the standards promulgated under this section.

(2) ACTIONS.—If the Administrator determines that a food facility fails to meet a standard promulgated under this section, and such facility fails to take appropriate corrective action as determined by the Administrator, the Administrator shall, as appropriate—

(A) detain, seize, or condemn food from the food facility under section 209(i);

(B) order a recall of food from the food facility under section 402;

(C) increase the inspection frequency for the food facility;

(D) withdraw the mark of inspection from the food facility, if in use; or

(E) take other appropriate enforcement action concerning the food facility, including suspension of registration.

(c) NEWLY IDENTIFIED CONTAMINANTS.—Notwithstanding any other provision of this section, the Administrator shall promulgate interim performance standards for newly identified contaminants as necessary to protect the public health.

(d) REVOCATION BY ADMINISTRATOR.—All performance standards, tolerances, action levels, or other similar standards with respect to food in effect on the date of enactment of this Act shall remain in effect until revised or revoked by the Administrator.

SEC. 205. INSPECTIONS OF FOOD FACILITIES.

(a) IN GENERAL.—The Administrator shall establish an inspection program, which shall include sampling and testing of food and food facilities, to determine if each food facility—

(1) is operating in a sanitary manner;

(2) has continuous systems, interventions, and processes in place to minimize or eliminate contaminants in food;

(3) uses validated process controls and ongoing verification;

(4) is in compliance with applicable performance standards established under section 204, process control regulations, and other requirements;

(5) is processing food that is safe and not adulterated or misbranded;

(6) maintains records of process control plans under section 203, and other records related to the processing, sampling, and handling of food; and

(7) is in compliance with the requirements of the applicable food safety law.

(b) FACILITY CATEGORIES AND INSPECTION FREQUENCIES.—Inspections of food facilities under this Act shall be based on the following categories and inspection frequencies, subject to subsections (c), (d), and (e):

(1) CATEGORY 1 FOOD FACILITIES.—A category 1 food facility shall be subject to antemortem, postmortem, and continuous inspection of each slaughter line during all operating hours, and other inspection on a daily basis, sufficient to verify that—

(A) diseased animals are not offered for slaughter;

(B) the food facility has successfully identified and removed from the slaughter line visibly defective or contaminated carcasses, has avoided cross-contamination, and destroyed or reprocessed contaminated carcasses in a manner acceptable to the Administrator; and

(C) that applicable performance standards and other provisions of the food safety law, including those intended to eliminate or reduce pathogens, have been satisfied.

(2) CATEGORY 2 FOOD FACILITIES.—A category 2 food facility shall be randomly inspected at least daily.

(3) CATEGORY 3 FOOD FACILITIES.—A category 3 food facility shall—

(A) provide documentation to the Administrator on request that ongoing verification shows that its processes are controlled; and

(B) be randomly inspected at least monthly.

(4) CATEGORY 4 FOOD FACILITIES.—A category 4 food facility shall be randomly inspected at least quarterly.

(5) CATEGORY 5 FOOD FACILITIES.—A category 5 food facility shall be randomly inspected at least annually.

(c) ESTABLISHMENT OF INSPECTION PROCEDURES.—The Administrator shall establish procedures under which inspectors or safety officers inspect food facilities, which shall allow the taking of random samples, photographs, and copies of records in food facilities.

(d) ALTERNATIVE INSPECTION FREQUENCIES.—With respect to a category 2, 3, 4, or 5 food facility, the Administrator may establish alternative increased or decreased inspection frequencies for subcategories of food facilities or for individual facilities, to foster risk-based allocation of resources, subject to the following criteria and procedures:

(1) Subcategories of food facilities and their alternative inspection frequencies shall be defined by regulation, subject to paragraphs (2) and (3).

(2) Alternative inspection frequencies for subcategories of food facilities under paragraph (1) and for a specific food facility under paragraph (4) shall provide that—

(A) category 2 food facilities shall be inspected at least monthly; and

(B) category 3 and 4 food facilities shall be inspected at least annually.

(3) In defining subcategories of food facilities and their alternative inspection frequencies under paragraphs (1) and (2), the Administrator shall consider—

(A) the nature of the foods being processed, stored, or transported;

(B) the manner in which foods are processed, stored, or transported;

(C) the inherent likelihood that the foods will contribute to the risk of foodborne illness;

(D) the best available evidence concerning reported illnesses associated with the foods produced in the proposed subcategory of facilities; and

(E) the overall record of compliance with the food safety law among facilities in the proposed subcategory, including compliance with applicable performance standards and the frequency of recalls.

(4) The Administrator may adopt alternative inspection frequencies for increased or decreased inspection for a specific facility, subject to paragraphs (2) and (5), and shall annually publish a list of facilities subject to alternative inspections.

(5) In adopting alternative inspection frequencies for a specific facility, the Administrator shall consider—

(A) the supporting evidence that an individual food facility shall submit related to whether an alternative inspection frequency should be established for such facility by the Administrator;

(B) whether products from the specific facility have been associated with a case or an outbreak of foodborne illness;

(C) the record of the facility of compliance with the food safety law, including compliance with applicable performance standards and the frequency of recalls; and

(D) the criteria in paragraph (3).

(6) Before establishing decreased alternative inspection frequencies for subcategories of facilities or individual facilities, the Administrator shall—

(A) describe the alternative uses of resources in general terms when issuing the regulation or order that establishes the alternative inspection frequency; and

(B) determine, based on the best available evidence, that the alternative uses of the resources required to carry out the inspection activity would make a greater contribution to protecting the public health and reducing the risk of foodborne illness.

(e) INSPECTION TRANSITION.—The Administrator shall manage the transition to the inspection system described in this Act as follows:

(1) REGULATIONS.—The Administrator shall promulgate regulations to implement this section no later than 24 months after the date of enactment of this Act.

(2) LIMIT ON REDUCTION IN INSPECTION FREQUENCY.—For any food facility, the Administrator shall not reduce the inspection frequency from the frequency required pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) until the food facility has demonstrated that sufficient changes in facilities, procedures, personnel, or other aspects of the process control system have been made such that the Administrator determines that compliance with the food safety law is achieved.

(f) OFFICIAL MARK.—

(1) IN GENERAL.—

(A) ESTABLISHMENT.—Before the completion of the transition process under subsection (e), the Administrator shall by regulation establish an official mark that can be affixed to a food produced in a category 1, 2, or 3 food facility if—

(i) the facility is in compliance with the food safety law; and

(ii) has been inspected in accordance with the inspection frequencies under this section.

(B) REMOVAL OF OFFICIAL MARK.—The Administrator shall promulgate regulations that provide for the removal of the official mark under this subsection if—

(i) the Administrator makes a finding that the facility is not in compliance with the food safety law; or

(ii) the Administrator suspends the registration of the facility.

(2) CATEGORY 1, 2, OR 3 FOOD FACILITIES.—In the case of products manufactured, slaughtered, processed, or held in a category 1, 2, or 3 food facility—

(A) products subject to Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), the Egg Products Inspection Act (21 U.S.C. 1031 et seq.), and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) as of the date of enactment of this Act, shall remain subject to the requirement under those Acts that they bear the mark of inspection pending completion of the transition process under subsection (e);

(B) the Administrator shall publicly certify on a monthly basis that the inspection frequencies required under this section have been achieved; and

(C) a product from an facility that has not been inspected in accordance with the required frequencies under this section shall not bear the official mark and shall not be shipped in interstate commerce.

(3) CATEGORY 4 AND 5 FOOD FACILITIES.—In the case of a product manufactured, slaughtered, processed, or held in a category 4 or 5 food facility, the Administrator shall provide by regulation for the voluntary use of the official mark established under paragraph (1), subject to—

(A) such minimum inspection frequencies as determined appropriate by the Administrator;

(B) compliance with applicable performance standards and other provisions of the food safety law; and

(C) such other requirements as the Administrator considers appropriate.

(g) MAINTENANCE AND INSPECTION OF RECORDS.—

(1) IN GENERAL.—

(A) RECORDS.—A food facility shall—

(i) maintain such records as the Administrator requires by regulation, including all records relating to the processing, distributing, receipt, or importation of any food; and

(ii) permit the Administrator, in addition to any authority of the food safety agencies in effect on the day before the date of enactment of this Act, upon presentation of appropriate credentials and at reasonable times and in a reasonable manner, to have access to and copy all records maintained by or on behalf of such food facility representative in any format (including paper or electronic) and at any location, that are necessary to assist the Administrator to determine whether the food is contaminated or not in compliance with the food safety law.

(B) REQUIRED DISCLOSURE.—A food facility shall have an affirmative obligation to disclose to the Administrator the results of testing or sampling of food, equipment, or material in contact with food, that is positive for any contaminant.

(2) MAINTENANCE OF RECORDS.—The records required by paragraph (1) shall be maintained for a reasonable period of time, as determined by the Administrator.

(3) REQUIREMENTS.—The records required by paragraph (1) shall include records describing—

(A) the origin, receipt, delivery, sale, movement, holding, and disposition of food or ingredients;

(B) the identity and quantity of ingredients used in the food;

(C) the processing of the food;

(D) the results of laboratory, sanitation, or other tests performed on the food or in the food facility;

(E) consumer complaints concerning the food or packaging of the food;

(F) the production codes, open date codes, and locations of food production; and

(G) other matters reasonably related to whether food is unsafe, is adulterated or misbranded, or otherwise fails to meet the requirements of this Act.

(h) PROTECTION OF SENSITIVE INFORMATION.—

(1) IN GENERAL.—The Administrator shall develop and maintain procedures to prevent the unauthorized disclosure of any trade secret or confidential information obtained by the Administrator.

(2) LIMITATION.—The requirement under this subsection does not—

(A) limit the authority of the Administrator to inspect or copy records or to require the facility or maintenance of records under this Act;

(B) have any legal effect on section 1905 of title 18, United States Code;

(C) extend to any food recipe, financial data, pricing data, personnel data, or sales data (other than shipment dates relating to sales);

(D) limit the public disclosure of distribution records or other records related to food subject to a voluntary or mandatory recall under section 402; or

(E) limit the authority of the Administrator to promulgate regulations to permit the sharing of data with other governmental authorities.

(i) BRIBERY OF OR GIFTS TO INSPECTOR OR OTHER OFFICERS AND ACCEPTANCE OF GIFTS.—Section 22 of the Federal Meat Inspection Act (21 U.S.C. 622) shall apply under this Act.

SEC. 206. FOOD PRODUCTION ESTABLISHMENTS.

In carrying out the duties of the Administrator and the purposes of this Act, the Administrator shall have the authority, with respect to food production establishments, to—

(1) visit and inspect food production establishments in the United States and in foreign countries for food safety purposes;

(2) review food safety records as needed to carry out traceback and for other food safety purposes;

(3) set good practice standards to protect the public and promote food safety;

(4) partner with appropriate agencies to monitor animals, plants, products, or the environment, as appropriate; and

(5) collect and maintain information relevant to public health and farm practices.

SEC. 207. FEDERAL AND STATE COOPERATION.

(a) IN GENERAL.—The Administrator shall work with the States to carry out activities and programs that create a national food safety program so that Federal and State programs function in a coordinated and cost-effective manner.

(b) STATE ACTION.—The Administrator shall work with States to—

(1) continue, strengthen, or establish State food safety programs, especially with respect to the regulation of retail commercial food establishments, transportation, harvesting, and fresh markets;

(2) continue, strengthen, or establish inspection programs and requirements to ensure that food under the jurisdiction of the State is safe; and

(3) support recall authorities at the State and local levels.

(c) ASSISTANCE.—To assist in planning, developing, and implementing a food safety program, the Administrator may provide to a State—

(1) advisory assistance;

(2) technical and laboratory assistance and training (including necessary materials and equipment); and

(3) financial assistance, in kind, and other aid.

(d) SERVICE AGREEMENTS.—

(1) IN GENERAL.—The Administrator may, under agreements entered into with Federal, State, or local agencies, use on a reimbursable basis or otherwise, the personnel and services of those agencies in carrying out this Act.

(2) TRAINING.—Agreements with a State under this subsection may provide for training of State employees.

(3) MAINTENANCE OF AGREEMENTS.—The Administrator shall maintain any agreement that is in effect on the day before the date of enactment of this Act until the Administrator evaluates such agreement and determines whether to maintain or substitute such agreement.

(e) AUDITS.—

(1) IN GENERAL.—The Administrator shall annually conduct a comprehensive review of each State program that provides services to the Administrator in carrying out the responsibilities under this Act, including mandated inspections under section 205.

(2) REQUIREMENTS.—The review shall—

(A) include a determination of the effectiveness of the State program; and

(B) identify any changes necessary to ensure enforcement of Federal requirements under this Act.

(f) NO FEDERAL PREEMPTION.—Nothing in this Act shall be construed to preempt the enforcement of State food safety laws and standards that are at least as stringent as those under this Act.

SEC. 208. FOREIGN SUPPLIER VERIFICATION PROGRAM.

(a) IN GENERAL.—The Administrator shall require that each importer of products from a feed facility, food facility, or food producer establishment be in compliance with the foreign supplier verification program requirements under section 805 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384a).

(b) RULE OF CONSTRUCTION.—In applying subsection (a) with respect to products subject to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.), references in section 805 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384a) to sections 402, 403(w), 418, and 419 of such Act (21 U.S.C. 342, 343(w), 350g, and 350h) shall be construed to be references to the corresponding provisions of the food safety law, if any, that apply to such products, as determined by the Administrator.

(c) REPEAL OF EXEMPTIONS.—Subsection (e) of section 805 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384a) is hereby repealed.

SEC. 209. IMPORTS.

(a) IN GENERAL.—Not later than 2 years after the effective date of this Act, the Administrator shall establish a system under which a foreign government seeking to certify food for importation into the United States shall submit a request for accreditation to the Administrator.

(b) ACCREDITATION STANDARD.—A foreign government requesting to be accredited to certify food for importation into the United States shall demonstrate, in a manner determined appropriate by the Administrator, that the foreign government (or an agency thereof) is capable of adequately ensuring that eligible entities or foods certified by such government (or agency) meet the requirements of the food safety law.

(c) REQUEST BY FOREIGN GOVERNMENT.—Prior to granting accreditation to a foreign government under this section, the Administrator shall review and audit the food safety program of the requesting foreign government and certify that such program (including all statutes, regulations, and inspection authority) meets the standard specified in subsection (b).

(d) LIMITATIONS.—Any accreditation of a foreign government under this section shall—

(1) specify the foods covered by the accreditation; and

(2) be limited to a period not to exceed 5 years.

(e) WITHDRAWAL OF ACCREDITATION.—The Administrator may withdraw accreditation fully or partially from a foreign government if the Administrator finds that—

(1) food covered by the accreditation is linked to an outbreak of human illness;

(2) the programs or procedures of the foreign government no longer meet the standards of the food safety programs and procedures of the United States; or

(3) the foreign government refuses to allow United States officials to conduct such audits and investigations as may be necessary to fulfill the requirements under this section.

(f) RENEWAL OF ACCREDITATION.—The Administrator shall audit foreign governments accredited under this section at least every 5 years to ensure the continued compliance by such governments with the standard set forth in subsection (b).

(g) REQUIRED ROUTINE INSPECTION.—The Administrator shall routinely inspect food or food animals by physical examination before the food or food animals enter the United States to ensure that the food or food animals—

(1) are safe;

(2) are labeled as required for food produced in the United States; and

(3) otherwise meet the requirements of the food safety law.

(h) ENFORCEMENT.—The Administrator may—

(1) deny importation of food from any country if the country's government does not permit United States officials to enter the country to conduct such audits and inspections as may be necessary to fulfill the requirements under this section;

(2) deny importation of food from any country or foreign facility that does not consent to an investigation by the Administrator when food from that country or foreign facility is linked to a foodborne illness outbreak or is otherwise found to be adulterated or mislabeled; and

(3) promulgate regulations to carry out the purposes of this section, including setting terms and conditions for the destruction of products that fail to meet the standards of the food safety law.

(i) DETENTION AND SEIZURE.—Any food imported for consumption in the United States that fails to meet the standards of the food safety law may be detained, seized, or condemned.

SEC. 210. TRACEBACK.

(a) IN GENERAL.—The Administrator, in order to protect the public health, shall establish requirements for a national system for tracing food, animals, or ingredients from point of origin to retail sale, subject to subsection (b).

(b) APPLICABILITY.—Traceability requirements shall—

(1) be established in accordance with regulations and guidelines issued by the Administrator; and

(2) apply to food production establishments and food facilities.

SEC. 211. FOOD SAFETY TECHNOLOGY.

(a) IN GENERAL.—The Administrator shall establish and implement a program, to be known as the Food Safety Technology Program, to foster innovation in food technologies and foods that have the potential to improve food safety at the point of production, processing, transport, storage, or final preparation.

(b) PROGRAM DESCRIBED.—The program under this section shall consist of technical guidance to and consultation with technology developers to assist them in meeting requirements for approval of technologies and products described in subsection (a).

TITLE III—RESEARCH AND EDUCATION

SEC. 301. PUBLIC HEALTH ASSESSMENT SYSTEM.

(a) IN GENERAL.—The Administrator, acting in coordination with the Director of the Centers for Disease Control and Prevention and with the Research Education and Economics mission area of the Department of Agriculture, shall—

(1) have access to the applicable data systems of the Centers for Disease Control and Prevention and to the databases made available by a State;

(2) partner with relevant agencies to maintain or access an active surveillance system of food and epidemiological evidence submitted by States to the Centers for Disease Control and Prevention based on a representative proportion of the population of the United States;

(3) assess the frequency and sources of human illness in the United States associated with the consumption of food;

(4) partner with relevant agencies to maintain or access a state-of-the-art partial or full genome sequencing system and epidemiological system dedicated to foodborne illness identification, outbreaks, and containment; and

(5) have access to the surveillance data created via monitoring and statistical studies conducted as part of its own inspection.

(b) PUBLIC HEALTH SAMPLING.—

(1) IN GENERAL.—Not later than 1 year after the effective date of this Act, the Administrator shall establish guidelines for a sampling system under which the Administrator shall take and analyze samples of food—

(A) to assist the Administrator in carrying out this Act; and

(B) to assess the nature, frequency of occurrence, and quantities of contaminants in food.

(2) REQUIREMENTS.—The sampling system described in paragraph (1) shall provide—

(A) statistically valid monitoring, including market-based studies, on the nature, frequency of occurrence, and quantities of contaminants in food available to consumers; and

(B) at the request of the Administrator, such other information, including analysis of monitoring and verification samples, as the Administrator determines may be useful in assessing the occurrence of contaminants in food.

(c) ASSESSMENT OF HEALTH HAZARDS.—Through the surveillance system referred to in subsection (a), the sampling system described in subsection (b), and other available data, the Administrator shall—

(1) rank food categories based on the hazard to human health presented by the food category;

(2) identify appropriate industry and regulatory approaches to minimize hazards in the food supply; and

(3) assess the public health environment for emerging diseases, including zoonosis, for their risk of appearance in the United States food supply.

SEC. 302. PUBLIC EDUCATION AND ADVISORY SYSTEM.

(a) PUBLIC EDUCATION.—The Administrator shall—

(1) in cooperation with private and public organizations, including the cooperative extension services and building on the efforts of appropriate State and local entities, establish a national public education program on food safety; and

(2) coordinate with other Federal departments and agencies to integrate food safety messaging into all food-related agricultural, nutrition, and health promotion programs.

(b) HEALTH ADVISORIES.—The Administrator, in consultation with such other Federal departments and agencies as the Administrator determines necessary, shall work with the States and other appropriate entities—

(1) to develop and distribute regional and national advisories concerning food safety;

(2) to develop standardized formats for written and broadcast advisories;

(3) to incorporate State and local advisories into the national public education program established under subsection (a); and

(4) to present prompt, specific information regarding foods found to pose a threat to the public health.

SEC. 303. RESEARCH.

(a) IN GENERAL.—The Administrator shall conduct research to carry out this Act, including studies to—

(1) improve sanitation and food safety practices in the processing of food;

(2) develop improved techniques to monitor and inspect food;

(3) develop efficient, rapid, and sensitive methods to detect contaminants in food;

(4) determine the sources of contamination of contaminated food;

(5) develop food consumption data;

(6) identify ways that animal production techniques could improve the safety of the food supply;

(7) draw upon research and educational programs that exist at the State and local level;

(8) determine the food safety education needs of vulnerable populations, including children less than 10 years of age, pregnant women, adults 65 years of age and older, and individuals with compromised immune systems;

(9) utilize the partial or full genome sequencing system and other processes to identify and control pathogens;

(10) address common and emerging zoonotic diseases;

(11) develop methods to reduce or destroy harmful pathogens before, during, and after processing;

(12) analyze the incidence of antibiotic resistance as it pertains to the food supply and develop new methods to reduce infection by antibiotic resistant bacteria in humans and animals; and

(13) conduct other research that supports the purposes of this Act.

(b) CONTRACT AUTHORITY.—The Administrator may enter into contracts and agreements with any State, university, Federal Government agency, or person to carry out this section.

TITLE IV—ENFORCEMENT

SEC. 401. PROHIBITED ACTS.

It is prohibited—

(1) to manufacture, introduce, deliver for introduction, or receive into interstate commerce any food that is adulterated, misbranded, or otherwise unsafe;

(2) to adulterate or misbrand any food in interstate commerce;

(3) for a food facility or foreign food facility to fail to register under section 202, or to operate without a valid registration;

(4) to refuse to permit access to a food facility for the inspection and copying of a record as required under section 205(g);

(5) to fail to establish or maintain any record or to make any report as required under section 205(g);

(6) to refuse to permit entry to or inspection of a food facility as required under section 205;

(7) to fail to provide to the Administrator the results of a testing or sampling of a food, equipment, or material in contact with contaminated food under section 205(g)(1)(B);

(8) to fail to comply with an applicable provision of, or a regulation or order of the Administrator under, section 202, 204, or 208;

(9) to slaughter an animal that is capable for use in whole or in part as human food at a food facility processing any such food for commerce, except in compliance with the food safety law;

(10) to fail to comply with a recall or other order under section 402; or

(11) to otherwise violate the food safety law.

SEC. 402. MANDATORY RECALL AUTHORITY.

(a) VOLUNTARY PROCEDURES.—If the Administrator determines that there is a reasonable probability that an article of food (other than infant formula) is adulterated or misbranded and the use of or exposure to such article will cause serious adverse health consequences or death to humans or animals, the Administrator shall provide the owner, operator, or agent in charge of the facility that created, caused, or was otherwise responsible for such food with an opportunity to cease distribution and recall such article.

(b) PREHEARING ORDER TO CEASE DISTRIBUTION AND GIVE NOTICE.—

(1) IN GENERAL.—If the owner, operator, or agent in charge of the facility refuses to or does not voluntarily cease distribution or recall such article within the time and in the manner prescribed by the Administrator (if so prescribed), the Administrator may by order require, as the Administrator deems necessary, such person to—

(A) immediately cease distribution of such article;

(B) as applicable, immediately notify all persons manufacturing, processing, packing, transporting, distributing, receiving, holding, or importing and selling such article; and

(C) to which such article has been distributed, transported, or sold, immediately cease distribution of such article.

(2) REQUIRED ADDITIONAL INFORMATION.—

(A) IN GENERAL.—If an article of food covered by a recall order issued under paragraph (1)(B) has been distributed to a warehouse-based, third-party logistics provider without providing such provider sufficient information to know or reasonably determine the precise identity of the article of food covered by a recall order that is in its possession, the notice provided by the responsible party subject to the order issued under paragraph (1)(B) shall include such information as is necessary for the warehouse-based, third-party logistics provider to identify the food.

(B) RULES OF CONSTRUCTION.—Nothing in this paragraph shall be construed—

(i) to exempt a warehouse-based, third-party logistics provider from the requirements of food safety law; or

(ii) to exempt a warehouse-based, third-party logistics provider from being the subject of a mandatory recall order.

(3) DETERMINATION TO LIMIT AREAS AFFECTED.—If the Administrator requires an owner, operator, or agent in charge of the facility to cease distribution under paragraph (1)(A) of an article of food identified in subsection (a), the Administrator may limit the size of the geographic area and the markets

affected by such cessation if such limitation would not compromise the public health.

(c) HEARING ON ORDER.—The Administrator shall provide the owner, operator, or agent in charge of the facility subject to an order under subsection (b) with an opportunity for an informal hearing, to be held as soon as possible, but not later than 2 days after the issuance of the order, on the actions required by the order and on why the article that is the subject of the order should not be recalled.

(d) POST-HEARING RECALL ORDER AND MODIFICATION OF ORDER.—

(1) AMENDMENT OF ORDER.—If, after providing opportunity for an informal hearing under subsection (c), the Administrator determines that removal of the article from commerce is necessary, the Administrator shall, as appropriate—

(A) amend the order to require recall of such article or other appropriate action;

(B) specify a timetable in which the recall shall occur;

(C) require periodic reports to the Administrator describing the progress of the recall; and

(D) provide notice to consumers to whom such article was, or may have been, distributed.

(2) VACATING OF ORDER.—If, after such hearing, the Administrator determines that adequate grounds do not exist to continue the actions required by the order, or that such actions should be modified, the Administrator shall vacate the order or modify the order.

(e) RULE REGARDING ALCOHOLIC BEVERAGES.—The Administrator shall not initiate a mandatory recall or take any other action under this section with respect to any alcohol beverage until the Administrator has provided the Alcohol and Tobacco Tax and Trade Bureau with a reasonable opportunity to cease distribution and recall such article under the Alcohol and Tobacco Tax and Trade Bureau's authority.

(f) COOPERATION AND CONSULTATION.—The Administrator shall work with State and local public health officials in carrying out this section, as appropriate.

(g) PUBLIC NOTIFICATION.—In conducting a recall under this section, the Administrator shall—

(1) ensure that a press release is published regarding the recall, as well as alerts and public notices, as appropriate, in order to provide notification—

(A) of the recall to consumers and retailers to whom such article was, or may have been, distributed; and

(B) that includes, at a minimum—

(i) the name of the article of food subject to the recall;

(ii) a description of the risk associated with such article; and

(iii) to the extent practicable, information for consumers about similar articles of food that are not affected by the recall;

(2) provide to the public a list of retail consignees receiving products for which there is determined to be a reasonable probability that eating the food will cause serious adverse health consequences or death to humans or animals; and

(3) if available, publish on the Internet website of the Administration an image of the article that is the subject of the press release described in paragraph (1).

(h) NO DELEGATION.—The authority conferred by this section to order a recall or vacate a recall order shall not be delegated to any officer or employee other than the Administrator.

(i) EFFECT.—Nothing in this section shall affect the authority of the Administrator to request or participate in a voluntary recall, or to issue an order to cease distribution or to recall under any other provision of the food safety law or under the Public Health Service Act (42 U.S.C. 201 et seq.).

(j) COORDINATED COMMUNICATION.—

(1) IN GENERAL.—To assist in carrying out the requirements of this subsection, the Administrator shall establish an incident command operation or a similar operation that will operate not later than 24 hours after the initiation of a mandatory recall or the recall of an article of food for which the use of, or exposure to, such article will cause serious adverse health consequences or death to humans or animals.

(2) REQUIREMENTS.—To reduce the potential for miscommunication during recalls or regarding investigations of a foodborne illness outbreak associated with a food that is subject to a recall, each incident command operation or similar operation under paragraph (1) shall use regular staff and resources of the Administration to—

(A) ensure timely and coordinated communication within the Administration, including enhanced communication and coordination between different agencies and organizations within the Administration;

(B) ensure timely and coordinated communication from the Administration, including public statements, throughout the duration of the investigation and related foodborne illness outbreak;

(C) identify a single point of contact within the Administration for public inquiries regarding any actions by the Administrator related to a recall;

(D) coordinate with Federal, State, local, and tribal authorities, as appropriate, that have responsibilities related to the recall of a food or a foodborne illness outbreak associated with a food that is subject to the recall, including notification of the Secretary of Agriculture and the Secretary of Education in the event such recalled food is a commodity intended for use in a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f(b))); and

(E) conclude operations at such time as the Administrator determines appropriate.

(3) MULTIPLE RECALLS.—The Administrator may establish multiple or concurrent incident command operations or similar operations in the event of multiple recalls or foodborne illness outbreaks.

(4) FEES APPLICABLE TO ALL FACILITIES.—Fees described in section 743 of Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–31) for not complying with a recall order are applicable to all food facilities under this Act as if—

(A) the term ''responsible party'' means ''owner, operator, or agent in charge of the facility''; and

(B) references to section 423 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350*l*) are references to section 402 of this Act.

SEC. 403. INJUNCTION PROCEEDINGS.

(a) JURISDICTION.—The district courts of the United States, and the United States courts of the territories and possessions of the United States, shall have jurisdiction, for cause shown, to restrain a violation of section 202, 203, 204, 207, or 401 (or a regulation promulgated under that section).

(b) TRIAL.—In a case in which violation of an injunction or restraining order issued under this section also constitutes a violation of the food safety law, trial shall be by the court or, upon demand of the accused, by a jury.

SEC. 404. CIVIL AND CRIMINAL PENALTIES.

(a) CIVIL SANCTIONS.—

(1) CIVIL PENALTY.—

(A) IN GENERAL.—Any person that commits an act that violates the food safety law may be assessed a civil penalty by the Administrator of not more than $10,000 for each such act.

(B) SEPARATE OFFENSE.—Each act described in subparagraph (A) and each day during which that act continues shall be considered a separate offense.

(2) OTHER REQUIREMENTS.—

(A) WRITTEN ORDER.—The civil penalty described in paragraph (1) shall be assessed by the Administrator by a written order, which shall specify the amount of the penalty and the basis for the penalty under subparagraph (B) considered by the Administrator.

(B) AMOUNT OF PENALTY.—Subject to paragraph (1)(A), the amount of the civil penalty shall be determined by the Administrator, after considering—

(i) the gravity of the violation;

(ii) the degree of culpability of the person;

(iii) the size and type of the business of the person; and

(iv) any history of prior offenses by the person under the food safety law.

(C) REVIEW OF ORDER.—The order may be reviewed only in accordance with subsection (c).

(b) CRIMINAL SANCTIONS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a person that knowingly produces or introduces into commerce food that is unsafe or otherwise adulterated or misbranded shall be imprisoned for not more than 1 year or fined not more than $10,000, or both.

(2) SEVERE VIOLATIONS.—A person that commits a violation described in paragraph (1) after a conviction of that person under this section has become final, or commits such a violation with the intent to defraud or mislead, shall be imprisoned for not more than 3 years or fined not more than $100,000, or both.

(3) EXCEPTION.—No person shall be subject to the penalties of this subsection—

(A) for having received, proffered, or delivered in interstate commerce any food, if the receipt, proffer, or delivery was made in good faith, unless that person refuses to furnish (on request of an officer or employee designated by the Administrator)—

(i) the name, address, and contact information of the person from whom that person purchased or received the food;

(ii) copies of all documents relating to the person from whom that person purchased or received the food; and

(iii) copies of all documents pertaining to the delivery of the food to that person; or

(B) if that person establishes a guaranty signed by, and containing the name and address of, the person from whom that person received in good faith the food, stating that the food is not adulterated or misbranded within the meaning of this Act.

(c) JUDICIAL REVIEW.—

(1) IN GENERAL.—An order assessing a civil penalty under subsection (a) shall be a final order unless the person—

(A) not later than 30 days after the effective date of the order, files a petition for judicial review of the order in the United States court of appeals for the circuit in which that person resides or has its principal place of business or the United States Court of Appeals for the District of Columbia; and

(B) simultaneously serves a copy of the petition by certified mail to the Administrator.

(2) FILING OF RECORD.—Not later than 45 days after the service of a copy of the petition under paragraph (1)(B), the Administrator shall file in the court a certified copy of the administrative record upon which the order was issued.

(3) STANDARD OF REVIEW.—The findings of the Administrator relating to the order shall be set aside only if found to be unsupported

by substantial evidence on the record as a whole.

(d) COLLECTION ACTIONS FOR FAILURE TO PAY.—

(1) IN GENERAL.—If any person fails to pay a civil penalty assessed under subsection (a) after the order assessing the penalty has become a final order, or after the court of appeals described in subsection (b) has entered final judgment in favor of the Administrator, the Administrator shall refer the matter to the Attorney General, who shall institute in a United States district court of competent jurisdiction a civil action to recover the amount assessed.

(2) LIMITATION ON REVIEW.—In a civil action under paragraph (1), the validity and appropriateness of the order of the Administrator assessing the civil penalty shall not be subject to judicial review.

(e) PENALTIES PAID INTO ACCOUNT.—The Administrator—

(1) shall deposit penalties collected under this section in an account in the Treasury; and

(2) may use the funds in the account, without further appropriation or fiscal year limitation—

(A) to carry out enforcement activities under food safety law; or

(B) to provide assistance to States to inspect retail commercial food establishments or other food or firms under the jurisdiction of State food safety programs.

(f) DISCRETION OF THE ADMINISTRATOR TO PROSECUTE.—Nothing in this Act requires the Administrator to report for prosecution, or for the commencement of an action, the violation of the food safety law in a case in which the Administrator finds that the public interest will be adequately served by the assessment of a civil penalty under this section.

(g) REMEDIES NOT EXCLUSIVE.—The remedies provided in this section may be in addition to, and not exclusive of, other remedies that may be available.

SEC. 405. PRESUMPTION.

In any action to enforce the requirements of the food safety law, the connection with interstate commerce required for jurisdiction shall be presumed to exist.

SEC. 406. WHISTLEBLOWER PROTECTION.

Section 1012 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 399d) shall apply with respect to any violation of, or any act or omission an employee reasonably believes to be a violation of, any provision of this Act to the same extent and in the same manner as such section 1012 applies with respect to a violation of, or any act or omission an employee reasonably believes to be a violation of, any provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

SEC. 407. ADMINISTRATION AND ENFORCEMENT.

(a) IN GENERAL.—For the efficient administration and enforcement of the food safety law, the provisions (including provisions relating to penalties) of sections 6, 8, 9, and 10 of the Federal Trade Commission Act (15 U.S.C. 46, 48, 49, and 50) (except subsections (c) through (h) of section 6 of that Act (15 U.S.C. 46)), relating to the jurisdiction, powers, and duties of the Federal Trade Commission and the Attorney General to administer and enforce that Act, and to the rights and duties of persons with respect to whom the powers are exercised, shall apply to the jurisdiction, powers, and duties of the Administrator and the Attorney General in administering and enforcing the provisions of the food safety law and to the rights and duties of persons with respect to whom the powers are exercised, respectively.

(b) INQUIRIES AND ACTIONS.—

(1) IN GENERAL.—The Administrator, in person or by such agents as the Administrator may designate, may prosecute any inquiry necessary to carry out the duties of the Administrator under the food safety law in any part of the United States.

(2) POWERS.—The powers conferred by sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50) on the United States district courts may be exercised for the purposes of this chapter by any United States district court of competent jurisdiction.

SEC. 408. CITIZEN CIVIL ACTIONS.

(a) CIVIL ACTIONS.—A person may commence a civil action against—

(1) a person that violates a regulation (including a regulation establishing a performance standard), order, or other action of the Administrator to ensure the safety of food; or

(2) the Administrator (in his or her capacity as the Administrator), if the Administrator fails to perform an act or duty to ensure the safety of food that is not discretionary under the food safety law.

(b) COURT.—

(1) IN GENERAL.—The action shall be commenced in the United States district court for the district in which the defendant resides, is found, or has an agent.

(2) JURISDICTION.—The court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce a regulation (including a regulation establishing a performance standard), order, or other action of the Administrator, or to order the Administrator to perform the act or duty.

(3) DAMAGES.—The court may—

(A) award damages, in the amount of damages actually sustained; and

(B) if the court determines it to be in the interest of justice, award the plaintiff the costs of suit, including reasonable attorney's fees, reasonable expert witness fees, and penalties.

(c) REMEDIES NOT EXCLUSIVE.—The remedies provided for in this section shall be in addition to, and not exclusive of, other remedies that may be available.

TITLE V—IMPLEMENTATION

SEC. 501. DEFINITION.

For purposes of this title, the term ''transition period'' means the 12-month period beginning on the effective date of this Act.

SEC. 502. REORGANIZATION PLAN.

(a) SUBMISSION OF PLAN.—Not later than 180 days after the effective date of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan regarding the following:

(1) The transfer of agencies, personnel, assets, and obligations to the Administration pursuant to this Act.

(2) Any consolidation, reorganization, or streamlining of agencies transferred to the Administration pursuant to this Act.

(b) PLAN ELEMENTS.—The plan transmitted under subsection (a) shall contain, consistent with this Act, such elements as the President determines appropriate, including the following:

(1) Identification of any functions of agencies designated to be transferred to the Administration pursuant to this Act that will not be transferred to the Administration under the plan.

(2) Specification of the steps to be taken by the Administrator to organize the Administration, including the delegation or assignment of functions transferred to the Administration among the officers of the Administration in order to permit the Administration to carry out the functions transferred under the plan.

(3) Specification of the funds available to each agency that will be transferred to the Administration as a result of transfers under the plan.

(4) Specification of the proposed allocations within the Administration of unexpended funds transferred in connection with transfers under the plan.

(5) Specification of any proposed disposition of property, facilities, contracts, records, and other assets and obligations of agencies transferred under the plan.

(6) Specification of the proposed allocations within the Administration of the functions of the agencies and subdivisions that are not related directly to ensuring the safety of food.

(c) MODIFICATION OF PLAN.—The President may, on the basis of consultations with the appropriate congressional committees, modify or revise any part of the plan until that part of the plan becomes effective in accordance with subsection (d).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (c), shall become effective for an agency on the earlier of—

(A) the date specified in the plan (or the plan as modified pursuant to subsection (c)), except that such date may not be earlier than 90 days after the date the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a); or

(B) the end of the transition period.

(2) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed to require the transfer of functions, personnel, records, balances of appropriations, or other assets of an agency on a single date.

(3) SUPERCEDES EXISTING LAW.—Paragraph (1) shall apply notwithstanding section 905(b) of title 5, United States Code.

SEC. 503. TRANSITIONAL AUTHORITIES.

(a) PROVISION OF ASSISTANCE BY OFFICIALS.—Until the transfer of an agency to the Administration, any official having authority over or function relating to the agency immediately before the effective date of this Act shall provide the Administrator such assistance, including the use of personnel and assets, as the Administrator may request in preparing for the transfer and integration of the agency to the Administration.

(b) SERVICES AND PERSONNEL.—During the transition period, upon the request of the Administrator, the head of any Executive agency may, on a reimbursable basis, provide services or detail personnel to assist with the transition.

(c) ACTING OFFICIALS.—

(1) IN GENERAL.—During the transition period, pending the advice and consent of the Senate to the appointment of an officer required by this Act to be appointed by and with such advice and consent, the President may designate any officer whose appointment was required to be made by and with such advice and consent and who was such an officer immediately before the effective date of this Act (and who continues to be in office) or immediately before such designation, to act in such office until the same is filled as provided in this Act.

(2) COMPENSATION.—While acting pursuant to paragraph (1), such officers shall receive compensation at the higher of—

(A) the rates provided by this Act for the respective offices in which they act; or

(B) the rates provided for the offices held at the time of designation.

(3) LIMITATION.—Nothing in this Act shall be construed to require the advice and consent of the Senate to the appointment by the President to a position in the Administration of any officer whose agency is transferred to the Administration pursuant to this Act and whose duties following such

transfer are germane to those performed before such transfer.

(d) TRANSFER OF PERSONNEL, ASSETS, OBLIGATIONS, AND FUNCTION.—

(1) IN GENERAL.—Consistent with section 1531 of title 31, United States Code, the personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds that relate to the functions transferred under subsection (a) from a Federal agency shall be transferred to the Administration.

(2) UNEXPENDED FUNDS.—Unexpended funds transferred under this subsection shall be used by the Administration only for the purposes for which the funds were originally authorized and appropriated.

SEC. 504. SAVINGS PROVISIONS.

(a) COMPLETED ADMINISTRATIVE ACTIONS.—The enactment of this Act or the transfer of functions under this Act shall not affect any order, determination, rule, regulation, permit, personnel action, agreement, grant, contract, certificate, license, registration, privilege, or other administrative action issued, made, granted, or otherwise in effect or final with respect to that agency on the day before the transfer date with respect to the transferred functions.

(b) PENDING PROCEEDINGS.—Subject to the authority of the Administrator under this Act—

(1) pending proceedings in an agency, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue notwithstanding the enactment of this Act or the transfer of the agency to the Administration, unless discontinued or modified under the same terms and conditions and to the same extent that such discontinuance could have occurred if such enactment or transfer had not occurred; and

(2) orders issued in such proceedings, and appeals from those orders, and payments made pursuant to such orders, shall be issued in the same manner on the same terms as if this Act had not been enacted or the agency had not been transferred, and any such order shall continue in effect until amended, modified, superceded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(c) PENDING CIVIL ACTIONS.—Subject to the authority of the Administrator under this Act, any civil action commenced with regard to that agency pending before that agency on the day before the transfer date with respect to the transferred functions shall continue notwithstanding the enactment of this Act or the transfer of an agency to the Administration.

(d) REFERENCES.—

(1) IN GENERAL.—After the transfer of functions from a Federal agency under this Act, any reference in any other Federal law, Executive order, rule, regulation, directive, document, or other material to that Federal agency or the head of that agency in connection with the administration or enforcement of the food safety laws shall be deemed to be a reference to the Administration or the Administrator, respectively.

(2) STATUTORY REPORTING REQUIREMENTS.—Statutory reporting requirements that applied in relation to such an agency immediately before the effective date of this Act shall continue to apply following such transfer if the reporting requirements refer to the agency by name.

SEC. 505. CONFORMING AMENDMENTS.

Section 5313 of title 5, United States Code, is amended by adding at the end the following new item:

''Administrator of Food Safety.''.

SEC. 506. ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.

Not later than 60 days after the submission of the reorganization plan under section 502, the President shall prepare and submit proposed legislation to Congress containing necessary and appropriate technical and conforming amendments to any food safety law to reflect the changes made by this Act.

SEC. 507. REGULATIONS.

The Administrator may promulgate such regulations as the Administrator determines are necessary or appropriate to perform the duties of the Administrator.

SEC. 508. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 509. LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.

For the fiscal year that includes the effective date of this Act, the amount authorized to be appropriated to carry out this Act shall not exceed—

(1) the amount appropriated for that fiscal year for the Federal agencies identified in section 102(b) for the purpose of administering or enforcing the food safety law; or

(2) the amount appropriated for those agencies for that purpose for the preceding fiscal year, if, as of the effective date of this Act, appropriations for those agencies for the fiscal year that includes the effective date have not yet been made.

SEC. 510. EFFECTIVE DATE.

This Act and the amendments made by this Act take effect on the date of enactment of this Act.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. ISAKSON, Mr. RUBIO, and Mr. SCOTT):

S. 288. A bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, today I am reintroducing the NLRB Reform Act with Senator MCCONNELL.

Our legislation will change the National Labor Relations Board from an advocate to an umpire.

The board was created 80 years ago to act as an impartial umpire in labor disputes that threaten the free flow of commerce.

The board's decisions affect about 85 million private-sector workers and 5.7 million private-sector employers.

But over time, the board has become an advocate for one interest group over the other—changing positions with each new administration.

There are three significant problems the board faces today:

First, the biggest problem is partisan advocacy. Today, the majority of the 5-member board is made up of appointees who follow the president's political leanings. President Obama has appointed 3 labor union lawyers to the board.

Second, the board has a freewheeling advocate for a general counsel. The board's most recent general counsels have been exceeding their statutory authority and bringing questionable cases that threaten American jobs.

Third, it is too slow to resolve disputes. Right now, 145 cases, that is 32 percent of the board's caseload, have been pending for more than a year.

Our bill provides three fixes.

First, it ends partisan advocacy. A 6-member board of 3 Republicans and 3 Democrats and a majority of 4 will require both sides to find a middle ground.

Second, it reins in the general counsel. Businesses and unions would be able to challenge complaints filed by the General Counsel in Federal district court, and they will have greater transparency about the basis and legal reasoning of charges brought by the General Counsel.

Third, it encourages timely decisions in two ways. First, either party in a case before the board may appeal to a Federal Court of Appeals if the board fails to reach a decision in their case within one year.

Second, funding for the entire NLRB would be reduced by 20 percent if the board is not able to decide 90 percent of its cases within one year over the first 2-year period post-reform.

Our bill would offer these solutions without taking away rights or remedies for any employee, business, or union.

While the increasing partisanship at the board has occurred in Republican administrations as well as Democrat administrations, it has reached a climax in this administration.

Three of President Obama's recent nominees came to the board from a major labor union's leadership.

One labor law professor at a major university recently said that she can't even use the most recent textbook, instead she has to resort to handing out NLRB decisions. The decisions are coming out so rapidly and this NLRB is venturing into new territory with efforts at rulemaking.

This is no way to maintain a national labor law policy.

By Mr. DURBIN (for himself, Mr. BROWN, Ms. KLOBUCHAR, Mrs. BOXER, Mr. MARKEY, Mr. CARDIN, Mr. FRANKEN, Mr. CASEY, and Mr. SCHUMER):

S. 289. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on the Budget.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 289

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Cures Act''.

SEC. 2. CAP ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C), the following:

''(D) BIOMEDICAL RESEARCH.—

''(i) NATIONAL INSTITUTES OF HEALTH.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Institutes of Health at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $1,741,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $3,422,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $5,167,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $7,085,000,000 in additional new budget authority;

''(V) for fiscal year 2020, $9,149,000,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $11,435,000,000 in additional new budget authority.

''(ii) CENTERS FOR DISEASE CONTROL AND PREVENTION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Centers for Disease Control and Prevention at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $716,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $1,287,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $1,503,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $1,980,000,000 in additional new budget authority;

''(V) for fiscal year 2020, $2,298,000,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $2,884,000,000 in additional new budget authority.

''(iii) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Department of Defense health program, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $57,402,000 in additional new budget authority;

''(II) for fiscal year 2017, $139,213,000 in additional new budget authority;

''(III) for fiscal year 2018, $226,460,000 in additional new budget authority;

''(IV) for fiscal year 2019, $322,742,000 in additional new budget authority;

''(V) for fiscal year 2020, $425,700,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $540,000,000 in additional new budget authority.

''(iv) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the medical and prosthetics research program of the Department of Veterans Affairs, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $25,201,000 in additional new budget authority;

''(II) for fiscal year 2017, $52,945,000 in additional new budget authority;

''(III) for fiscal year 2018, $80,866,000 in additional new budget authority;

''(IV) for fiscal year 2019, $112,189,000 in additional new budget authority;

''(V) for fiscal year 2020, $146,157,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $184,027,000 in additional new budget authority.

''(v) DEFINITIONS.—As used in this subparagraph:

''(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term 'additional new budget authority' means—

''(aa) with respect to the National Institutes of Health, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2015, in an appropriation Act and specified to support the National Institutes of Health;

''(bb) with respect to the Centers for Disease Control and Prevention, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2015, in an appropriation Act and specified to support the Centers for Disease Control and Prevention;

''(cc) with respect to the Department of Defense health program, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2015, in an appropriation Act and specified to support the Department of Defense health program; and

''(dd) with respect to the medical and prosthetics research program of the Department of Veterans Affairs, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2015, in an appropriation Act and specified to support the medical and prosthetics research program of the Department of Veterans Affairs.

''(II) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The term 'Centers for Disease Control and Prevention' means the appropriations accounts that support the various institutes, offices, and centers that make up the Centers for Disease Control and Prevention.

''(III) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—The term 'Department of Defense health program' means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense health program.

''(IV) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—The term 'medical and prosthetics research program of the Department of Veterans Affairs' means the appropriations accounts that support the various institutes, offices, and centers that make up the medical and prosthetics research program of the Department of Veterans Affairs.

''(V) NATIONAL INSTITUTES OF HEALTH.—The term 'National Institutes of Health' means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institutes of Health.''.

(b) FUNDING.—There are hereby authorized to be appropriated—

(1) for the National Institutes of Health, the amounts provided for under clause (i) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Secretary of Health and Human Services, acting through the Centers for Disease Control and Prevention, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(3) for the Department of Defense health program, the amounts provided for under clause (iii) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year; and

(4) for the Medical and prosthetics research program of the Department of Veterans Affairs, the amounts provided for under clause (iv) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as added by subsection (a)) for each of fiscal years 2016 through 2021, and each subsequent fiscal year, shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2015.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).'' the following:

''Appropriations under the American Cures Act.''.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

By Mr. CORNYN (for himself, Mr. FLAKE, Mr. ROBERTS, Mr. CRAPO, Mr. DAINES, Mr. HATCH, Mr. ROUNDS, Mr. MORAN, Mr. LANKFORD, Mr. ENZI, Mr. CRUZ, and Mrs. FISCHER):

S. 292. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''21st Century Endangered Species Transparency Act''.

SEC. 2. REQUIREMENT TO PUBLISH ON INTERNET BASIS FOR LISTINGS.

Section 4(b) of the Endangered Species Act (16 U.S.C. 1533(b)) is amended by adding at the end the following:

''(9) PUBLICATION ON INTERNET OF BASIS FOR LISTINGS.—The Secretary shall make publicly available on the Internet the best scientific and commercial data available that are the basis for each regulation, including each proposed regulation, promulgated under subsection (a)(1), except that, at the request of a Governor or legislature of a State, the Secretary shall not make available under this paragraph information regarding which the State has determined public disclosure is prohibited by a law of that State relating to the protection of personal information.''.

By Mr. CORNYN (for himself, Mr. FLAKE, Mr. ROBERTS, Mr. CRAPO, Mr. BOOZMAN, Mr. HATCH, Mr. ROUNDS, Mr. MORAN, Mr. LANKFORD, Mr. VITTER, Mr. RISCH, Mr. HELLER, Mrs. FISCHER, and Mr. WICKER):

S. 293. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITIONS.

Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating—

(A) paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(B) paragraphs (5) through (10) as paragraphs (7) through (12), respectively; and

(C) paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by adding before paragraph (2) (as so redesignated) the following:

''(1) AFFECTED PARTIES.—The term 'affected party' means any person, including a business entity, or any State, tribal government, or local subdivision the rights of which may be affected by a determination made under section 4(a) in a suit brought under section 11(g)(1)(C).''; and

(3) by adding after paragraph (5) (as so redesignated) the following:

''(6) COVERED SETTLEMENT.—The term 'covered settlement' means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).''.

SEC. 2. INTERVENTION; APPROVAL OF COVERED SETTLEMENT.

Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540) is amended—

(1) in paragraph (3), by adding at the end the following:

''(C) PUBLISHING COMPLAINT; INTERVENTION.—

''(i) PUBLISHING COMPLAINT.—

''(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

''(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

''(ii) INTERVENTION.—

''(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

''(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that party would not be represented adequately by the parties to the action described in clause (i).

''(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

''(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

''(AA) the mediation program of the court; or

''(BB) a magistrate judge.

''(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

''(AA) plaintiff;

''(BB) defendant agency; and

''(CC) intervenor.'';

(2) by striking paragraph (4) and inserting the following:

''(4) LITIGATION COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any suit brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

''(B) COVERED SETTLEMENT.—

''(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.''; and

(3) by adding at the end the following:

''(6) APPROVAL OF COVERED SETTLEMENT.—

''(A) DEFINITION OF SPECIES.—In this paragraph, the term 'species' means a species that is the subject of an action brought under paragraph (1)(C).

''(B) IN GENERAL.—

''(i) CONSENT DECREES.—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(C) NOTICE.—

''(i) IN GENERAL.—The Secretary of the Interior shall provide each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

''(ii) DETERMINATION OF RELEVANT STATES AND COUNTIES.—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

''(D) FAILURE TO RESPOND.—The court may approve a covered settlement or grant a motion described in subparagraph (B)(ii)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

''(i)(I) a State or county fails to respond; and

''(II) of the States or counties that respond, each State or county approves the covered settlement; or

''(ii) all of the States and counties fail to respond.

''(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

''(i) acceptable to the State or county, as applicable; and

''(ii) signed by the State or county official authorized to approve the covered settlement.''.

By Mr. HATCH (for himself, Mr. SCHUMER, Ms. AYOTTE, Mr. BLUMENTHAL, Mr. BLUNT, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. CORNYN, Mr. DAINES, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Ms. KLOBUCHAR, Mr. LEE, Mr. MARKEY, Mr. MCCAIN, Mrs. MURRAY, Mr. PERDUE, Mr. PORTMAN, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. MANCHIN):

S. 295. A bill to amend section 2259 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I am introducing legislation to help victims of child pornography, one of society's most heinous crimes. I am joined by 34 Senators on both sides of the aisle. I hope this legislation will soon become law.

Sexually exploiting a child distorts her life and leaves scars long after the abuse itself ends and the abuser has been prosecuted. For this reason, the Violence Against Women Act includes a provision requiring that in such cases a defendant must pay restitution to cover all of the victim's losses. Those losses can include future lost income as well as medical care, mental health counseling, and therapy.

Child pornography isn't merely the record of a child's sexual abuse, it is itself an instance of abuse. The ongoing trafficking and those images pile harm upon harm. As a result, it becomes even more difficult for a victim to put together a life that was shattered before it had barely begun.

As the Supreme Court has recognized, ''every viewing of child pornography is a repetition of the victim's abuse.'' The current restitution statute was enacted in 1994, before the Internet became prime real estate for trafficking of child pornography.

It puts victims in an impossible bind. In a case decided last spring, the Supreme Court said the current restitution statute requires the victim to prove how much of her losses were specifically caused by a single defendant's possession of her images. With a burden like that, it is no wonder that under this statute victims receive no restitution at all in more than three-quarters of child pornography cases.

The cruel irony today is that the more individuals who participate in harming a victim, the less any of them is financially responsible, and the less timely help the victim will receive. Perpetrators are easily lost in a crowd.

The bill I introduce today will amend the restitution statute so that it works for child pornography victims. It is named for Amy and Vicky, brave women who are the victims of two of the most widely viewed child pornography series in the world. Amy's case went before the Supreme Court last year, and my staff worked with the legal team for these women in developing this bill.

I want to mention in particular James Marsh, whose legal practice in New York focuses exclusively on helping victims; Professor Paul Cassell at the University of Utah, who argued Amy's case before the Supreme Court; and Carol Hepburn, who practices law in Seattle on behalf of Vicky and many other victims.

This bill changes the current restitution statute in three important ways so that it works for child pornography victims. First, it gives judges options for determining a victim's losses and calculating restitution. Second, it gives judges the ability to impose restitution on defendants in different kinds of cases to ensure that victims actually receive meaningful restitution. Third, it shifts the burden of chasing defendants all over the country from victims to defendants who can share the restitution costs with other defendants.

Both Amy and Vicky personally support this bill. I am also pleased that many national victim advocacy groups support this bill, including the National Center for Missing and Exploited Children, the National Organization for Victim Assistance, the National Crime Victim Law Institute, the National Center for Victims of Crime, and the National Task Force to End Sexual and Domestic Violence Against Women.

Last October I received a letter endorsing this bill signed by the attorneys general of 43 States, 22 Republicans and 21 Democrats.

I want to share with my colleagues the story of a young man, a Utah resident, who uses the name Andy.

Between the ages of 7 and 12, he was sexually abused by a trusted adult and family friend. Dr. David Corwin, the University of Utah child psychologist who examined him, said that based on 30 years of experience with child sexual abuse victims, the images and videos of Andy's abuse were the most disturbing he had ever seen.

According to the FBI, the images and videos created from Andy's abuse are one of the most widely distributed boy series in the country. The FBI says that as of last month Andy is a named victim in 726 cases. He has been granted restitution in 24 of the 101 cases in which he requested it and has collected anything at all in only 2 cases.

Andy wrote to support the bill I am introducing today. He addresses letters to the Members of the Congress, which means that he is writing to each Member of this body. Andy says this legislation will prevent him from having to spend decades trying to recover minuscule amounts of restitution from hundreds, if not thousands of defendants all over the country. I want my colleagues to hear his words:

My images may never be taken off the Internet and may always be circulating around the country. At least with this congressional change, I can start to heal, learn how to handle my circumstances, and rebuild my life.

There are many more Amys, Vickys, and Andys than any of us want to admit, and they need our help. In our system of government, we have the responsibility to pass or change legislation to address issues and problems Americans face. All the courts could do was confirm that the current restitution statute is no longer suited to help child pornography victims. It is now up to us to do our duty and enact a statute that will. Amy, Vicky, and Andy are counting on us, and we must not let them down.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 43—EXPRESSING THE SENSE OF THE SENATE THAT CHILDREN TRAFFICKED IN THE UNITED STATES SHOULD BE TREATED AS VICTIMS, AND NOT CRIMINALS, ESPECIALLY DURING THE UPCOMING SUPER BOWL, AN EVENT AROUND WHICH MANY CHILDREN ARE AT RISK FOR BEING TRAFFICKED FOR SEX

Mr. PORTMAN (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 43

Whereas according to the Department of Justice, there are currently an estimated 293,000 children in the United States at risk of commercial sexual exploitation;

Whereas the victims of child sex trafficking are often hidden in plain view, and may be found standing around bus stops, staying in runaway youth shelters, or advertised for commercial sex online;

Whereas the average age of entry into sex trafficking is between just 12 and 14 years old;

Whereas child victims of trafficking are often abducted or lured into running away by traffickers and then routinely raped, drugged, and beaten into submission, and sometimes even branded;

Whereas it is widely recognized that the beloved American tradition of the Super Bowl, an event that draws tens of thousands of fans to the host city, like other major sporting events, leads to a surge in the sex trafficking of underage girls and boys in the host city; and

Whereas traffickers aggressively advertise and sell sex trafficking victims on sites like Backpage.com during the Super Bowl in order to meet the increased demand from those flocking to the host city: Now, therefore, be it

Resolved, That the Senate agrees that—

(1) law enforcement, the juvenile justice system, and social services should treat all children trafficked for sex as victims; and

(2) Federal and State law enforcement agencies should make every effort to arrest and prosecute both traffickers and buyers of children for sex, in accordance with the Trafficking Victims Protection Act and State child protection laws against abuse and statutory rape, and should take all necessary measures to protect the children of the United States from harm.

SENATE RESOLUTION 44—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 44

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $5,105,487, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed $8,752,264, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed $3,646,777, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 45—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. VITTER submitted the following resolution; from the Committee on Small Business and Entrepreneurship; which was referred to the Committee on Rules and Administration:

S. RES. 45

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $1,520,944, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this section shall not exceed $2,607,332, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this section shall not exceed $1,086,388, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 46—AUTHORIZING EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Ms. COLLINS submitted the following resolution; from the Special Committee on Aging; which was referred to the Committee on Rules and Administration:

S. RES. 46

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $1,399,763, of which amount—

(1) not to exceed $3,055 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $3,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed $2,399,594, of which amount—

(1) not to exceed $6,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $6,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed $999,831, of which amount—

(1) not to exceed $2,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $1,500 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate

at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 47—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. CORKER submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration:

S. RES. 47

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $3,889,028, of which amount—

(1) not to exceed $58,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $11,600 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed $6,666,904, of which amount—

(1) not to exceed $100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed $2,777,877, of which amount—

(1) not to exceed $42,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $8,400 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 48—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ROBERTS submitted the following resolution; from the Committee on Agriculture, Nutrition, and Forestry; which was referred to the Committee on Rules and Administration:

S. RES. 48

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $2,463,834, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed $4,223,716, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed $1,759,882, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate

at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 49—AUTHORIZING EXPENDITURES BY THE SENATE COMMITTEE ON INDIAN AFFAIRS

Mr. BARRASSO submitted the following resolution; from the Committee on Indian Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 49

Resolved, That, in carrying out its powers, duties and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2015, through September 30, 2015; October 1, 2015, through September 30, 2016; and October 1, 2016, through February 28, 2017, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or non-reimbursable, basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2015, through September 30, 2015, under this resolution shall not exceed $1,184,317.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2015, through September 30, 2016, expenses of the committee under this resolution shall not exceed $2,030,258.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2016, through February 28, 2017, expenses of the committee under this resolution shall not exceed $845,941.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of the salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2015, through September 30, 2015; October 1, 2015, through September 30, 2016; and October 1, 2016, through February 28, 2017, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 50—CONGRATULATING THE OHIO STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2015 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. BROWN (for himself, Mr. PORTMAN, and Mr. CARPER) submitted the following resolution; which was considered and agreed to:

S. RES. 50

Whereas on January 12, 2015, The Ohio State University Buckeyes won the first-ever College Football Playoff national championship with a 42-20 victory over the second-ranked University of Oregon Ducks;

Whereas the head coach of the Ohio State Buckeyes led the Buckeyes to a national championship win in his third year as head coach, bringing the total of national championships in collegiate football by The Ohio State University to 8;

Whereas the head coach of the Ohio State Buckeyes became only the second coach to lead 2 separate Football Bowl Subdivision programs to a national championship;

Whereas the quarterback of the Ohio State Buckeyes, number 12, completed 18 passes for 242 yards, scoring 1 rushing touchdown and 1 passing touchdown in just his third start as a collegiate quarterback;

Whereas the running back of the Ohio State Buckeyes, number 15, rushed for 246 yards, scoring 4 touchdowns and earning the title of Offensive Most Valuable Player;

Whereas the safety of the Ohio State Buckeyes, number 23, recorded 9 tackles, earning the title of Defensive Most Valuable Player;

Whereas the Ohio State Buckeyes finished the 2014 season with a record of 14 wins and 1 loss, winning 13 straight games on the road to a national championship;

Whereas in the 2014 season, the Ohio State Buckeyes tied school and National Collegiate Athletic Association records for the most victories in 1 season, including a 42-28 triumph over rival school, the University of Michigan;

Whereas the Ohio State Buckeyes won the Big Ten Conference championship, which was the first conference championship for The Ohio State University under their current head coach and the 35th since joining the conference in 1912, with a 59-0 win over the Wisconsin Badgers;

Whereas the Ohio State Buckeyes defeated the first-ranked University of Alabama Crimson Tide by a score of 42 to 35 to win the Allstate Sugar Bowl and advance to the national championship game;

Whereas, The Ohio State University celebrated the 125th anniversary of the football program during the 2014 season;

Whereas the sophomore defensive end of the Ohio State Buckeyes, number 97, was recognized as a 2014 unanimous All-American selection, just the 27th player to receive such an honor in the history of the football program of The Ohio State University;

Whereas the quarterback of the Ohio State Buckeyes, number 16, was named the Big Ten Conference Griese-Brees Quarterback of the year;

Whereas the star defensive end of the Ohio State Buckeyes, number 97, was named the Big Ten Conference Smith-Brown Defensive Lineman of the year;

Whereas 8 football players from The Ohio State University were named to all-conference teams by Big Ten Conference coaches;

Whereas the junior center of the Ohio State Buckeyes and Horticulture and Crop Science student, number 50, was 1 of 6 Big Ten Conference student-athletes to be named an Academic All American in football;

Whereas 12 student-athletes on the championship team were named Fall 2014 Academic All-Big Ten Honorees;

Whereas The Ohio State University President, Interim President, and director of athletics have fostered a continuing tradition of athletic and academic excellence at the institution;

Whereas The Ohio State University is 1 of the largest and most comprehensive universities in the United States, and has proven to be a perennial championship contender in National Collegiate Athletic Association football; and

Whereas The Ohio State University Marching Band, cheerleaders, students, faculty, alumni, and fans worldwide have supported the football team through a season filled with adversity and triumph; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates The Ohio State University Buckeyes football team for winning the 2015 College Football Playoff national championship;

(2) recognizes the players, coaches, staff, and fans whose hard work led to the championship; and

(3) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of The Ohio State University;

(B) the director of athletics at The Ohio State University; and

(C) the head coach of The Ohio State University football team.

SENATE RESOLUTION 51—RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 51

Whereas Catholic schools in the United States are internationally acclaimed for their academic excellence and provide students with more than an exceptional scholastic education;

Whereas Catholic schools instill a broad, values-based education, emphasizing the lifelong development of moral, intellectual, physical, and social values in young people in the United States;

Whereas Catholic schools provide a high level of service to the United States by providing a strong academic and moral foundation to a diverse student population from all regions of the country and all socioeconomic backgrounds;

Whereas Catholic schools are an affordable option for parents, particularly in underserved urban areas;

Whereas Catholic schools produce students who are strongly dedicated to their faith, values, families, and communities, by providing an intellectually stimulating environment that is rich in spiritual, character, and moral development;

Whereas Catholic schools are committed to community service, producing graduates who hold ''helping others'' as a core value;

Whereas the total student enrollment in Catholic schools in the United States for the 2014–2015 academic year is almost 2,000,000 and the student-to-teacher ratio is 13.1 to 1;

Whereas Catholic schools in the United States educate a diverse population of students, of which 20.4 percent belong to racial minorities, 15.9 percent are of Hispanic or Latino origin, and 16.9 percent are non-Catholics;

Whereas the Catholic high school graduation rate in the United States is 99 percent, with 87 percent of graduates attending a 4-year college;

Whereas in the 1972 pastoral message concerning Catholic education, the United States Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'';

Whereas the week of January 25, 2015, to January 31, 2015, has been designated as ''National Catholic Schools Week'' by the National Catholic Educational Association and the United States Conference of Catholic Bishops;

Whereas the National Catholic Schools Week was first established in 1974 and has been celebrated annually for the past 41 years; and

Whereas the theme for National Catholic Schools Week 2015 is ''Catholic Schools: Communities of Faith, Knowledge, and Service''; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops and established to recognize the vital contributions of the thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for ongoing contributions to education and for playing a vital role in promoting and ensuring a brighter, stronger future for the United States.

SENATE RESOLUTION 52—CALLING FOR THE RELEASE OF UKRAINIAN FIGHTER PILOT NADIYA SAVCHENKO, WHO WAS CAPTURED BY RUSSIAN FORCES IN EASTERN UKRAINE AND HAS BEEN HELD ILLEGALLY IN A RUSSIAN PRISON SINCE JULY 2014

Mr. CARDIN (for himself and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 52

Whereas Nadiya Savchenko is the first-ever female fighter pilot in Ukraine's Armed Forces and is an Iraqi war veteran;

Whereas, in the ongoing conflict in Eastern Ukraine, Nadiya Savchenko volunteered her services to the Ukrainian Aidar battalion;

Whereas Nadiya Savchenko was elected in absentia from the Batkivshchyna Party to Ukraine's Parliament in October 2014, and appointed to the Parliament Assembly of the Council of Europe (PACE) as a representative from Ukraine;

Whereas, as a member of the Armed Forces of Ukraine, Lieutenant Nadiya Savchenko was conducting operations in eastern Ukraine against pro-Russian forces in the summer of 2014 when she was captured and taken into captivity;

Whereas, during her mission in Eastern Ukraine, she was captured by the Donbas People's Militia, detained on Ukrainian territory, deprived of rights to due process, and illegally transferred to the Russian Federation to stand trial on unsubstantiated charges of terrorism;

Whereas, since July 2014, Nadiya Savchenko has endured involuntary psychiatric evaluations and solitary confinement;

Whereas Nadiya Savchenko is currently entering her sixth week of a hunger strike as a symbol of her protest;

Whereas Nadiya Savchenko is denied access to urgently needed medical attention and access to legal counsel;

Whereas the Minsk Protocol of September 2014, signed by Ukraine and the Russian Federation, calls for the ''immediate release of all hostages and illegally held persons'';

Whereas appeals have been made to the United Nations Human Rights Council and the International Red Cross to secure Nadiya Savchenko's release;

Whereas the international community, including representatives of the Parliamentary Assembly of the Council of Europe (PACE) and of the United States, have urged her immediate release;

Whereas, on January 26, 2015, the opening day of the Parliamentary Assembly, the global community embarks on a public campaign to bring attention to the plight of Nadiya Savchenko and demand her immediate release; and

Whereas the Government and people of the United States express concern about the deteriorating health of detained pilot Nadiya Savchenko and her continued illegal imprisonment: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of the Russian Federation for its illegal imprisonment of Nadiya Savchenko;

(2) calls on the Government of the Russian Federation to immediately release Nadiya Savchenko;

(3) calls on the United States, its European allies, and the international community to aggressively support efforts to release Nadiya Savchenko and other illegally detained persons; and

(4) expresses solidarity with the Ukrainian people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 247. Ms. HEITKAMP (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 247. Ms. HEITKAMP (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STUDY ON RESOURCES REQUIRED TO ENSURE SAFE TRANSPORTATION BY PIPELINE AND RAIL OF PETROLEUM PRODUCTS.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of Transportation and the Administrator of Pipeline and Hazardous Materials Safety Administration (PHMSA) shall conduct a study on the resources necessary to ensure the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products, including by rail and pipeline. The study shall focus on the following priorities:

(A) Ensuring the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(B) Ensuring PHMSA has the necessary personnel and other resources, including access to new and emerging technologies, to properly monitor and regulate the transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(2) SCOPE.—The study required under this subsection shall include the following elements:

(A) An examination of the current and projected resources and personnel at the Department of Transportation and PHMSA that are or will be dedicated to regulating, monitoring, and ensuring the overall safe transportation of crude oil, petroleum products,

natural gas, natural gas liquids, and related products by rail and pipeline.

(B) A determination of the appropriate manpower personnel, resources, and funding requirements for all Department and Administration elements that do or are expected to play a significant role in regulating, monitoring, and ensuring the overall safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(C) An assessment and description of the personnel, resources, and funding needs for each State, and a description of the State, local, and tribal resources and personnel that are dedicated to performing the tasks described in subparagraph (B).

(D) The development and use of technology for each of the Department and Administration elements involved in regulating, monitoring, or otherwise ensuring the overall safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline, including whether the elements need additional technological assets and how best to acquire needed additional technological assets.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of Transportation and the PHMSA Administrator, in conjunction with the heads of other Federal agencies, as appropriate, shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) The findings of the study conducted under subsection (a).

(B) Input from other Federal agencies that have any significant role in the safe transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(C) A description of any impending changes to regulations or policy that may have an effect on personnel, resources, or funding or that would otherwise impact the ability of the Department and the Administration to meet the basic standards necessary to properly monitor and regulate the transportation of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline.

(D) Recommendations for enhancing safety for the transport of crude oil, petroleum products, natural gas, natural gas liquids, and related products by rail and pipeline, and what resources, personnel, and funding would be required to implement such recommendations.

(E) An explanation of why the Department or the Administration is not already implementing any of such recommendations.

(F) Recommendations for additional legislation necessary to implement recommendations contained in the report.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, the Committee on Energy and Natural Resources, the Committee on Finance, and the Committee on Appropriations of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Natural Resources, the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on January 28, 2015, at 4 p.m., in room SR–216 of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 28, 2015, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 28, 2015, at 1:30 p.m in room SH–219 of the Hart Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 28, 2015, at 10 a.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Freight Rail Transportation: Enhancing Safety, Efficiency, and Commerce.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 28, 2015, at 9:30 a.m. in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''The Importance of MAP–21 Reauthorization: Federal and State Perspectives.''

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

COMMITTEE ON FINANCE

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 28, 2015, at 11 a.m. in room SD–215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 28, 2015, at 9:45 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session on January 28, 2015, at 9:30 a.m., in room SD–430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 28, 2015, at 1:30 p.m. to conduct a hearing entitled ''Protecting America from Cyber Attacks: The Importance of Information Sharing.''

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on January 28, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:05 p.m., to conduct a hearing entitled ''Indian Country Priorities for the 114th Congress.''

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

COMMITTEE ON THE JUDICIARY

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 28, 2015, at 10 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Attorney General Nomination.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on January 28, 2015, at 10:30 a.m., in room SR–428A of the Russell Senate Office Building.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on January 28, 2015, at 2 p.m.

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

SPECIAL COMMITTEE ON AGING

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on January 28, 2015, at 2:30 p.m. in room S–211 of the Capitol Building.

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

PRIVILEGES OF THE FLOOR

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that Ariel Marshall and Kelley Sparrow, fellows in my office, be granted the privilege of the floor for the first session of the 114th Congress.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that Kayla Dolan, a staff member on the staff of Senator TILLIS, be granted floor privileges for the remainder of this Congress.

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

CONGRATULATING THE OHIO STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2015 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. HOEVEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 50, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 50) congratulating The Ohio State University football team for winning the 2015 College Football Playoff national championship.

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

Mr. HOEVEN. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 50) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK

Mr. HOEVEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 51, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 51) recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States.

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

Mr. VITTER. Mr. President, I rise today in honor of Catholic schools across our Nation who provide our children with an outstanding education while preparing them to lead lives in the example of Jesus Christ. This year, we mark the 41st year of celebrating Catholic Schools Week, shedding light on the extraordinary contributions these schools and their students make to communities across the country.

This year's theme, ''Catholic Schools: Communities of Faith, Knowledge, and Service,'' provides a solid representation of the mission of these schools in educating the whole person and forming our children into responsible stewards ready to take on the challenges of the future. Today, more than 2 million children are educated in Catholic schools in the United States. Ninety-nine percent of them graduate from high school and 85 percent pursue post-secondary education. Such a rate of success is a great testament to the quality of our Catholic schools and their educators.

As an alumnus of a Catholic school in New Orleans, I have firsthand experience of the benefits of receiving a Catholic education. These schools are devoted to nurturing the young minds that pass though their halls each year, instilling in them the values necessary to become active and caring members of their communities, cities, and Nation. In the words of Pope Francis, ''[o]ur generation will show that it can rise to the promise found in each young person when we know how to give them space. This means that we have to create the material and spiritual conditions for their full development; to give them a solid basis on which to build their lives; to guarantee their safety and their education to be everything they can be.''

During the week of January 25 to January 31, let us recognize the steadfast commitment of the administrators, teachers, students, and families, who support Catholic schools across the United States, and appreciate their efforts to educate the youth of our Nation. In that respect, I am hopeful that the Senate will pass this resolution celebrating Catholic Schools Week.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 51) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JANUARY 29, 2015

Mr. HOEVEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., tomorrow, Thursday, January 29. I ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that the Senate then be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Democrats controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate then resume consideration of S. 1 under the previous order.

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

PROGRAM

Mr. HOEVEN. Tomorrow there will be two stacks of votes on the Keystone bill. Senators should expect up to seven votes shortly after 11 a.m., and then an additional four or five votes at 2:30 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. HOEVEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:01 p.m., adjourned until Thursday, January 29, 2015, at 9:30 a.m.