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Senate

The Senate met at 2 p.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.

Almighty God, thank You for Your steadfast love and unchanging mercy, for we are sustained by Your tender compassion.

Give our lawmakers the wisdom to follow Your example of self-sacrifice and keep them from traveling down dead-end paths. Lord, strengthen them in their challenging work, as they strive to find common ground. Shield them from strife, as they seek to unite for the good of our Nation and world. Empower them to trust You, even during life's storms, believing that in everything You are working for the good of those who love You. Lord, do for them exceedingly, abundantly above all that they can ask or think.

We pray in Your sacred Name. Amen.

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 MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

NOMINATIONS

Mr. REID. Mr. President, it seems as if every day the majority leader keeps telling us how great the Senate is working—better than ever, he says. Let's take a look at a couple of things today.

The growing backlog on nominations is another story. There are more than 100 nominations pending in committees. This is an interesting way the Republicans do this. They say we do not have anything on the calendar. We cannot have anything on the calendar if they do not report them out of the committees.

There are 48 nominations currently pending in the Foreign Relations Committee, including Ambassadors of really important countries, such as Pakistan, Finland, Sweden, Kosovo, and many other countries. The Environment and Public Works Committee has 11 pending nominations, and 9 nominations are waiting in the HELP Committee. At the Homeland Security and Governmental Affairs Committee, there is a score—many of them there. There are eight nominations awaiting consideration in the banking committee. Seven are pending in commerce, and six await Senate Finance Committee action.

In the Judiciary Committee—I spoke here a little while ago, a week ago, about Judge Felipe Restrepo. He is a Federal district court judge in Pennsylvania. It is being delayed, even though both Senators—a Democrat and Republican—from Pennsylvania want this nomination to go forward. So they say. He is one of 20 pending nominations awaiting in the Judiciary Committee. That is unbelievable. Committee consideration is not the only obstacle to confirmation, the Republican leader also slows down the consideration once they get here on the floor.

The Republicans' refusal to consider the President's judicial nominations is especially pronounced, especially when you consider that the assistant Republican leader came to the floor here and said we are going to move these expeditiously. He is from Texas. We had one judge, George Hanks, who was confirmed by a vote of 91 to 0. He was only the second judicial nomination we have considered in this Republican Congress in some 5 months.

Imagine that. We know there are judicial emergencies and vacancies throughout the country, but we have only considered two judges in this entire Congress.

When this year started, we had 12 emergencies. Now there are 25, more than double from the beginning of this year alone. In Texas alone, there are seven judicial emergencies, the most of any State in the Nation.

Judge Olvera has been nominated to fill a judicial emergency in the Southern District of Texas. His nomination certainly was not controversial. It was reported out of the Judiciary Committee by voice vote in February.

At his hearing, as I indicated earlier, the assistant majority leader said he wanted to move these judges expeditiously. If this is expeditiously, I do not know what the term means. Why is this noncontroversial nomination being delayed for months? Is this the type of swift type of confirmation that Texans can expect from their leaders?

If our Republican colleagues would make good on their public statements and confirm these qualified executive and judicial nominations before the Memorial Day holiday, that would be great. But they are not going to. Is the Senate working better than ever? I do not think so.

HIGHWAY BILL

Mr. REID. ''America is one big pothole.'' Those are not my words. They are the words of former Republican Secretary of Transportation Ray LaHood, a longtime Member of Congress and a Republican from Illinois. That is how he described America's crumbling infrastructure: ''America is one big pothole.''

It is hard to argue with Secretary LaHood's assessment. According to the Federal Highway Administration, 50 percent of American roads are in disrepair. Half of the roads we drive on

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

are in disrepair. What are State legislatures around the country doing? Raising the speed limit.

There are a number of places in America where the speed limit is 80 miles an hour. That means that this weekend—Memorial Day weekend—as American families load up their cars and head to the beach or the lake or to visit loved ones, half of the highways they travel on are in dire need of repair.

If that were not troubling enough, 64,000 American bridges are structurally deficient. As each day goes by, these roads and bridges get a little worse—one big pothole.

It is not just our roads and our bridges. Our Nation's infrastructure affects every means of travel. We are all distraught by last week's Amtrak train derailment in Pennsylvania. Eight people were killed. Hundreds were injured. It has been reported that the horrible derailment might have been prevented if speed control safeguards had been installed on this particular section of track.

What we have here in this Congress—my Republican friend, the senior Senator from Kentucky, is talking about the Senate running better than ever. I think not.

The story of our Nation's infrastructure woes is very clear. We have the technology. This great country has the resources. But my friends will not appropriate any money to do this. Stunningly, time and again, we have failed to fix the problems—one big pothole. Fifty percent of our roads are deficient, and 64,000 bridges are structurally deficient. Specifically, Republicans in Congress have refused to work with Democrats in making an adequate long-term investment in our country's service transportation.

What we have here time after time are short-term extensions of the highway bill. Before the Republicans hit town here, we used to do long-term highway bills—they have stood in the way of doing that—so that the Department of Transportation and leaders in all 50 States could plan ahead. That is why we did these long-term bills. The way it is now, a 2-month extension or a 6-month extension does not work. It is terribly inefficient and very, very expensive.

The highway trust fund runs out in about 8 or 10 weeks. The authorization for the Federal highway program expires later this month. Later this month, if we have not extended the highway bill, there could be no money spent on highways.

The fact that these programs are expiring is no secret. Our Republican colleagues have known about this deadline for months and months. Yet here we are at the end of May, and Republicans are no closer to crafting a long-term investment in our roads, bridges, and railways. They have not had a markup in the four committees of jurisdiction. In fact, Republicans are trying to do the opposite. They are going to the extreme of gutting our already inadequate transportation.

Look at what happened with Amtrak. The House Republicans chose to cut Amtrak in the hours just after the derailment by a quarter of a billion dollars. Who could help but be astonished by this act of carelessness?

Former Pennsylvania Governor Ed Rendell, who knows quite a bit about Pennsylvania, speaking of the Republicans in Congress said: ''Normally, after a tragedy, a pipeline bursts, a bridge collapses, everyone for a couple of weeks says 'we've really got to do something.' Here, less than 12 hours after seven people died''—of course, now it is eight—''these Republicans in Congress didn't even have the decency to table the vote.''

They went right ahead and did it, cutting a quarter of a billion dollars from Amtrak.

In addition to what it does and does not do to highways, our bridges, our dams, is the fact that it stops job creation. Every billion dollars we spend on highway construction, infrastructure development, we create 47,500 high-paying jobs. Instead of slashing Federal funding or putting critical transportation infrastructure on the back burner, we should be crafting a long-term plan to boost our Nation's investment and infrastructure.

With precious little time before the Federal highway program expires, there is no hope for anything but a short-term authorization longer than a few months. We understand that. We are not happy about it, but that is the reality of the situation that the Republicans have forced us to be in.

The U.S. highway system is crucial to our Nation's economic well-being. It is how we move goods and services. It is central to American families who use our roads and bridges every day.

The American Society of Civil Engineers predicts that our economy will lose $1 trillion without adequate infrastructure investment. That is almost 3.5 million jobs, and some say more than that.

Congress must invest in working families and businesses by addressing our Nation's transportation needs. I invite congressional Republicans to work with us in building bipartisan consensus to ensure a strong and robust investment in our Nation's infrastructure. What is being done as we speak is that they are trying to patch together a 2-month extension. A 2-month extension or a 6-month extension, I think, is the wrong way to go. It is not good for our country.

Would the Chair announce the business before the Senate today.

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 until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Utah.

HIGHWAY BILL

Mr. HATCH. Mr. President, I wish to take just a few minutes today to talk about the ongoing effort to maintain funding for the highway trust fund.

As we all know, while the highway trust fund currently has a large enough balance in terms of funding to last another 2 months, contracting authority expires at the end of May. Therefore, unless this Congress acts before we break for the Memorial Day recess, we will start seeing work stoppages on transportation projects around the country.

No one wants to see that. There is bipartisan agreement on that basic point. There is similar agreement on the desire for a long-term highway bill. Members of both parties are tired of kicking the can down the road and want to see a real, long-term fix. The problem is that the bipartisan agreement tends to end there.

The gold standard for a future, long-term highway bill has been set at 6 years. That is what everyone apparently wants to see happen, though few have offered workable solutions on how to pay for it.

According to CBO, a 6-year highway bill would cost a little more than $90 billion. That is not chump change, even by Congress's standards. It takes real work and significant policy changes to raise that kind of money. One party cannot do it alone. It takes cooperation and compromise, something that, unfortunately, has been lacking around here for some time.

As the chairman of the committee with jurisdiction over the funding for highways, I am committed to finding a solution that gets us as far into the future as possible before we have to revisit the issue again. Toward that end, I have been working with Chairman RYAN of the House Ways and Means Committee and others on a path forward.

Our initial plan was to pull together enough funding to get us through the end of 2015. That would have cost roughly $11 billion—with a ''b''—not an insignificant number, by any means, but very doable under the circumstances.

We had roughly $5 billion in agreed-upon tax compliance offsets from the previous highway episode late last year. Chairman RYAN and I thought it seemed reasonable to couple that with an equal amount in spending reductions and reforms, getting us very close to what we would need to get the country through the rest of the year on highways.

For a time, it appeared as though at least some of our colleagues on the other side were willing to work with us on this general framework. Unfortunately, that cooperation did not last. In fact, it never really began.

Last week, rather than even consider a path forward that includes spending reductions, our Democratic counterparts, at the urging of their leadership here in the Senate, effectively walked away from the negotiating table. As a result, it appears that the only immediate path forward is to extend contracting authority until the end of July, when the funding runs out, setting us up for another deadline and potential cliff in just a few short weeks.

Let me be clear, I do not fault Republican leaders in either Chamber for taking this route. It was, given the short timetable, the only option left after Democrats failed to engage in meeting us halfway with a balanced package of compliance revenue and spending reductions.

But make no mistake, we are going to be here again in 2 months, facing the same problem, because unless someone has $90 billion just lying around, a long-term highway solution is not going to simply materialize between now and July. Don't get me wrong, fixing it in December was going to be difficult as well, but in the end it will likely take at least that long to find a solution that has a chance of passing through both Chambers.

The other side's strategy appears pretty transparent. They clearly have two goals in mind. First, they think that if they make Republicans vote on highway funding over and over again, we can be cajoled into accepting their preferred solution, which is a large tax hike. Second, they think that by maintaining a constant state of chaos and uncertainty, they can make the Republican-led Congress look bad or look ineffectual.

That first goal is pretty predictable. After all, a tax hike is their answer to pretty much every question that arises here. I hope I am wrong on the apparent second goal. If I am right, it is just sad. Apparently, after spending years in the majority trying to make sure the Senate never did anything productive, their goals have not changed now that they are in the minority.

But things are different now. These days, we are getting things done in the Senate, much to the consternation of some of my friends on the other side of the aisle. Despite this most recent shift on highway funding, I am confident we can work together to find a workable path forward. It just may take a few more votes to get us there.

Today, though I am frustrated, I am undeterred. I am committed to finding a long-term solution to our highway problems. I plan to keep working with my colleagues on finding a way to get us there, particularly Chairman INHOFE, whose committee deals with much of the highway policy, as well as those who serve on the Finance and Ways and Means Committees.

The highway bill should be a bipartisan effort. It used to be. Hopefully, after we get this latest episode behind us, it will be again.

PROTECTING STATES' RIGHTS TO PROMOTE AMERICAN ENERGY SECURITY ACT

Mr. HATCH. Finally, Mr. President, I would also like to briefly talk about legislation I introduced earlier this year, the Protecting States' Rights to Promote American Energy Security Act, which reinforces States' already effective regulatory practices relating to hydraulic fracturing.

This important piece of legislation recognizes States' demonstrated ability to properly address hydraulic fracturing and allows them to continue regulating on this issue. Importantly, this legislation does not prevent the Bureau of Land Management from promulgating baseline standards where none exist.

As background, for over 60 years, States have safely and successfully regulated hydraulic fracturing in a way that protects the environment. When I was in the oil business back in the early 1970s, hydraulic fracturing was being used then, although it has been brought clearly into a much more safe and responsible way since. Even the Obama administration has admitted there has never been an example of harm to human health or groundwater contamination caused by hydraulic fracturing under existing State regulations and oversight.

States should be able to continue to regulate hydraulic fracturing, and swift passage of this bill will afford needed certainty and future security for emerging U.S. energy development companies.

I urge my colleagues to support this important legislation.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1314, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

Hatch amendment No. 1221, in the nature of a substitute.

Hatch (for Flake) amendment No. 1243 (to amendment No. 1221), to strike the extension of the trade adjustment assistance program.

Hatch (for Lankford) amendment No. 1237 (to amendment No. 1221), to establish consideration of the conditions relating to religious freedom of parties to trade negotiations as an overall negotiating objective of the United States.

Brown amendment No. 1242 (to amendment No. 1221), to restore funding for the trade adjustment assistance program to the level established by the Trade Adjustment Assistance Extension Act of 2011.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two managers or their designees.

The Senator from Utah.

Mr. HATCH. Thank you, Madam President.

Finally, at long last, the Senate has begun its debate on the Bipartisan Trade Priorities and Accountability Act of 2015, a bipartisan and bicameral bill to renew trade promotion authority or TPA. As one of the authors of this legislation, I am glad we have gotten to this point and look forward to a spirited and fulsome debate on the floor.

This legislation has been in the works for a long time. As we all know, the previous iteration of TPA expired in 2007. The original version was originally enacted in 2002. In other words, it has been 13 years since Congress seriously considered legislation to renew trade promotion authority. I think it is safe to say that at least for those who focus on trade policy, the debate and discussion surrounding what would go into the next TPA bill has been going on that entire time.

For me, while I have long been a supporter of free trade and TPA, the real work on this bill began in earnest in the spring of 2013. I worked for the better part of a year with former Chairman Max Baucus and Dave Camp on legislation to renew TPA for a 21st century economy. We introduced our bill—which, in many ways, formed the basis for the legislation we are debating now—in January of last year.

This year, when I became chairman of the Senate Finance Committee, I sought to work with my colleagues on both sides of the aisle to make improvements to the bill in order to broaden its support. Most notably, I worked closely with my colleagues on the Finance Committee and with chairman PAUL RYAN of the House Ways and Means Committee to craft an improved TPA bill. Senator WYDEN and I work well together, and we were able to bring this bill to fruition. I think we were successful.

Indeed, we were able to build upon the efforts of last Congress to make important changes that will enhance Congress's role in crafting our trade policy and improve overall transparency and accountability. We introduced our bill on April 16, and on April 22, the Finance Committee reported

the bill along with a few other important trade bills you may have heard about.

The vote on our TPA bill was 20 to 6. The last time the Senate Finance Committee reported a TPA bill on the Senate floor was 1988. While we passed other TPA bills in the nearly three decades since that time, this is the first to go through regular order, including a full committee process and original consideration on the floor.

I want to thank my colleagues, in both the House and the Senate, who have worked with me to get us to this point, especially Senator WYDEN and others on the Democratic side as well and certainly everybody on the Republican side. The fact that we are now on the floor debating this bill is, in and of itself, a milestone. In fact, I would call it historic, but let's not fool ourselves. We still have a long way to go.

Let's talk about the bill for just a moment. I would like to begin by addressing the most basic question: What is TPA or trade promotion authority? Put simply, TPA is the most important tool Congress has to advance our Nation's trade agenda. Specifically, TPA represents a compact between the Senate, the House, and the administration. Under this arrangement, the administration agrees to pursue objectives specified by Congress and agrees to consult with Congress as it negotiates trade agreements. In return, both the House and Senate agree to allow for time-specific consideration of trade agreements without amendments. This ensures that Congress leads the way in setting our Nation's trade agenda while giving our trade negotiators in the administration the tools necessary to reach high-standard trade agreements.

Why is this compact so important? There are a number of reasons, but for now I will just focus on two. First, the TPA compact ensures that Congress has a voice in setting trade priorities before a trade agreement is finalized. By setting clear negotiating objectives in a TPA bill, Congress is able to specify what a potential trade agreement must contain in order to gain passage.

Second, the compact allows our trade negotiators to deliver on an agreement. As our negotiators work with our trading partners on trade agreements, they need to be able to give assurance that the deal they sign will be the one Congress votes on. They cannot do that without TPA. In a sense, without TPA, our trading partners are negotiating not only with the professionals at USTR but also with all 535 Members of Congress, whose views and priorities may be unknown or unknowable. Under this scenario, our partners will not put their best efforts on the table because many will have no guarantees that the agreement they reach will remain intact once it goes through Congress. In short, TPA is essential for both the conclusion and passage of strong trade agreements.

I would like to take a few minutes to talk about some of the specifics of our bill. First of all, our TPA bill updates the congressional negotiating objectives to focus trade agreements on setting fair rules and tearing down barriers to trade. In fact, the TPA bill we are now debating now contains the clearest articulation of congressional trade priorities in our Nation's history, including nearly 150 ambitious, high-standard negotiating objectives, most of them designed to break down barriers that American exporters face in the 21st century economy.

Under the bill, future trade agreements must include strong international rules to counter unfair trade practices, including those related to currency, digital piracy, cross-border data flows, cyber theft of trade secrets, localization barriers, nonscientific sanitary and phytosanitary practices, state-owned enterprises, and labor and environmental policies.

Our bill also requires that U.S. trade agreements reflect a standard of intellectual property rights protection similar to that found in U.S. law. We also call for an end to the theft of U.S. intellectual property by foreign governments, including piracy and the theft of trade secrets and for the elimination of measures that require U.S. companies to locate their intellectual property abroad in return for market access.

Finally, the TPA bill expands congressional engagement in ongoing and future negotiations by ensuring that Members can review proposals and discuss them with our trade negotiators. The bill also creates new congressional oversight mechanisms to ensure that the administration—whichever administration it is—closely adheres to the objectives set by Congress, including a new procedure that Congress can employ if our trade negotiators fail to consult or make progress toward meeting the negotiating objectives. As you can see, this bill addresses the needs of our modern economy, and it fully takes into account the concerns expressed by Members of Congress and the American public about the trade negotiating process.

The legislation before us also contains the Finance Committee's bill to reauthorize trade adjustment assistance or TAA. I think I have made it pretty clear that I am not TAA's biggest fan. I oppose the program in general and voted against the TAA bill in committee, but from the outset of this process, it was clear to us on the Republican side that we would have to swallow hard and allow TAA to pass in order to get TPA across the finish line. Toward that end, we joined the two bills together on the floor.

In short, this is a good bill and one that Members of both parties should be able to support.

As I mentioned, the vote in the Finance Committee in favor of TPA was 20 to 6. I hope we will get a similar bipartisan result on the floor. I think we can.

To conclude, I just want to make it clear that I am not naive. I am well aware not everyone agrees with me on these issues. There are some—including a few of our colleagues in the Senate—who oppose what we are trying to do with this legislation. They oppose TPA and virtually all free-trade agreements. In essence, though they usually deny it, they oppose trade in general.

Of course, I respect the views of my colleagues on these matters as well as any others on which we happen to disagree, but let's be clear about a few things. When you oppose TPA and trade agreements, you stand against the creation of new, higher paying jobs for American workers. You stand against American farmers, ranchers, manufacturers, entrepreneurs, and the workers they employ who need access to foreign markets, and you stand against the advancement of American values and interests on the world stage.

I will have more to say on the floor about these issues in the coming days about how TPA and trade agreements can help small businesses agriculture and how important our trade policies are to our national security. I plan to do all I can to make the case that U.S. trade with foreign countries is a good thing and that this legislation represents our best opportunity to advance a trade agenda that works for America.

For now, I will just say once again that while I am pleased—very pleased, in fact—that we made it this far on TPA, I will not be satisfied until we have a bill on the President's desk—a President who is behind this bill, strongly supportive of it, and has encouraged us every step of the way.

As I have stated, we need to have a fair and open debate on these issues. I am committed to hearing arguments, considering amendments, and demonstrating how a functioning Senate is supposed to operate. I hope my colleagues will join me in that type of discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, first, let me thank Chairman HATCH for our partnership over these many months, and let me be clear at the outset that I agree with much of what Chairman HATCH has said. What I would like to start with is what I think is the bedrock principle of this debate about trade and put it all straightforward and upfront; that is, this is about trade done right. This is not the trade policy of the 1990s. This is not the NAFTA playbook. It is not even the 2002 TPA package. I realize the Presiding Officer was not in the Senate at that time. After my opening remarks, I am going to start outlining the 30 progressive changes in the 2015 TPA package that were not in the 2002 program to show how different this trade policy will be.

The point of what I have started with—this focus on trade done right—is to drive home the potential for more good-paying jobs for our workers. This

would be true in Oregon, Utah, Iowa, and across the land. In my State, one out of five jobs revolves around exports. The export jobs often pay better than do the nontrade jobs.

The reason I bring this up is I do not think there is any more pressing economic issue in our country than finding ways to increase wages for Americans and particularly the middle class and those who aspire to be middle class. The facts demonstrate clearly that the export jobs often pay better than do the nonexport jobs. The reason that is the case is because there is often a very large value-added component. There is increased productivity. The fact is, when we grow things in Iowa or Oregon or any other part of the country and make things in America and we add value to them, then we can ship them somewhere.

What the Department of Commerce has found in a number of their analyses is that those export-related jobs often pay better than do the nonexport jobs.

The reason I am starting with this is that this is particularly relevant given the potential market that is out there for the people of Oregon, Iowa, and every other part of our country. The analysis shows that by 2025, there are going to be about 1 billion middle-class consumers in the developing world—1 billion people with a significant amount of disposable income. I think they want to buy the Oregon brand, they want to buy the American brand. They are going to be interested in buying our computers. They are going to want to buy our wine and agricultural products. They are going to buy our helicopters. They are going to buy our planes. They are going to buy a whole host of products. The question is, Are Americans going to reap the fruit of those export opportunities? That, fundamentally, is what this is all about with respect to exports and particularly employment opportunities.

The reality is that our markets are basically open, but a lot of the countries that are part of the region we are looking at for the first agreement—what is called the Trans-Pacific Partnership—have markets that are much more closed. They have double- and triple-digit tariffs. I suspect the Presiding Officer is very concerned about the double- and triple-digit tariffs on agricultural commodities. Certainly, the people of Oregon are very concerned about the consequences of those huge tariffs on our agricultural goods.

So, as we start this discussion, right at the center is this focus on what I call trade done right and my view that trade done right can create an enormous array of economic opportunities for hard-working middle-class Americans who deserve to have us come up with policies that shape a better future for them rather than the alternative.

Make no mistake about the alternative. If we walk off the field, China comes onto the field and China says: Fine; we are happy to write the rules.

To me—I am going to outline this—what Chairman HATCH and I and others have produced is a policy that will force standards up as opposed to much of what critics say about past trade policies, that they drive—it is a race to the bottom, that it drives standards down. This is a piece of legislation which is going to drive up standards.

With that, I am going to start outlining the differences between the 2015 TPA package and the 2002 TPA package. I am going to start with the requirement for labor, the environment, and affordable medicines.

In 2002, there was no requirement for trading partners' laws to comply with core international labor standards. Let me repeat that. In 2002—more than a dozen years ago—there was no requirement for trading partners' laws to comply with core international labor standards. Under the package Chairman HATCH and our colleagues and I on the Finance Committee have produced, trading partners must adopt and maintain core international labor standards, and there are trade sanctions if they do not comply. It could not be more different—the rules from 2002 TPA and the rules for 2015 under what Chairman HATCH and I and others on the Finance Committee insisted on.

Let's talk about the environment. I mentioned labor first. Let's talk about the environment. In 2002, there was no requirement for trading partners' laws to comply with common multilateral environmental agreements. In 2015, under the bipartisan Finance package, trading partners must adopt and maintain common multilateral environmental agreements, and there are trade sanctions if they do not comply. Again, 2002 and 2015—the differences could not be more stark with respect to environmental protection.

With respect to affordable medicines, in 2002, there were no provisions balancing intellectual property protections to ensure access to medicines for developing countries. In 2015, there are directives for trade agreements to promote access to medicine and foster innovation.

I do want to yield to the distinguished majority leader, but I wanted to begin this debate—particularly when Chairman HATCH is on the floor—by highlighting the differences between 2002 and 2015, particularly in areas so important to the American people, such as labor, environmental protection, and access to medicines.

I know we all want to hear from the distinguished majority leader.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF BUSINESS

Mr. MCCONNELL. Madam President, I thank my good friend from Oregon, and I congratulate both the Senator from Oregon and the chairman of the Finance Committee, Senator HATCH, for moving this important legislation forward.

Thursday's vote to open this debate on trade was very important for our country. It brought middle-class families one step closer to the increased American exports and American trade jobs our economy needs. It took a lot of work to get us this far. It is going to take a lot more of that kind of work to bring these American jobs over the finish line. Cooperation from both sides of the aisle will be critical to doing so. For instance, we were ready to be in session on Friday to get more of our work done on trade and allow Senators from both parties the chance to offer amendments. All the unnecessary delaying and filibustering we have seen has left us with less time for debate and amendments on this bill—less time for debate and amendments on this bill. It cost the Senate over a week in lost time.

We have been hearing some interesting suggestions from our friends about their level of cooperation over on the minority side. I would certainly agree that putting these words into action would be very good news for our country. This week, our colleagues will have the perfect opportunity to prove they are serious. They will have a chance to turn the page completely from the far left's strategy of wasting time on trade for its own sake, on an issue we all know is President Obama's top domestic legislative priority.

I want to be very clear. The Senate will finish its work on trade this week. We will remain in session as long as it takes to do so. I know we became used to hearing these types of statements in the past, but Senators should know that I am quite serious. I would advise against making any sort of travel arrangements until the path forward becomes clear. It is also my intention this week to address the highways issue and to responsibly extend the expiring provisions of FISA. The quickest way to get there would be to cooperate across the aisle so we can pass the trade bill in a thoughtful but efficient manner. I know Members on both sides are going to want a chance to offer amendments to the bill. They should offer amendments. I am for that. I encourage them to do so, both Republicans and Democrats. Now is the time for Senators from both parties to offer those amendments and work with the bill managers to set up the vote.

This is where our Democratic friends' rhetoric about working cooperatively in the minority will be put to the test. The more our colleagues across the aisle try to throw sand in the gears this week, the less opportunity Members—including Members of their own party—will have for amendments. So I hope they will not do that.

We have a lot to get accomplished. We have 1 less week to do so. That is why I would encourage Members of both parties to bring their amendments to the bill managers and work to get them pending. Let's process amendments from both sides—both sides—and then let's pass this bill so we can boost American jobs and exports by knocking down unfair barriers to the things we make and grow right here in America.

Let me be clear again. This week, we will finish the trade promotion authority bill. We will act on a highway extension and we will act on FISA before we leave for the Memorial Day recess.

I yield the floor.

The PRESIDING OFFICER. Whole yields time?

The Senator from Ohio.

Mr. BROWN. Madam President, I appreciate the majority leader's comments. I know Senator SESSIONS will be speaking in a moment.

Madam President, I ask unanimous consent that Senator SESSIONS succeed me after I speak for up to 10 minutes.

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

Mr. BROWN. Madam President, I would remind the majority leader that the last time he used the term, ''We shouldn't waste our time on trade,'' meaning not that we shouldn't pass this trade agreement—of course he supports that—but that we should not spend so much time on trade—the last time, 13 years ago, when Congress debated a trade issue, it led to much smaller trade agreements; most immediately, the Central America Free Trade Agreement. That was the one President Bush most wanted to negotiate at that time, if I recall. That debate lasted for 3 weeks. I am not suggesting this debate last 3 weeks, but I am suggesting that to say we are wasting our time on trade, on a long debate, on a thorough debate with a number of amendments, is a bit of a reach.

I would add that this trade agreement, this fast-track, speaks to, ultimately, at least 60 percent of the world's GDP; first, the Trans-Pacific Partnership, which is pretty much already negotiated, even though the USTR will not let much of this trade agreement actually see the light of day prior to voting on fast-track; and, second, once TTIP—the United States-European Union agreement—is brought to the Senate and House for approval, that will mean 60 percent of the world's GDP will be included.

So to say we can only debate this for 3 days and squeeze the number of amendments, when I know that at least a dozen Senators, at least a dozen more, probably like a dozen and a half on the Democratic side alone—I know a number of Republicans have amendments too—want to offer amendments, want them debated on, and want them voted on.

AMENDMENT NO. 1242

So the first amendment that I believe we will vote on tonight is my amendment on trade adjustment assistance. Everyone acknowledges—from those who oppose TPA and oppose TPP to its most vehement cheerleaders, the Wall Street Journal editorial board, a number of conservative think tanks, and a number of free-trade advocates—that trade agreements result in winners and losers because they bring dislocation in the economy. We can debate whether the winners outweigh the losers—I don't think they do. I think the losers outweigh the winners in what happens in trade.

I know that the wealthiest 5 percent in this country, by and large, gain from these trade agreements, but the broad middle and below typically lose from these trade agreements. I know what they have done to my State. I know what they have done to the Presiding Officer's State, and I know what they have done especially to manufacturing.

What is not debatable is some industries are going to get hurt, some communities will be hollowed out, some worker jobs will be lost. We know that. We owe it to workers who are going to have their lives upended, through no fault of their own, to do everything we can to ease the transition.

Think about that. We make a decision—President Obama asks us to pass this, the Republican leadership asks us to pass this, and the Senate Republican leadership in the House, joining President Obama—to pass this. So the decisions we make here—the President of the United States and Members of Congress—will cost people their jobs. We know that whether you are for TPA or not.

We know some people will lose their jobs because of these trade agreements. We owe it to them, to those workers who have lost jobs, to those communities that experience devastation, small towns that have seen plants close. That creates devastation in those towns. We owe it to provide training and assistance to help those communities, to help those workers get back on their feet.

That is why I am calling on all my colleagues—regardless of how you feel about the Trans-Pacific Partnership, regardless of how you are going to vote on fast-track—to support this amendment, which restores trade adjustment assistance funding levels to $575 million a year. This is the same level that was included in the bipartisan TAA bill in 2011. One-quarter of current Senate Republicans—sitting Senate Republicans, one-quarter of them—voted for that higher number.

This amendment is fully paid for. I know some of you think that $450 million, the amount included in the underlying bill, is sufficient, but it is not. The truth is that $450 million likely will not be enough. In 2009 and 2010, TAA cost $685 million each year.

If you take the average of funding levels for the 3 years when program eligibility was nearly the same as the one we are considering today, TAA expenditures averaged $571 million a year. Put on top of that what has happened with the South Korea trade agreement—predictions of job growth, almost identical numbers, except it was job loss—that means more people eligible for TAA. Put on top of that the Trans-Pacific Partnership.

We know there will be winners and losers. The losers need help. Add that to the dollar figures we need for Trade adjustment assistance. TAA helps workers retrain for new jobs so they can compete. We have clear evidence that TAA works. It helps workers develop the skills they need to find work and stay employed.

If we are going to compete, we need to invest in these workers to make sure they are ready to meet that global competition.

Right now, this body considers fast-track authority for trade agreements that encompass 60 percent of the world's economy. Now is exactly the wrong time to underinvest in training workers. If we don't support my amendment, that is what we are doing. Make no mistake, if you go home after voting no on this dollar figure, of putting it back to where this Congress voted on it only 4 years ago, you are leaving workers behind. You are underinvesting in workers. You are showing that these workers who lose their jobs because of South Korea, these workers who lose their jobs because of NAFTA, CAFTA or what has happened with PNTR or the South Korea trade agreement, you are saying to those workers: Sorry. We don't have enough money to take care of you—even though it was our actions in the House, the Senate, and this President who caused those workers to lose their jobs.

This is the same level that, in 2011, 70 Senators supported, including 14 current Republican Senators who sit in this body today. In 2011, 307 Members of the House of Representatives also supported the dollar figure that this amendment calls for. I ask my colleagues, including the nearly one-quarter—the fully one-quarter of Senate Republicans who supported it at this level—to support it again today. If we are going to pursue aggressive trade promotion, an aggressive trade promotion agenda, we owe it to our workers, we owe it to our businesses, we owe it to our communities to make sure they are ready for the competition that is about to come their way.

We have a moral obligation to help the families whose livelihoods will be yanked out from under them, not from something they did wrong, not from a decision they made but from a decision we in this body made to change the rules.

We know that will happen. We saw it with NAFTA. We saw it with CAFTA. We are seeing it with Korea. We know we will see it again with TPP.

There is no question that potential new trade agreements we are considering will create economic loss. There is no question that Americans will lose jobs. There is no question. Nobody disputes that.

Are we not to take care of those workers who lose their jobs? Again, it wasn't their decision. It was our decision, in this body, to vote for these trade agreements and then not to fund those workers' comebacks, not to help those workers get back on their feet, not to retrain those workers who lost their jobs because of what we did in this body. Talk about a moral issue.

It is our duty to look out for those workers who end up on the losing end

of our defined trade policy. That is why I ask my colleagues to join me in supporting trade adjustment assistance today at levels that this Congress overwhelmingly agreed to in a bipartisan manner 4 years ago.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank the Senator from Ohio for allowing me to speak, for suggesting I speak next, which was my understanding I would be able to do.

We have good people on both sides of this issue, but Senator BROWN is an advocate, and I think he has made some good points with regard to the questions facing America.

Our colleagues earlier said this is a trade deal done right. Well, in a way that seems to say: don't pay attention to previous trade deals that haven't done so well.

We have a number of people who live in the business world, who trade internationally regularly, and they say this is not a good trade deal, and it will not work. We also hear it said frequently that we want increased wages for Americans by everybody on both sides of this issue.

But the proponents of the legislation—if you watch carefully what they have been saying—they are only saying it will only increase wages in export industries, not across the economy. And we know that in this Nation our exports amount to only 13 percent of GDP, which is the lowest in the developed world. We don't have a lot of exports. Perhaps, if we export more, maybe wages will go up a little bit, but if we import more in other industries in the 87 percent, we might see a decline in wages and jobs.

So what are the facts? More exports are good, but if increased imports dwarf increased exports, it is not so good as a result of this agreement, especially when we have had virtually a six-year-record trade deficit in March and one of the worst quarters in years—the first quarter of this year—in importing more than we export.

So the Korea agreement didn't live up to the promises we had for it. I supported it. I voted for it. But will this one be any better? Don't we need to know?

So I asked five questions of the President more than 10 days ago.

First, regarding jobs and wages. On net, will TPP increase the total number of manufacturing jobs in the United States, generally, or reduce them and auto manufacturing jobs, specifically.

Will hourly wages for U.S. workers go up or down? Don't you have that information? Shouldn't that be shared with us before we vote?

Regarding trade deficits, I ask: Will TPP reduce or increase our cumulative trade deficit with TPP countries overall?

And with the big, new members, it will be significantly impacted—Japan and Vietnam, specifically.

Regarding China, could TPP member countries add new countries—including China—to the agreement without future congressional approval?

Some have tried to say it can't be done. You have to go down in the secret room here, read it, and you are very limited in what you can find out. But as I have read the agreement, I don't think there is any doubt that under WTO rules which will be adopted, new members can be added without a vote of Congress.

Regarding the phrase, the ''living agreement'' that is in this deal, the fact that the agreement itself said this is unprecedented. It is the first time we have ever had language like ''living agreement'' in a trade deal.

What does that mean? Can the agreement be changed after adoption without congressional action? It appears so.

So I have asked, Mr. President, make this living agreement language—it is not much—public, and let's discuss and analyze just what it means. Does it mean the President can meet with other countries, even vote against a change in trade policy or an agreement with them, lose the vote and have law of Congress overridden or us be in violation of the agreement, subject to sanctions by the Commission or international body.

And will the President state, explicitly, and accept language that would mean that rules regarding immigration would not be changed? I hope we can do that.

I will just say I see my colleague and admired chairman of the Finance Committee on the floor. He has been willing to meet with my staff, talk respectfully about these issues, and consider how to wrestle through them. I hope we can make some progress, but I am concerned we might not make sufficient progress.

We need to think about these things. It can no longer be denied that wages for American workers have been flat or even falling for decades. One analysis says that real hourly wages today are lower than they were in 1973. At the same time, the share of Americans actually working—the percentage of Americans in their working years who are actually working—has steadily declined to its lowest level in four decades.

The middle class is shrinking. I wish it were not so.

CNN recently summarized the results of a Pew study which found:

> Most states saw median incomes fall between 2000 and 2013, an ominous sign for the well-being of the middle class. . . .

That is really a catastrophe. So in 13 years we have seen a steady decline in wages for the middle class.

A separate Pew Research Center study shows that the share of adults in middle-income households has fallen from 61 percent in 1970 to 51 percent in 2013. The erosion over the past four decades has been sure and steady. That is the Pew research.

They continue:

> If past trends continue to hold, there is little reason to believe the recovery from the Great Recession will eventually lead to a rebound in the share of adults in middle-income households.

In other words, they are going to be below a middle-income level. And that is not good. Don't we, colleagues, have a responsibility to honestly say: What is causing this?

We have had Democratic Presidents and Republican Presidents during this time. Trends are occurring out there. Some of them may be difficult to overcome. But don't we need to talk about it more comprehensively?

Pew further finds that while middle-income families—who are the majority of Americans by far—earned 62 percent of the Nation's household income in 1970, today they earn only 44 percent of the Nation's household income. So the sad fact is that the middle class is getting smaller. This has enormous implications not just economically but socially. The size and strength of a middle class impacts the health of a community and a nation in many ways. What are we here for in the Senate if not to address, consider, and deal with these kinds of issues? We need to ask some tough questions about why the middle class is shrinking and why pay isn't rising.

I have no doubt that bigger government, more regulations, more taxes, our huge $18 trillion debt and the interest we pay on it, and, lately, ObamaCare are important factors in weakening American economic growth and the wages of Americans. I truly believe those are significant factors. But is that all there is? I am afraid there is more. It appears there are two other factors of significance that are not being sufficiently recognized or seriously discussed by any of our political, corporate, and academic leaders, or the media establishment. So it is time for us to begin a vigorous analysis of our conduct of trade. I believe that is one of the factors that may be impacting the wages and income of Americans.

Over a number of years, I have pointed out that I believe immigration actions are also containing the growth of wages, as economic studies repeatedly show. But what about trade? Do our policies like the Trans-Pacific Partnership concede too much to our mercantilist competitor allies? These are good countries—Japan, Vietnam. We want to see Vietnam develop and move into the world orbit. There are other countries, but those are the two big ones that would be most impacted by this agreement.

We already have trade agreements with Canada, Mexico, Australia, Chile, and others. What about those that have a different philosophy on trade than we do—the mercantilist ideas? Do their actions over the years establish that they have developed trade and nontrade barrier systems that provide their workers and manufacturers substantial advantages in the world marketplace? Have they figured out how to utilize other barriers—other than just

tariffs—to advantage their manufacturers and jobs?

It is astounding to me how little serious discussion there has been on these issues.

For some trade advocates, even bad trade deals are good. Truly, this is so. Many advocates are quite open in their belief that as long as the consumer gets a lower price for their product, there should be no concern if American plants close, workers are laid off, and wages fall. They say that in their writings. The politicians don't say it; they have to answer to the people. Many of the theorists for open borders and utterly free trade say that often. So I fear we have almost an obsession with trade agreements and that this is so strong that many TPP advocates don't concern themselves with anything but that we admit more cheaper goods, that lower prices are good for consumers.

That we are all consumers, there can be no doubt. That is a valuable thing, for consumers to have products at lower prices. I don't dispute that. I know some do, but I don't. But is any trade agreement good because it creates more low-cost imports, especially if we are competing against partners who know how to cheat the system and gain manipulative advantage and we don't stand up and try to correct that?

Are trade deficits, which are at all-time-high levels, immaterial? Some say trade deficits don't make much of a difference. They do. Is the continuing shuttering of American manufacturing of no concern? I think it is of great concern. Fundamentally, can America be strong without a manufacturing base? Can we be secure without a steel industry, which is getting hammered through unfair trade and dumping and other actions by our trading competitors?

At bottom, we must ask whether our aggressive trading partners, using a mercantilist philosophy, may be gaining unfair advantage over the American manufacturing base and workers in America.

These nations—good nations, good allies—are not religious about free trade. In general, while they assert their desire for expanded free trade, their actual policies seek fewer U.S. exports to them using nontariff as well as tariff barriers, and our trade competitors use currency manipulation, subsidies, and other actions to expand their exports to us. Their goal is naturally to seek full employment in their countries while exporting their unemployment to our country.

This refusal by many to acknowledge the mercantilist policies of our trading competitors has gone, it seems to me, from promoting healthy trading relationships, to some sort of ideology, even to the nature—I have said, and others have as well—of a religion. If you just knock down all trade barriers, allow our competitors to use whatever tactics they want to use, accept any product that comes in that is cheaper, somehow we will have world peace, cancer will be cured, and the economy will boom. But forgive me if I am not willing to buy into that.

Cheaper products are good, is what our promoters say. That is all you need to know. Don't ask too many questions about facts. You are going to get cheaper products. That is the only thing that counts.

Well, I don't dismiss the advantage of cheaper products. It is a serious issue. This issue deserves everybody's serious discussion. But I have to tell you, I am having my doubts. I have voted for other trade agreements, and I am uneasy about this.

Conservatism is not an ideology; it is, as my friend Bob Tyrrell at the American Spectator likes to say, a cast of mind. It lives in the real world. And certainly the real world is not working so well for Middle America today. It is not. Their financial status continues to decline.

The conservative thing to do at this point in time is to avoid any dramatic and sudden changes that destabilize families and communities further, to not accelerate the problem that exists. And let's dig in deeply to the questions I ask: Will wages go up? Will trade deficits be reduced?

By the way, the Korea Free Trade Agreement didn't work so well. We were promised a number of things. President Obama promised the Korea Free Trade Agreement would increase U.S. goods exported by $10 billion to $11 billion. However, since the deal was ratified several years ago, our exports have risen only $0.8 billion—less than $1 billion—while Korean exports to the United States increased by more than $12 billion, widening our trade gap substantially, almost doubling it. I am just telling you that is what was promised, and the reality didn't match the promises. So is it any wonder the American people are uneasy about these agreements? And I think all of us should be. We should look to be more careful about them.

Capital is mobile. People can move money and invest anywhere in the world almost with the click of a computer button. But many times workers are not mobile like that. So when a company closes its plant in the United States and shifts production to a lower wage country, the company may make more money, but the workers in their communities, who cannot move overseas, suddenly don't have jobs, and they are hurt.

Of course we can't stop globalization in this economy. We can't reverse the effects of trade. But we can work for trade agreements that create a more level playing field against our good but mercantilist, aggressive trading partners who look for advantages every day and who lust after access to the American marketplace. That is what they want, but we don't have to give that access unless they treat our products with respect and allow access to their marketplaces.

So many in our country have an inflexible ideology that the United States and the American people should allow for the completely unrestricted movement of goods and labor into the United States, even when our trading partners manipulate rules for their advantage. Those truest believers are most adamant about passing this fast-track legislation as fast as possible, with the least discussion possible. But the United States is a country, colleagues, not an economy, and a country's job is first and foremost to protect its citizens from military attacks and also from unfair trade policies that threaten our economic well-being.

Any trade agreement we enter into should have a mutually beneficial impact on all parties, not just our country but other countries that enter into the agreement. It should be mutually beneficial. That is what contracts do every day. It must not continue or further the decline of manufacturing in the United States. It should seek to end trade unfairness and to increase, not reduce, wages in the United States.

We cannot afford to lose a single job nowadays to unfair competition or unfair trade agreements. We are experiencing a decline in wages, a decline in employment. We need to fight for every single job. And that means fair trade—you open your markets before you demand that we open ours. They haven't done so, while we have maintained open markets here.

But the fast-track procedures ensure that any trade deal—which is yet unseen—can pass through Congress with a minimum of actual scrutiny after years of soaring trade deficits. Shouldn't we apply more scrutiny to trade agreements, not less? Are we afraid to ask tough questions?

Take the issue of currency manipulation. This President has refused to confront this practice that provides a clear advantage for certain foreign competitors. His negotiations have refused to put any provisions in the Trans-Pacific Partnership that address this issue. And if Congress were to force it in, I am not sure he would even then enforce it.

The people pushing for this trade agreement, my colleagues have to know, don't want to confront the currency manipulation. They think it is all right. They do not think it is a problem. It reduces the price of imports, so we should be thankful, they say. And under fast-track, there will be nothing we can do to amend or stop it.

Finally, the reality is that this fast-track legislation is a significant vote. No fast-track deal, once passed, has ever been blocked. So if we want to confront currency manipulation and other unfair practices, our best bet is to have trade bills come before Congress through the regular order—not as a fast-track deal. Then Congress can properly exercise its responsibilities that have been delegated to us under the Constitution of the United States.

I appreciate the able leaders of the committee who are advancing this legislation. I respect them and many of the arguments they have made. There is much value to them. But I am uneasy about where we are going today. I think we need to spend more time analyzing the actual impact—not the theoretical impact—of trade agreements—the actual results of our ability to penetrate the foreign markets. If we do that, maybe we can figure a way to actually improve the financial condition of mainstream America.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, before he leaves the floor, I just wish to respond to a couple of the points made by our colleague from Alabama, because he brings up issues that Chairman HATCH and I talked a great deal about during the discussion of this proposal. I would just like to respond very specifically to some of the concerns raised by the Senator, my friend from Alabama.

My friend from Alabama said there would be no scrutiny—those were his words—of this particular agreement, and that it would be passed through as quickly as possible without any discussions.

Now, that certainly is an area where I have been very concerned. Chairman HATCH has been concerned that there hasn't been enough discussion in the past. So Chairman HATCH and I have changed this, and I want to be very clear what is going to happen now.

First, for a full 60 days before the President of the United States signs an agreement—starting with TPP, the Trans-Pacific Partnership—it would have to be made public for those full 60 days before the President signs it. Then after that, there would be close to 2 additional months when the American people would have the Trans-Pacific Partnership Agreement, or any other, in their hands before anyone casts a vote on an actual agreement on the floor of the Senate or in the other body, in the House of Representatives.

So as to this idea that my friend from Alabama has said, that there wouldn't be any scrutiny of anything, we are starting to get a little flack that it would be out there for too long before people started voting. But what this——

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

Mr. WYDEN. If I could just finish my statement.

Mr. SESSIONS. OK.

Mr. WYDEN. I was happy to listen to my colleague.

What this means is the people of Alabama, Iowa, Oregon, and everywhere else could come to one of our townhall meetings, have the Trans-Pacific Partnership Agreement in our lap, and ask questions of their elected representatives about a trade agreement for close to 4 months before it was voted on here or in the other body.

I am going to have to leave for a meeting to talk again about how we are going to see if we can find some common ground, but I do want to address one other point that my colleague made, and that deals with this question of middle-class wages.

My colleague and I agree completely that middle-class people are hurting. There is no question about it. We have millions of middle-class people in this country walking an economic tightrope, balancing their food bill against their fuel bill and their fuel bill against their housing bill—no question about that.

The difference of opinion here, between two Senators who enjoy each other's company, is that my colleague from Alabama says the principal problem is trade—that trade is the reason for this. Respectfully, the data from the Department of Commerce shows that export jobs—which is the focus of this bill and the focus of trade done right—pay better than do the nontrade jobs because they have a value-added kind of benefit to them. That is why—and I note for my friend from Alabama, who cares a great deal about the steel industry—the steel industry sent a letter to Chairman HATCH and me saying they were for this. The American steel industry sent a letter to Chairman HATCH and me saying they were for this because they know this is connected to producing more high-skilled, high-wage jobs, particularly in manufacturing, where my State is a leader.

So the question then becomes this: What are the big challenges? Certainly, technology is one, and globalization is one. Chairman HATCH and I have talked about flawed tax policy. I think it is particularly ominous that the tax breaks go for shipping jobs overseas rather than rewarding the manufacturers and those who produce what I call ''red, white, and blue'' jobs.

But during the time that I have here on the floor, I am going to be talking about the differences between this trade promotion act proposal and the last one of 2002. Nothing could illustrate the differences more than the new requirements for transparency and opportunity for the American people to weigh in. The facts are that, as a result of what Chairman HATCH and the Finance Committee have put together, the American people, before a vote is cast—before a vote is cast on a trade agreement here on the floor of the Senate or on the floor of the other body, the American people are going to have those trade agreements in their hands for pretty close to 4 months.

If my colleague wants to ask a question, I am happy to yield my time to him.

Mr. SESSIONS. Madam President, I thank Senator WYDEN. He is so principled, and I know his heart is right on all these issues. But there are some disagreements.

I do think the Senator gives a little more time between the actual agreement being adopted and its passage, which is preferable. But the truth is that none of our fast-track agreements have ever been defeated. There seems to be a majority in both Houses that would vote for that, and once it is here, it is up or down. There is no other deal. We can't have any amendments and little input from rank-and-file Senators, although the Finance Committee chairman and a few others get some enhanced powers under this agreement—not the average Senator.

So it is not the kind of—if we pass the fast-track, I think with 60 votes, I think we are on a path to adopt an agreement, if history is true.

I noticed again my colleague said it would enhance salaries in export job areas. That might be so. Hopefully, we would have some increase in exports. In Korea, we had about a $1 billion increase or a little less, instead of 10. But it was a little increase. So maybe that would help a few jobs and a few salaries.

But what about the others, the imports that are coming in, imports that are coming in competing with American manufacturing in whole massive areas of the economy? Isn't that likely to close some factories? Isn't it likely to put downward pressure on wages? I think so.

Finally, I think the steel industry and some others are saying they cannot support this trade deal unless we do something about nontariff barriers, currency being one of them. That is what people have told me: If there isn't a fix on currency, we can't go forward with a deal.

So there is no full-fledged support, that I am aware of, from the steel industry for the agreement as it is likely to pass, which is not going to include any currency fix with teeth in it, I am afraid. Then, finally, my concern about not having an adequate debate is less. We have to get into some of these constitutional issues—the ability of two-thirds of the members of this so-called new commission, this transnational commission that will be established, who can add new members without our approval. We have to talk about that some.

But I asked five questions. I would ask them to Senator HATCH.

What would it do to wages? What does the living agreement mean? Does it override American law? What about trade deficits and other issues?

I think those are the issues that are not being discussed that need to be.

So again, with the greatest respect, I thank my colleagues for the hard work they have put into this. There is no committee that has more to do around here than the Finance Committee. I understand their interest in this. I am raising questions. I don't pretend to know all the answers. But I do think the American people are concerned about it, and we should be sure that what we do advances the interests of Middle America as well as corporate America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I have been very interested in the debate, especially between the distinguished Senator from Alabama and the distinguished Senator from Oregon.

I have to say that it is very interesting that almost every business in this country wants this bill. Let me just start with mentioning that all the chairs of the President's Council of Economic Advisers under Presidents Gerald Ford, Jimmy Carter, Ronald Reagan, George H.W. Bush, William Clinton, George W. Bush, and Barack Obama have all said:

We believe that agreements to foster greater international trade are in our national economic and security interests, and support a renewal of Trade Promotion Authority.

This is from Alan Greenspan, Michael Boskin, R. Glenn Hubbard, Ben Bernanke, Austan Goolsbee, Charles Schultze, Laura D'Andrea Tyson, N. Gregory Mankiw, Edward B. Lazear, Alan B. Krueger, Martin Feldstein, Martin Baily, Harvey S. Rosen, and Christina D. Romer, just to mention a few.

They say, in a letter to Senator MCCONNELL and HARRY REID, and to the leaders in the House, JOHN BOEHNER and NANCY PELOSI that virtually every chamber of commerce in the country has come behind this bill. To read one paragraph:

TPA is a longstanding and proven partnership between Congress and the President that enables Congress to set negotiating objectives and requires the executive branch to consult extensively with legislators during negotiations. We urge you to act on this essential legislation. . . .

I think these chambers of commerce know what is best for business. I think they know what is best for the economy. In fact, U.S. Chamber of Commerce President Thomas J. Donohue issued the following statement hailing the introduction of the ''Bipartisan Congressional Trade Priorities and Accountability Act of 2015, which will renew Trade Promotion Authority.''

These are people who take these things seriously. Take the Business Roundtable:

Washington—Business Roundtable, representing CEOs of U.S. companies from every sector of the economy, today commended Senators Orrin Hatch (R–UT) and Ron Wyden (D–OR) and Representative Paul Ryan (R–WI) for their introduction of a bipartisan bill to update and renew Trade Promotion Authority (TPA). Approval of legislation to modernize TPA is a top priority for Business Roundtable.

We can go on and on. Jim Greenwood of the Biotechnology Industry Organization has come out in favor of it. Even Gabe Horwitz of the Third Way has come out in favor of it. Tom Linebarger of the Business Roundtable has come out in favor. Thomas Donohue, as I said, has come out in favor of it. David Thomas of Trade Benefits America has come out for this. Matthew Shay of the National Retail Federation says: We urge Congress to quickly pass TPA legislation. Peter Allgeier, from the Coalition of Service Industries, has come out for it.

If we start to look at businesses throughout the country, they don't seem to be a bit concerned with some of the issues that have been raised by my friend from Alabama because we have covered them in this bill.

Think about it. The tech companies—these are America's moviemakers, software developers, computer manufacturers, the people who drive America's innovation—understand that promoting American trade requires protecting American intellectual property. ''That's the only way to keep our competitive edge in the 21st century. And that's exactly what TPA will do.'' That is quoting them. TPA lays out almost 150 negotiating objectives for the administration to pursue in trade deals.

Chris Dodd, the head of the Motion Picture Association of America, praised TPA.

Microsoft's general counsel, Brad Smith came out and said:

Passage of renewed TPA, with its updated objectives for digital trade, is critical for America to be able to pursue its interests. And passage is important for Microsoft and our network of more than 400,000 partners—the majority of which are small businesses—to compete in the global economy.

Chris Padilla, the vice president of IBM, also spoke in favor: ''TPA is a critical step in preserving the transformative role of data, and in strengthening America's economy and competitiveness.''

Victoria Espinell, CEO of BSA, the software alliance, said: ''This legislation will help ensure that pending trade agreements include necessary rules to promote cross-border data flows.''

Gary Shapiro, CEO of the Consumer Electronics Association, said: ''TPA takes a modern approach to trade agreements to ensure a robust digital economy and growth of the Internet,'' which are ''vital to American innovation.''

Dean Garfield, CEO of the Information Technology Industry Council, said: ''Tech's message to Congress is simple: supporting TPA will promote job creation and propel us forward in building a strong 21st century economy.''

John Neuffer, CEO of the Semiconductor Industry Association, said: ''TPA represents a much-needed shot in the arm for free trade, which is critical to the U.S. semiconductor industry, to American jobs, and to our economy.''

We are talking about real jobs here. We are talking about a potential to raise the average pay by as much as 18 percent.

Carl Guardino, CEO of the Silicon Valley Leadership Group, said: ''Our businesses rely on a robust export market and this bill will go a long way in empowering the U.S. and enabling U.S. companies to remain competitive across the globe.''

Mark McCarthy, vice president of the Software & Information Industry Association, said: ''TPA legislation is crucial for finalizing agreements that will set the template for 21st Century trade and for protecting the global digital leadership of the United States.''

Scott Belcher, CEO of the Telecommunications Industry Association said: ''The passage of Trade Promotion Authority legislation is critical to increasing the competitiveness of U.S. companies overseas, particularly in the information and communications industry, and to ensuring continued job growth at home.''

So tech has spoken out—in one voice, really—to support TPA as essential to innovation and competitiveness. We can put our heads in the sand and act as if this is not important, but it is extremely important.

Then, you get into agriculture. Agricultural exports support over 1 million U.S. jobs, both on and off the farm. Fiscal years 2010 to 2014 represented the strongest 5 years in U.S. history for agricultural exports, with sales totaling $675 billion. They are expecting grow once we get fair trade rules with the countries we are currently negotiating with.

By the way, when we are talking about the 11 nations of the TPP negotiations we are undergoing, one of the countries we are talking about is Japan. We have had trouble breaking down trade barriers with Japan for years. We now have a Prime Minister over there who is willing to work with us and seize the advantage—not just for Japan but for the region as well.

If we do not pass this TPA bill, we are just throwing the China the Asia-Pacific. They are already making strides in that area that would not be happening if we had this trade agreement already. I might add that there is the new innovative bank that they have started. At first, there were only a few countries that wanted to join it. Now it is over 60, as I understand it. Upwards of 60 countries have now jumped on board, including some of the major countries in this negotiation. We are going to just stand here and act as if this is not happening and that our interests in free trade are not important unless we get everything we want, which, ironically, we basically get in these agreements.

U.S. producers rely on and prosper from access to foreign markets. Currently, we export half of U.S. wheat, milled rice, and soybean production; 70 percent of walnut and pistachio production; more than 75 percent of cotton production; 40 percent of grape production; 20 percent of cherry production; 20 percent of apple production; 20 percent of poultry and pork production; and 10 percent of beef production.

Today, only a relatively small percentage of U.S. companies export, yet 95 percent of the world's consumers live outside of the United States. What are we going to do—ignore these facts and not acknowledge that we need to pass this bill?

We need to get real about trade. Trade agreements are the most effective way to eliminate foreign tariffs, unscientific regulatory barriers, and bureaucratic administrative procedures designed to block trade.

I could go on and on. Today there are some 400 trade agreements, and we have only been party to a small fraction. That is because we have not had trade promotion authority. Are we going to sit back and put our heads in the sand and act as if this were not important?

The manufacturers are rallying behind this bill throughout the country. They said this:

Manufacturers need TPA and new market-opening trade agreements now more than ever.

That was said by National Association of Manufacturers vice chair for international economic policy and Emerson chairman and CEO David Farr.

He adds:

Trade is increasingly critical for the bottom lines of businesses of all sizes, but U.S. exports face higher tariffs and more barriers abroad than nearly any other major economy. Manufacturers need TPA to restore U.S. leadership in striking new trade deals that will knock down barriers so that manufacturers can improve their access to world's consumers.

The National Association of Manufacturers is the largest manufacturing association in the United States. They are begging us to do this. American manufacturers want TPA. What are we going to do—bury our head in the sand and say that is not so? It is time for us to wake up and realize we have to get in the real world.

This agreement has been well thought through. Is it perfect? No, nothing is perfect around here. But it goes a long way toward resolving our problems, creating more jobs in America, more opportunities in America, more income in America, and more economic stability in America. Without it, my gosh, what are we going to be? Become just a nation that does not participate, when we have the capacity to participate all over the world. This is an important step that we are talking about here and we need to take it.

Let me take a few more moments—I notice the distinguished Senator is here to bring up his amendment. Let me take a few minutes and respond to my colleagues' concerns about provisions contained in the Trans-Pacific Partnership or TPP.

Specifically, there are some who have said that TPP contains an unprecedented, ''living agreement'' provision that would allow parties to amend the agreement after it is adopted and, in the process, change U.S. law without Congress's approval. Let me state this as clearly as possible. These assertions are 100-percent false. No trade agreements—past, present or future—can change U.S. law without the consent of Congress. This is not even a close question.

No reasonable interpretation of our Constitution, our laws or our trade agreements lends credence to that interpretation. Of course, I know that my counter-assertions by themselves will not be enough to convince people they are wrong on this issue. So let's delve into this a bit further.

True enough, TPP, the Trans-Pacific Partnership, reportedly includes a provision to create a forum along the joint working groups to help parties evaluate whether the agreement is being implemented as intended and to provide a way to discuss new issues as they arise. But guess what. Most U.S. free-trade agreements contain similar provisions. This is not new or unprecedented. This is standard for every modern trade agreement. My friend from Alabama raised the Korea agreement. It has only been in existence since 2012. We have not seen it fully implemented yet, and it is not fully implemented.

For example, the U.S.-South Korea Free Trade Agreement has a ''joint committee,'' and CAFTA-DR has a ''free trade commission,'' both of which perform the same functions as have been reported for the TPP commission.

These agreements specify that these bodies can oversee operations of the agreement. However, nothing in the text of either agreement gives either committee the power to change U.S. law—nothing whatsoever. The same is true of the commission that is reportedly part of TPP. In addition, TPP will almost undoubtedly include a process for amending the agreement. This, too, is standard procedure for modern trade agreements. That is a good thing.

These provisions, which once again are included in all of our existing trade agreements, help ensure that the United States can protect its interests when new issues arise. Most importantly, they contain a backstop to protect our country's sovereignty.

For example, in our free-trade agreement with South Korea, the relevant provision states that ''an amendment shall enter into force after the parties exchange written notification certifying that they have completed their respective legal requirements and procedures.''

In NAFTA, the section describing the amendment process states: ''When so agreed and approved in accordance with the applicable legal procedures of each party, a modification or addition shall constitute an integral part of this agreement.''

Of course, in the United States, the applicable legal procedure for amending a free-trade agreement and for any and all changes to U.S. law includes approval by Congress. In other words, no free-trade agreement—again, that is past, present or future—to which the United States is a party can be amended without Congress's approval.

Once again, these ''living agreement'' provisions are standard practice for free-trade agreements. For the most part, they have not been remotely controversial, up until now, I guess. In fact, one of our colleagues, who has been very vocal on this issue and has even filed at least one amendment to our TPA bill on this matter, voted in favor of free-trade agreements with South Korea, Colombia, and Panama, all of which included provisions very similar to those that are reportedly part of TPP. It is not just I who am saying this.

I have a memo sent to my staff from the nonpartisan Congressional Research Service that reiterates these points.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of this memo, immediately following my remarks.

Madam President, this is U.S. Government 101. Under our system, only Congress can change the law. I am certainly not oblivious to the fact a number of my colleagues—both here in the Senate and in the House of Representatives—deeply distrust our current President. I am hardly a shrinking violet when it comes to criticizing President Obama—and even his predecessors—and his propensity for overreach. I have been very critical of this administration's effort to expand executive power, and I will continue to be. But no one should channel distrust of President Obama into opposition to the TPA bill. If anything, the opposite is true.

Our bill contains numerous provisions solidifying the principle that U.S. law cannot be changed without Congress's consent. Under our bill, no secretive provisions of a trade agreement can be withheld from Congress and still enter into force.

Furthermore, the bill goes further than any previous version of TPA in ensuring transparency and accountability in both the trade negotiating process and the approval procedures.

In short, Madam President, if you are suspicious of executive authority but still want to support free trade, you should support our TPA bill. Once again, there is simply no reason to be concerned about ''living agreement'' provisions in the TPP or any other trade agreement. Our Constitution, our laws, our trade agreements, and, of course, our TPA bill all ensure that when it comes to the U.S. trade policy, Congress has the final say.

With that, I yield the floor.

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

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, May 12, 2015.

MEMORANDUM

To: U.S. Senate Committee on Finance, Attention: Everett Eissenstat.

From: Daniel T. Shedd, Legislative Attorney, 7–8441; Brandon J. Murrill, Legislative Attorney, 7–8440.

Subject: Amendment of Free Trade Agreements and Role of Congress.

This memorandum responds to your request regarding whether the President, acting alone, can change U.S. domestic law by negotiating an amendment to an existing free trade agreement (FTA). In order for an

amendment to an existing FTA to affect domestic law, Congress would have to implement that change through legislation. Because of the expedited nature of this request, this memorandum does not represent an exhaustive analysis of FTAs and the processes established to amend those FTAs.

Under the Constitution, the President has the authority to negotiate agreements with foreign countries. However, the Constitution on also identifies Congress as the branch with responsibility to regulate commerce with foreign nations. Therefore, although the President can negotiate FTAs and amendments to FTAs, in order for those agreements to have controlling effect in U.S. domestic law, Congress must enact legislation approving the agreement and providing for the implementation of its requirements, as necessary. For FTAs, the implementing legislation is often enacted through procedures established by Trade Promotion Authority (TPA), often referred to as ''fast track'' authority. If any agreement, or any amendment to an agreement, requires a change in U.S. law in order for the United States to come into compliance with the agreement, Congress would have to pass legislation for there to be any change to domestic law.

U.S. FTAs often contain provisions allowing for their amendment. For example, the Korea-U.S. Free Trade Agreement (KORUS) provides: ''The Parties may agree, in writing, to amend this Agreement . . .'' However, it is important to note that FTAs also contain provisions that establish that the domestic legal procedures of each country that is a party to the agreement must be followed in order for the amendment to take effect. Again, the text from KORUS is illustrative: ''An amendment shall enter into force after the Parties exchange written notifications certifying that they have completed their respective applicable legal requirements and procedures . . .'' Other FTAs contain similar provisions providing that an amendment to an agreement will only have legal force if it is approved through the necessary legal procedures of each country that is a party to the agreement. Furthermore, even absent these provisions in FTAs, because FTAs are not viewed as self-executing agreements, an amendment to an FTA would not change domestic law unless Congress enacted a statute to that effect.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, we are a little bit behind and our colleagues have been very patient.

I ask unanimous consent that Senator PETERS be able to speak briefly about one of his constituents who had a tragic death, followed by our colleague, Senator LANKFORD from Oklahoma. I ask unanimous consent that those Senators be allowed to speak in that order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Michigan.

REMEMBERING RACHEL JACOBS

Mr. PETERS. Madam President, I rise today with a heavy heart and with great sadness to commemorate the life of Rachel Jacobs. Rachel was tragically killed in last week's Amtrak train crash.

This morning, my wife Colleen and I joined hundreds of mourners who attended her funeral as she was laid to rest in Metro Detroit. Rachel was only 39 years old when her life was so tragically cut short. She had a life filled with love, with accomplishment, and with promise. She was the beloved daughter of my dear friends Gilda and John Jacobs. Rachel was a wife, the mother of a 2-year-old son, and the CEO of an education startup in Philadelphia. While she worked in Philadelphia and lived in New York City, this is a profound loss for the Detroit area, where she grew up but which she never left behind.

Rachel was the cofounder of Detroit Nation, an organization to engage former residents of the Detroit area in cities and communities around our great country. Rachel helped to connect people and motivated her friends. She took part in Detroit Homecoming, an event held last fall to engage accomplished leaders across the United States who grew up in the Metro Detroit area and now want to give back to the community they still love and call home.

Rachel was a leader in this important work—work that will now need to be carried on by those whom she inspired. I am heartbroken for her many friends and deeply saddened by this tragic loss for the Metro Detroit area.

My heart goes out to her young son Jacob, her husband Todd, her wonderful parents Gilda and John, her sister Jessica, and her entire family as they struggle with this painful loss.

As parents, we want to give everything to our children. We want to give them a stable home and a loving family. We want to give them a great education and a bright future. But the one thing we cannot give or promise them is a long life. That is in God's hands, and now Rachel is as well.

Madam President, we have suffered an incredible loss with the passing of Rachel Jacobs. We have lost a brilliant businesswoman, an active community leader, and a loving mother, wife, sister, and daughter. May her memory be a blessing.

I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 1237, AS MODIFIED

Mr. LANKFORD. Madam President, I ask unanimous consent that my amendment No. 1237 be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is so modified.

The amendment, as modified, is as follows:

On page 4, between lines 21 and 22, insert the following:

(13) to take into account conditions relating to religious freedom of any party to negotiations for a trade agreement with the United States.

Mr. LANKFORD. Madam President, I also ask unanimous consent that Senator VITTER be added as a cosponsor to my amendment.

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

Mr. LANKFORD. Madam President, trade agreements are about a set of values and beliefs. Do we believe the American workers and American products can compete with the rest of the world and provide answers and products the world needs? It is an overwhelming yes. When we trade, we not only exchange goods, we exchange ideas and values. Our greatest export is our American value—the dignity of each person, hard work, innovation, and liberty. That is what we send around the world. It has the greatest impact.

What we wrote into our Declaration of Independence is not just an American value statement; we believe it is a statement about every person. We hold these truths to be self-evident, that all men, not just men and women within the United States but that all people worldwide are created equal and endowed by their Creator with certain inalienable rights, and among these are life, liberty, and the pursuit of happiness.

Governments were created to protect the rights given to us by God. We believe every person should have the protection of government to live their faith, not the compulsion of government to practice any one faith or to be forced to reject all faith altogether. That is one of the reasons Americans are disturbed by the trend in our courts, our military, and our public conversation. It is not the task of government to purge religious conversation from public life; it is the task of government to protect the rights of every person to live their faith and to guard those who choose not to have any faith at all.

Thomas Jefferson, in one of the pinnacle works of his life, the Virginia Statute for Religious Freedom, states:

Almighty God hath created the mind free, and manifested his supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness.

With that backdrop, I worked for 2 years with my colleagues to place language into the negotiating language of this trade bill to push our negotiators to consider religious liberty in their negotiations. I have been told over and over again that we don't talk about religious freedom in our trade negotiations. I have just asked, why not? We should encourage trade with another country when that country acknowledges our basic value of the dignity of every person to live their own faith.

Our Nation is not just an economy; our Nation is a set of ideas and values. We believe each person has value and worth. It benefits every person from each nation in the trade agreement if we lead with our values and not sell out for a dollar people who have been in bondage as a prisoner of conscience for years.

The U.S. Commission on International Religious Freedom recently

recommended that the United States should ''ensure that human rights and religious freedom are pursued consistently and publicly at every level of the U.S.-Vietnam relationship, including in the context of discussions relating to military, trade, or economic and security assistance, such as Vietnam's participation in the Trans-Pacific Partnership, as well as in programs that address Internet freedom and civil society development, among others.''

When people have freedom of conscience and faith, they are also better trading partners. Their country is stable, their families are stable, and their economy will grow.

With that, I encourage this body to do something new. Let's start exporting the values we hold dear, not to compel other nations to have our faith but to have other nations recognize the power of the freedom of religion within their own borders.

I have a simple amendment to the trade promotion authority asking the trade negotiators to take into account conditions relating to religious freedom of any party to negotiations for a trade agreement with the United States. It is not complicated. It is a simple encouragement, and it is a step toward us exporting our value.

I ask for the support of this body as we consider our greatest export—freedom.

With that, I yield back.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent to address the Senate for 10 minutes.

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

AGRICULTURE IN RURAL AMERICA AND GOVERNMENT REGULATION

Mr. MORAN. Madam President, the Presiding Officer comes from a State very similar to mine, and what I was going to say is that when you do—in fact, our State has twice as many cattle as it has people—you begin to understand the importance of agriculture to our Nation's economy and the communities that comprise our State. In rural Kansas, as it would be in rural Iowa, agriculture is our economic lifeblood.

One of the primary reasons I sought public office was my belief in rural America and that it needed a strong voice in Washington advocating on behalf of that part of the country. Since the time I was first elected to Congress, I believe that has only become even more important.

People involved in farming and ranching endure challenges that no other industry, no other profession faces. They are at the mercy of Mother Nature and rely on favorable weather to produce a crop. The severe drought that has plagued parts of Kansas for a long number of years and is once again crippling this year's wheat crop is evidence of the unique challenges.

Farmers and ranchers also operate in a global marketplace that oftentimes is distorted by high foreign subsidies and tariffs. American farmers are the most efficient producers in the world. Too often, however, our farmers cannot be afforded the opportunity to compete on a level playing field.

Unfortunately, agriculture is also under assault from the Obama administration. Overregulation by the EPA, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service threatens the livelihood of farmers and ranchers in my State, which in turn threatens the viability of family businesses that line main streets in rural towns across our State.

To better understand the damage caused by foolish overregulation, consider waters of the United States. Despite the overwhelming outcry that the Obama administration received from American producers—from agriculture and other businesses—after proposing the potentially harmful regulation, the administration has continued their march forward toward finalizing that rule. The regulation is a troublesome expansion of Federal control over the Nation's waters. The Obama administration has continued to repeat the mantra that the rule is only intended to clarify the scope of the Clean Water Act, but we all know better. Not only has the rule failed to provide clarity or certainty, it also seeks to expand the EPA's jurisdiction to include thousands of new miles of streams, rivers, and even dry ditches.

Where I come from, the term ''navigable waters,'' which is what the statute says, means something on which you can float a boat. We don't have many of those waters in the State of Kansas. Yet, this administration seems to believe they have the right to enforce those burdensome regulations on land that is far removed from what is traditionally considered navigable waters.

People in rural Kansas also faced increased regulation from the U.S. Fish and Wildlife Service. As my colleagues will recall, I led a debate earlier this year to delist the lesser prairie chicken from the endangered species list. The bird's listing is creating havoc and uncertainty in Kansas, where its habitat is located.

Wind energy projects have been abandoned, oil-and-gas production has slowed, and farmers and ranchers are faced with uncertainty regarding new restrictions as to what they can do on their privately owned land.

Those of us from Kansas know that we need the return of rainfall and moisture and that will increase the habitat and therefore increase the population of the lesser prairie chicken, not burdensome Federal regulations that hinder the rural economy.

While the lesser prairie chicken regulation is directly harming the western part of Kansas, the administration's recent proposal to list the long-eared bat as a threatened species will do the same in our State's eastern communities.

We often speak about the ever-increasing average age of farmers in the country and the need to encourage more young people to stay on the farm and to return from college to the farm. I could not agree more with this goal. I believe a key component in achieving this objective is to make certain our Nation's policies and regulations make farming and ranching an attractive venture for our children and grandchildren. Unfortunately, the regulations we have seen from this administration too often make farming and ranching much less attractive, much less profitable, and young people have made the conclusion that the battle cannot be won.

I am deeply concerned about the impact of this administration's regulatory scheme and the effect that scheme will have on farmers and ranchers, but there remains reason for us to be optimistic about the future of American agriculture. We are faced with a growing rural population who is hungry for high-quality, nutritious food products grown by American farmers. We must continue to work toward reducing foreign barriers to make certain that people from around the globe have affordable access to U.S.-grown products. We must continue to invest in policies that lift up rural America, not hold it back.

I am the chairman of the agriculture subcommittee, and I am working to make certain that Congress is doing its part to support farmers and ranchers. American policies should aim to keep rural America strong by way of implementation of the farm bill, preserving and protecting crop insurance, investing in agriculture research, and supporting rural development.

I often tell my colleagues here in Washington about the special way of life in Kansas and the opportunities that special way of life continues to provide. The strength of rural Kansas is a key component to what makes our State a great place to live, work, and raise families. The future of communities in rural America depends upon the economic viability of our farmers and ranchers, and it is time to make certain that Federal policies and regulatory decisions coming out of Washington, DC, reflect this critical importance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, I ask unanimous consent to speak for up to 7 minutes.

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

(The remarks of Mr. DAINES pertaining to the introduction of S. 1361 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DAINES. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COATS. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

WASTEFUL SPENDING

Mr. COATS. Madam President, I am here on the floor almost every Monday, and this is the 11th time I have been on the floor over the last 3 months or so to speak about the waste of the week. We are trying to identify those areas of fraud and abuse and waste of taxpayers' money so we can take reasonable steps, hopefully soon in the Congress, to end this misuse of taxpayers' funds. Then we can either return it back to the taxpayers or sometimes use the funds to offset other spending that may be necessary to make for a more efficient government. The taxpayers deserve to have their dollars they send here, after a lot of hard work, treated carefully. We continue to expose areas, and the Office of the Inspector General of the Office of Management and Budget and nonpartisan committees are looking at ways to identify misuse of those funds.

One of the areas we haven't spoken about but will today are the benefits for higher education. Many of these are well intended and many of them are used effectively. For example, there is a lifetime learning credit for graduate courses and other classes. There is the Hope credit for undergraduate expenses. There is the American opportunity tax credit, which temporarily replaced the Hope credit, but that is set to expire. There are a raft of confusing proposals that are designed to help people who want to work through their education and get tax credits for the expenses they pay. So this is well intended. However, what has happened is that it has become a confusing mess as to how these are applied and how they are used.

The Treasury inspector general for tax administration determined that the IRS paid out billions of dollars in potentially erroneous education tax credits to more than 3.6 million taxpayers. So Congress has passed a law. They have adjusted the Tax Code to give credits and benefits to those who are going to school to get a graduate education or to get their postsecondary education. This is a worthwhile use, in most cases, but it has been deemed by Congress to be so and made part of the Tax Code. Yet the inspector general who looks at all this has said it has become a ripe area for fraud, waste, and abuse, as well as some honest mistakes.

I wish to repeat that again. The IRS paid out billions of dollars in erroneous education tax credits to more than 3.6 million taxpayers seeking these credits. Now, some say, What do you mean? What are some of the mistakes? Students who weren't eligible for the benefit got the benefit. Institutions that received the benefits were ineligible to receive the benefits for a number of reasons.

In most cases, higher education institutions send out returns known as 1098–Ts to taxpayers who pay for tuition. These forms help taxpayers and the IRS determine if students qualify for the education tax benefits, including by indicating whether the student is enrolled more than half time or is a graduate student. In other words, they must show that the student qualifies for the tax benefit. They found out that many don't qualify but nevertheless receive those benefits.

The inspector general reports that 2 million taxpayers did not submit the form or have the form—the 1098–T paperwork—to indicate they had actually paid the tuition. Of these almost 40,000 taxpayers, some received credits for students who are under the age of 14. These tax credits are for postsecondary education. There may be a couple of genius kids out there who are enrolled in college at the age of 14 or under, but I don't think there are very many, if any under the age of 14 or over the age of 65.

Additionally, tax credits were awarded improperly to over 2,100 incarcerated people.

How do we correct this? Well, there is a pretty basic idea I wish to propose. Many of us are familiar with the letters we receive back when we make a charitable contribution, and most of us know that if that contribution is over $250, the IRS wants to know that we have proof that we have actually made that charitable contribution. So our tax preparers always ask: Do you have a receipt? Do you have the letter back from the Boy Scouts or your church or wherever you give the money? Do you have that available for when we might happen to need it if the IRS requires it when they are looking into that?

So what we are proposing is simply a requirement that taxpayers should claim a tuition tax credit, have proof that they have actually received the credit and are eligible to receive the credit. That proof is the 1098–T form. We are proposing to simply require that taxpayers hold a valid 1098–T or some form of substantiation in their possession when they fill out their tax returns and claim tuition deductions.

The Joint Committee on Taxation estimated that this very simple requirement would save $576 million over the next 10 years. We have already proven we can save billions by better management of taxpayers' money and now we are going to add another $576 million to this. As my colleagues see, we are on the way to $100 billion of savings through some very basic and simple modifications and changes in our Tax Code and in our procedures in terms of how we run this government.

Next week, we will be sharing again the fraud and waste of the week, but Congress now has a pool of funds that are misused and a way in which we can either, as I said, offset needed spending programs or return that money to the taxpayers or not have them send it in in the first place.

It is a dysfunctional government that can't better manage taxpayers' funds. If we are going to maintain credibility and the support of our taxpayers for what we do that is right, we better stop and pay attention and look and change and modify the abuse that is taking place and bring it to an end. We need to demonstrate that we are looking out carefully at the use of taxpayers' dollars.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1242

Mr. BROWN. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the Brown amendment: STABENOW, KLOBUCHAR, BALDWIN, SCHUMER, BLUMENTHAL, WHITEHOUSE, UDALL, SANDERS, WARREN, MANCHIN, MARKEY, REED, FRANKEN, and HEINRICH.

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

Mr. BROWN. The support for this amendment is broad and deep. The support for this funding level reached 300-some House Members 4 years ago and 70 Senators—including, obviously, a number in each party—4 years ago when we decided to support this number. So this funding level of $575 million is bipartisan. It was established 4 years ago.

Some say that $450 million—the amount included in the underlying bill—is enough to operate the program and that we should not bring the funding level back to the $575 million. The fact is that we do not really know. What we do know is that TAA—the trade adjustment assistance, the money we provide to workers to be retrained after they have lost a job because of a decision President Obama and the Congress made to pass a trade agreement, which always produces winners and losers—free trade supporters and free trade opponents all agree and even cheerleaders as passionate as the Wall Street Journal, as strongly supportive as they are of these free-trade agreements, even they acknowledge there are winners and there are losers. The losers are those people who lost their jobs in Indiana, Ohio, Utah, and all over the country because of decisions we made in this body. They are not decisions they made to not show up to work, not decisions they made to

not do their work well; they are decisions we made in this Congress and President Obama made at the White House to push these trade agreements, resulting in dislocation, so some workers lose their jobs. That is why it is a moral issue that we provide adequate funding for training for these workers.

I mentioned the years 2009, 2010—it cost $685 million each year. Of course, those are years during the great recession. But if you take the average of funding levels for the 3 years when program eligibility was nearly the same as it is now, TAA expenditures were about $571 million a year. That is roughly the figure we are choosing for our amendment, the number the President asked for in his budget originally.

TAA works. Seventy-six percent of participants who completed training in fiscal year 2013 received a degree or an industry-recognized credential. Seventy-five percent of workers who exited the program found employment within 6 months. Of those workers who became employed, over 90 percent were still employed at the end of the year. So we know trade adjustment assistance works.

This reduction of $125 million a year, in other words, is simply cuts for the sake of cuts.

It helps workers retrain for new jobs so they can compete in the global economy. We know that even though the economy is better today than when President Obama took office or it is better today then it was in 2010 before we did the RECOVERY Act or it is better today than it was that year when we did the auto rescue that helped the Presiding Officer's State of Indiana and my State of Ohio and the whole national economy so much—we do know that since that time, we have had the South Korea trade agreement, and the President and supporters of that promised 70,000 increased jobs. We have actually lost 70,000 jobs instead because of a swelling trade deficit with South Korea. We have the Trans-Pacific Partnership. Even its supporters acknowledge there will be workers who lose their jobs—they believe a net gain, but nonetheless numbers of workers will lose their jobs and will need retraining.

So that conservative number of only $450 million, when it is clear we need the larger number of $575 million—the same level President Obama included in his budget; the same level that 70 Senators—a number in each party—and 300-plus Members of the House supported. I ask my colleagues to support it again today.

Again, it was not the choice of these workers to lose their jobs; it was the choice of this institution to pass a trade agreement that results in some workers losing their jobs. We all acknowledge that on both sides. That is why this amendment is so important to adopt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent for 30 seconds more.

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

Mr. HATCH. Mr. President, look, significantly increasing funding levels for TAA may very well make TAA much harder to pass both here and in the House of Representatives. It is a program that is not supported by a great number of us. That being the case, I hope my colleagues will join me in voting no on this amendment.

We have put together a bill that literally has brought together both sides as well as we possibly could. Hopefully, we will vote no on this amendment.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to Brown amendment No. 1242.

Mr. BROWN. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Mrs. MURKOWSKI), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), the Senator from South Carolina (Mr. SCOTT), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay'' and the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

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

The result was announced—yeas 45, nays 41, as follows:

[Rollcall Vote No. 181 Leg.]

YEAS—45

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

NAYS—41

Ayotte	Blunt	Capito
Barrasso	Boozman	Cassidy
Coats	Hatch	Risch
Cochran	Heller	Roberts
Cornyn	Hoeven	Rounds
Cotton	Inhofe	Sasse
Crapo	Johnson	Sessions
Daines	Kirk	Shelby
Enzi	Lankford	Sullivan
Ernst	Lee	Thune
Fischer	McConnell	Tillis
Flake	Moran	Wicker
Gardner	Paul	Wyden
Grassley	Perdue	

NOT VOTING—14

Alexander	Isakson	Rubio
Corker	McCain	Scott
Cruz	Murkowski	Toomey
Durbin	Murray	Vitter
Graham	Portman	

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

VOTE ANNOUNCEMENT

● Mr. DURBIN. I was unavoidably delayed on United flight No. 616 and not present for the vote on Senator BROWN's amendment No. 1242 to increase funding levels for the Trade Adjustment Assistance program. Had I been here, I would have voted yea.●

VOTE ON AMENDMENT NO. 1237, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 1237, as modified, offered on behalf of the Senator from Oklahoma, Mr. LANKFORD.

Mr. PAUL. 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 Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. MCCAIN), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Ohio (Mr. PORTMAN) would have voted ''yea.''

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

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 182 Leg.]

YEAS—92

Alexander	Coats	Gillibrand
Ayotte	Cochran	Grassley
Baldwin	Collins	Hatch
Barrasso	Coons	Heinrich
Bennet	Corker	Heitkamp
Blumenthal	Cornyn	Heller
Blunt	Cotton	Hirono
Booker	Crapo	Hoeven
Boozman	Daines	Inhofe
Boxer	Donnelly	Johnson
Brown	Durbin	Kaine
Burr	Enzi	King
Cantwell	Ernst	Kirk
Capito	Feinstein	Klobuchar
Cardin	Fischer	Lankford
Carper	Flake	Leahy
Casey	Franken	Lee
Cassidy	Gardner	Manchin

Markey	Peters	Shelby
McCaskill	Reed	Stabenow
McConnell	Reid	Sullivan
Menendez	Risch	Tester
Merkley	Roberts	Thune
Mikulski	Rounds	Tillis
Moran	Sanders	Udall
Murkowski	Sasse	Warner
Murphy	Schatz	Warren
Murray	Schumer	Whitehouse
Nelson	Scott	Wicker
Paul	Sessions	Wyden
Perdue	Shaheen	

NOT VOTING—8

Cruz	McCain	Toomey
Graham	Portman	Vitter
Isakson	Rubio	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment, as modified, is agreed to.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 20 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, April 18, 2012, was not the first time I spoke on the Senate floor on the dangers of carbon pollution, but it was the first in the weekly series that brings me here today with my increasingly dog-eared sign.

Opponents of responsible climate action do best in the dark, so I knew if anything was going to change around here, we would need to shine some light on the facts, on the science, and on the sophisticated scheme of denial being conducted by the polluters.

I decided to come to the floor every week the Senate is in session to put at least my little light to work, and today I do so for the 100th time, and I thank very much my colleagues who have taken time from their extremely busy schedules to be here, particularly my colleagues from the House, JIM LANGEVIN and DAVID CICILLINE, who traveled all the way across the building.

I am not a lone voice on this subject. Many colleagues have been speaking out, particularly our ranking member on the Environment and Public Works Committee, Senator BOXER. Senator MARKEY has been speaking out on the climate longer than I have been in the Senate. Senators SCHUMER, NELSON, BLUMENTHAL, SCHATZ, KING, and BALDWIN have each joined me to speak about the effects of carbon pollution on their home States and economies. Senator MANCHIN and I—from different perspectives—spoke here about our shared belief that climate change is real and must be addressed. More than 30 fellow Democrats held the floor overnight to bring attention to climate change under the leadership of Senator SCHATZ. Our Democratic leader, Senator REID, has pressed the Senate to face up to this challenge, and thousands of people in Rhode Island and across the country have shown their support.

Sometimes people ask me: How do you keep coming up with new ideas? It is easy. There are at least 100 reasons to act on climate. Hundreds of Americans have sent me their reasons through my Web site, Facebook, and Twitter using the hashtag ''100Reasons.'' I will highlight some of their reasons in this speech.

What is my No. 1 reason? Easy. Rhode Island. The consequences of carbon pollution for my Ocean State are undeniable. The tide gauge at Naval Station Newport is up nearly 10 inches since the 1930s. The water in Narragansett Bay is 3 to 4 degrees Fahrenheit warmer in the winter than just 50 years ago.

Lori from West Kingston, RI, said that is her top reason too. ''We stand to lose the best part of Rhode Island,'' she wrote, ''the 400 miles of coastline, which will be severely impacted, environmentally and economically.''

Even Kentucky's Department of Fish and Wildlife has warned—get this—that sea level rise and increased storms along our eastern seaboard could get so bad that it would trigger ''unprecedented'' population migration from our east coasts to Kentucky. That is serious.

Winston Churchill talked about ''sharp agate points upon which the ponderous balance of destiny turns.'' What if we now stand at a hinge of history? Will we awaken to the duty and responsibility of our time or will we sleepwalk through it? That is the test we face.

I have laid out in these speeches the mounting effects of carbon pollution all around us, and the evidence abounds. This March, for the first time in human history, the monthly average carbon dioxide in our atmosphere exceeded 400 parts per million. The range had been 170 to 300 parts per million for hundreds of thousands of years.

Mr. President, 2014 was the hottest year ever measured. Fourteen of the warmest 15 years ever measured have been in this century. Our oceans warm as they absorb more than 90 percent of the heat captured by greenhouse gases. You measure their warming with a thermometer. As seawater warms, it expands and sea levels rise. Global average sea level rose about 1 inch from 2005 to 2013. You measure that with a yardstick. Ocean water absorbs roughly a quarter of all of our carbon emissions, making the water more acidic and upsetting the very chemistry of ocean life. You measure this, too, with a pH test like a third grade class would use for its fish tank.

It is virtually universal in peer-reviewed science that carbon pollution is causing these climate and oceanic changes. Every major scientific society in our country has said so. Our brightest scientists at NOAA and NASA are unequivocal. But time and again we hear ''I am not a scientist'' from politicians who are refusing to acknowledge the evidence. We are not elected to be scientists; we are elected to listen to them.

If you don't believe scientists, how about generals? Our defense and intelligence leaders have repeatedly warned of the threats posed by climate change to national security and international stability.

How about faith leaders? Religious leaders of every faith appeal to our moral duty to conserve God's creation and to protect those most vulnerable to catastrophe.

How about our titans of industry? Leaders such as Apple and Google, Coke and Pepsi, Walmart and Target, Nestle and Mars are all greening their operations and their supply chains and calling on policymakers to act.

How about constituents? I have talked with community and business groups across the United States. Local officials—many of them Republicans—don't have the luxury of ignoring the changes we see. State scientific agencies and State universities are doing much of the leading research on climate change.

If you are a Senator who is not sure climate change is real, manmade, and urgent, ask your home State university. Even in Kentucky. Even in Oklahoma.

Flooding puts mayors in kayaks on South Florida streets. New Hampshire and Utah ski resorts struggle with shorter and warmer winters, and Alaskan villages are falling into the sea. Yet, no Republican from these States yet supports serious climate legislation.

This resistance to plain evidence is vexing to many Americans. Elizabeth from Riverside, RI, says her grandchildren are her top reason for action. She wrote:

> I fail to understand the Republican opposition to what is clearly factual scientific information about climate change. Are they not educated? Can they not read? Do they not have children and grandchildren to be concerned about the future they leave? Or is it money that clouds their vision?

The truth is that Republican cooperation in this area, which existed for some time, has been shut down by the fossil fuel industry. The polluters have constructed a carefully built apparatus of lies propped up by endless dark money.

Dr. Riley Dunlap of Oklahoma State University calls it the ''organized climate-denial machine.'' He found that nearly 90 percent of climate-denial books published between 1982 and 2010 had ties to conservative fossil fuel-funded think tanks such as the Heartland Institute. In other words, it is a scam.

Dr. Robert Brulle of Drexel University has documented the intricate propaganda web of climate denial with over 100 organizations, from industry trade organizations, to conservative think tanks, to plain old phony front groups. The purpose of this denial beast, to quote Dr. Brulle, is ''a deliberate and organized effort to misdirect the public discussion and distort the public's understanding of climate.''

John from Tucson, AZ, says this is his top reason to act:

These ''merchants of doubt,'' the professional climate denier campaigners, have lied to us and attacked the people who can help us most; the scientists.

Sound familiar? It should because the fossil fuel industry is using a playbook perfected by the tobacco industry. Big Tobacco used that playbook for decades to bury the health risks of smoking. Ultimately, the truth came to light. It ended in a racketeering judgment against that industry.

The Supreme Court has handed the polluters a very heavy cudgel with its misguided Citizens United decision, allowing corporations to spend—or, more importantly, to threaten to spend—unlimited amounts of undisclosed money in our elections. More than anyone, polluters use that leverage to demand obedience to their climate denial script.

Jan from Portland, OR, said this kind of corruption is her top reason to act on climate. She said: It would be beneath our dignity to ruin our planet just for money.

Jan, I hope you are right.

There has been progress.

The Senate has held votes showing that a majority believes climate change is real, not a hoax, and is driven by human activity. Republican colleagues such as the chairman of the Energy and Natural Resources Committee, the senior Senator from Georgia, and the senior Senator from South Carolina have made comments here recognizing the need to do something. The senior Senator from Maine has a bill on non-CO_2 emissions against the relentless pressure of the fossil fuel industry and its front groups. That takes real courage.

The President's Climate Action Plan is ending the polluters' long free ride. The administration has rolled out strong fuel and energy efficiency standards. Its Clean Power Plan will, for the first time, limit carbon emissions from powerplants. The United States heads an ambitious international climate effort as well, even engaging China, now the world's largest producer of carbon pollution.

Perhaps most heartening are the American people. Eighty-three percent of Americans, including 6 in 10 Republicans, want action to reduce carbon emissions. And with young Republican voters, more than half would describe a climate-denying politician as ''ignorant,'' ''out of touch'' or ''crazy.''

With all this, I think the prospects for comprehensive climate change legislation are actually pretty good. But as Albert Einstein once said, ''politics is more difficult than physics.'' That seems literally to be the case here as Citizens United political gridlock keeps us, for now, from heeding laws of nature.

But when the polluters' grip slips, I will be ready with legislation that many Republicans can support: a fee on carbon emissions. Pricing carbon corrects the market failure that lets polluters push the cost of air pollution on to everybody else. A carbon fee is a market-based tool aligned with conservative free-market values. Many Republicans, at least those beyond the swing of the Citizens United fossil fuel cudgel, have endorsed exactly that idea.

Let's have a real debate about it. It is time. I will be announcing my carbon fee proposal on June 10, during an event at the American Enterprise Institute.

Climate change tests us. First, it is an environmental test—a grave one. We will be graded in that test against the implacable laws of science and nature. Pope Francis has described a conversation with a humble gardener who said to him:

God always forgives. Men, women, we forgive sometimes. But, Father, creation never forgives.

There are no do-overs, no mulligans—not when we mess with God's laws of nature.

Behind nature's test looms a moral test. Do we let the influence of a few wealthy industries compromise other people's livelihoods, even other people's lives, all around the planet and off into the future? It is morally wrong, in greed and folly, to foist that price on all those others. That is why Pope Francis is bringing his moral light to bear on climate change, and to quote him: ''There is a clear, definitive and ineluctable ethical imperative to act.'' Our human morality is being tested.

Lastly, this is a test of American democracy. All democracies face the problem of how well they address not just the immediate threat but the looming ones. America's democracy faces an added responsibility of example, of being the city on a hill. In a world of competing ideologies, why would we want to tarnish ours?

This is the top reason for Ralph from Westerly, RI. He wrote:

Someday, world leaders will look back on this time that something should have been done to save the planet. . . . We had the chance but let it slip through our fingers.

We have all done something wrong in our lives. Some things we do that are wrong don't cause much harm. But there is not an oddsmaker in Vegas who would bet against climate change causing a lot of harm. And some things that we do wrong we get away with. But there is no way people in the world won't know why this happened when that harm hits home. There is no way the flag we fly so proudly won't be smudged and blotted by our misdeeds and oversights today.

Think how history regards Neville Chamberlain when he misjudged the hinge of history in its time. At least Chamberlain's goal was noble: peace, peace after the bloody massacres of World War I, peace in his time. Our excuse is what—on climate change? Keeping big polluting special interests happy?

Anybody who is paying attention knows those special interests are lying. Anybody paying attention knows they are influence-peddling on a monumental scale. And while the polluters have done their best to hide that their denial tentacles are all part of the same denial beast, people all over who are paying attention have figured it out.

One day, there will be a reckoning. There always is.

If we wake up, if we get this right, if we turn that ponderous balance of destiny in our time, then it can be their reckoning, and not all of ours. It can be their shame, not the shame of our democracy, not the shame of our beloved country, not the shame of America. As we close in on this weekend, on Memorial Day, we will remember those who fought and bled and died for this great Republic. The real prospect of failing and putting America to shame makes it seriously time for us to wake up.

Mr. President, once again, I thank my colleagues for their courtesy in attending this 100th speech.

I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, on behalf of the entire Democratic caucus, I wish to extend my accolades, my admiration for the persistence and integrity of Senator WHITEHOUSE. This is an issue that speaks well of him and our entire country, and I am very proud of the work he has done and will continue to do.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will be very brief. I have had the privilege of serving longer in this body than any other Member of the Senate, currently. I can count on my one hand, or probably a few fingers, some of the great speeches I have heard by both Republicans and Democrats in this body. One great speech I will never forget was that of the Senator from Rhode Island. He speaks to a subject that every single Vermonter would agree with, and this veteran Senator thanks him.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, my dear friend and colleague deserves a great moment of recognition today. We are all passionate about issues here in the Senate. But very few of us take to the floor each week to stoke the fire on a single issue and to inspire others to action. That is what Senator WHITEHOUSE has done on one of the defining issues of our time—climate change.

Today's speech is the 100th such speech he has made on the floor of the Senate, pleading us to take meaningful action on climate change. It is the 100th time he has brought that now iconic poster to the floor. We can tell it is getting a little frayed. It is getting a little dented. It is the 100th time many of us have paused and said: ''It's time to wake up.''

One hundred is a significant number today for many reasons. The first rough calculations on the impact of

human carbon emissions on the climate began over 100 years ago in the late 19th century. For decades we have been certain of the science connecting human activity to changes in the global climate. Yet these incremental changes in the climate did not spur us to act. As the good Senator from Rhode Island just said, the years of incremental change are over.

In my home State of New York, Superstorm Sandy was a wake-up call. Those who for years have been telling us that a changing climate and rising seas are figments of the imagination had to eat their words after Sandy—the third significant storm to hit New York in those 2 years. Those who continue to deny the real and very tangible evidence of climate change are like ostriches with their heads buried in the sand.

Senator WHITEHOUSE is right, and whether he tells us it is time to wake up 10 times more or another 100, until we do something, he will continue to be right. I thank him for his leadership, his persistence, his eloquence, and his devotion to the cause. I hope for his sake and for all of our sakes that this body takes his words to heart.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I stand here as the ranking member of the Environment and Public Works Committee. The day Senator WHITEHOUSE got elected, I knew I wanted him on that committee. I think he has shown through the weeks and months and years that what he is going to do is very simple, which is to come to the floor and tell the truth to the American people about this issue and bring the facts about this issue to the Senate.

What I think is fascinating and something he and I always look at is the deniers on the other side and their latest argument, which is that ''we are not scientists.'' Well, that is obvious. And we are not, either. That is the reason we listen to the scientists. There is no scientist who is going to say something because he feels it is going to benefit him or her. They are going to tell the truth. And 98, 99 percent of the scientists agree that what is happening in terms of carbon pollution is hurting this planet and will hurt it irreversibly forever. Anyone in this body who doesn't listen to this, who turns away from this will be judged by history and their Maker. But that is not good enough, because it is my grandkids and the grandkids of my colleagues who are going to have to deal with this.

I will close with this. This whole notion of ''I am not a scientist'' is ridiculous and it is ludicrous. If one of our Republican friends went to the doctor and, God forbid, the doctor said you have a serious cancerous tumor and you really need to have it taken care of, they are not going to look at the doctor and say: Well, I don't know, I am not a doctor. You might get a second opinion. That is good. In the case of climate, we have 97, 98, 99 percent of scientists agreeing on this problem.

You wouldn't say to your doctor: Gee, I don't know, maybe I will let this cancer go because I am not a doctor and what do I know? You have to rely on the people who know. And I have never seen anything like this. This is the tobacco company stance, when politicians cleared the way and tobacco businesses stood up and raised their right hand and said that nicotine was not a problem—and we know how that story ended—too late for a lot of people who died of cancer, too late for a lot of people who got hooked on cigarettes.

We want to make sure SHELDON WHITEHOUSE and those of us who agree with him are not going to wait too long. It is not going to be too late. We can actually save our families from the devastation of the ravages of climate change.

So I say to Senator WHITEHOUSE: It takes a lot of fortitude to stand up here in the Chamber time after time after time, and I think what he has done is make a record, which is very important because he has really touched on and continues to touch on all the new information. That is critical, and everyone should read it because it really does spell it out in very direct terms.

It also shows the fight that Senator WHITEHOUSE has, the belief that he has that we can win this battle. I share that view. It is because, as Senator WHITEHOUSE points out, a vast majority of the American people, including the vast majority of Republicans out there, think if you are a denier, you are losing it—that is my vernacular. They just don't believe it. They can't believe it. They think there is something wrong with you if you are a denier. So that is what we have in our back pocket, and right here in the Senate we have this treasure of a person, a Senator who will continue to fight, continue to work, and I can assure him, as long as I am here and even when I am not, I will be echoing many of the things he is saying.

Thank you very much.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, I ask unanimous consent that it be in order during today's session of the Senate to call up the following amendments: No. 1299, Portman-Stabenow; No. 1251, Senator Brown; No. 1312, Inhofe, as modified; No. 1327, Warren; No. 1226, McCain; and No. 1227, Shaheen.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Reserving the right to object. I have no intent to object at this point. I just want to say this, to me, seems like a very balanced package. We have three amendments on each side raising important issues. Chairman HATCH has indicated, and I support him on this, that we are ready to go again first thing in the morning. I think that is what it is going to take to ensure that all sides feel that they have a chance to have their major concerns aired, have their amendments actually voted on.

I withdraw my reservation and I commend Chairman HATCH for working with us cooperatively so we can have this balanced package go forward. With that, I withdraw my reservation.

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

AMENDMENTS NOS. 1312, AS MODIFIED, AND 1226 TO AMENDMENT NO. 1221

Mr. HATCH. Mr. President, on behalf of Senators INHOFE and MCCAIN, I call up amendment No. 1312, as modified, and amendment No. 1226, and ask unanimous consent that they be reported by number.

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

The clerk will report en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] proposes en bloc amendments numbered 1312, as modified, and 1226 to Amendment No. 1221.

The amendments en bloc are as follows:

AMENDMENT NO. 1312, AS MODIFIED

(Purpose: To amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements)

At the appropriate place, insert the following:

SEC. ___. FREE TRADE AGREEMENTS WITH SUB-SAHARAN AFRICAN COUNTRIES.

(a) PLAN REQUIREMENTS AND REPORTING.—Section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723) is amended by striking subsections (b) and (c) and inserting the following:

''(b) PLAN REQUIREMENT.—

''(1) IN GENERAL.—The President shall develop a plan for the purpose of negotiating and entering into one or more free trade agreements with all sub-Saharan African countries and ranking countries or groups of countries in order of readiness.

''(2) ELEMENTS OF PLAN.—The plan required by paragraph (1) shall include, for each sub-Saharan African country, the following:

''(A) The steps such sub-Saharan African country needs to be equipped and ready to enter into a free trade agreement with the United States, including the development of a bilateral investment treaty.

''(B) Milestones for accomplishing each step identified in (A) for each sub-Saharan African country, with the goal of establishing a free trade agreement with each sub-Saharan African country not later than 10 years after the date of the enactment of the Trade Act of 2015.

''(C) A description of the resources required to assist each sub-Saharan African country in accomplishing each milestone described in subparagraph (B).

''(D) The extent to which steps described in subparagraph (A), the milestones described

in subparagraph (B), and resources described in subparagraph (C) may be accomplished through regional or subregional organizations in sub-Saharan Africa, including the East African Community, the Economic Community of West African States, the Common Market for Eastern and Southern Africa, and the Economic Community of Central African States.

''(E) Procedures to ensure the following:

''(i) Adequate consultation with Congress and the private sector during the negotiations.

''(ii) Consultation with Congress regarding all matters relating to implementation of the agreement or agreements.

''(iii) Approval by Congress of the agreement or agreements.

''(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiation of the agreement or agreements.

''(c) REPORTING REQUIREMENT.—Not later than 12 months after the date of the enactment of the Trade Act of 2015, the President shall prepare and transmit to Congress a report containing the plan developed pursuant to subsection (b).''.

(c) MILLENNIUM CHALLENGE COMPACTS.—After the date of the enactment of this Act, the United States Trade Representative and Administrator of the United States Agency for International Development shall consult and coordinate with the Chief Executive Officer of the Millennium Challenge Corporation regarding countries that have entered into a Millennium Challenge Compact pursuant to section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) that have been declared eligible to enter into such a Compact for the purpose of developing and carrying out the plan required by subsection (b) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as amended by subsection (a).

(d) COORDINATION OF USAID WITH FREE TRADE AGREEMENT POLICY.—

(1) AUTHORIZATION OF FUNDS.—Funds made available to the United States Agency for International Development under section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) may be used in consultation with the United States Trade Representative—

(A) to carry out subsection (b) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as amended by subsection (a), including for the deployment of resources in individual eligible countries to assist such country in the development of institutional capacities to carry out such subsection (b); and

(B) to coordinate the efforts of the United States to establish free trade agreements in accordance with the policy set out in subsection (a) of such section 116.

(2) DEFINITIONS.—In this subsection:

(A) ELIGIBLE COUNTRY.—The term ''eligible country'' means a sub-Saharan African country that receives—

(i) benefits under for the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); and

(ii) funding from the United States Agency for International Development.

(B) SUB-SAHARAN AFRICAN COUNTRY.—The term ''sub-Saharan African country'' has the meaning given that term in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

AMENDMENT NO. 1226

(Purpose: To repeal a duplicative inspection and grading program)

At the end, add the following:

TITLE III—EXPANDING TRADE EXPORTS

SEC. 301. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 1299 TO AMENDMENT NO. 1221

Ms. STABENOW. Mr. President, I want to say, first of all, thank you to our distinguished leader of the Finance Committee for including the Portman-Stabenow amendment.

First, before calling it up, I ask unanimous consent to add Senator DONNELLY as a cosponsor and thank Senators BURR, GRAHAM, COLLINS, BALDWIN, BROWN, CASEY, HEITKAMP, KLOBUCHAR, MANCHIN, SCHUMER, SHAHEEN, and WARREN for being cosponsors as well.

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

Ms. STABENOW. Mr. President, I call up amendment No. 1299.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Mr. PORTMAN, proposes an amendment numbered 1299 to amendment No. 1221.

Ms. STABENOW. Mr. President, 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 as follows:

(Purpose: To make it a principal negotiating objective of the United States to address currency manipulation in trade agreements)

In section 102(b), strike paragraph (11) and insert the following:

(11) CURRENCY MANIPULATION.—The principal negotiating objective of the United States with respect to unfair currency exchange practices is to target protracted large-scale intervention in one direction in the exchange markets by a party to a trade agreement to gain an unfair competitive advantage in trade over other parties to the agreement, by establishing strong and enforceable rules against exchange rate manipulation that are subject to the same dispute settlement procedures and remedies as other enforceable obligations under the agreement and are consistent with existing principles and agreements of the International Monetary Fund and the World Trade Organization. Nothing in the previous sentence shall be construed to restrict the exercise of domestic monetary policy.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1251 TO AMENDMENT NO. 1221

Mr. BROWN. Mr. President, I call up amendment No. 1251.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 1251 to amendment No. 1221.

Mr. BROWN. Mr. President, 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 as follows:

(Purpose: To require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement)

At the end of section 107, add the following:

(c) LIMITATIONS ON ADDITIONAL COUNTRIES JOINING THE TRANS-PACIFIC PARTNERSHIP AGREEMENT.—

(1) IN GENERAL.—The trade authorities procedures shall apply to an implementing bill submitted with respect to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries only if that implementing bill covers only the countries that are parties to the negotiations for that agreement as of the date of the enactment of this Act.

(2) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES TO ADDITIONAL COUNTRIES.—If a country or countries not a party to the negotiations for the agreement described in subsection (a)(2) as of the date of the enactment of this Act enter into negotiations to join the agreement after that date, the trade authorities procedures shall apply to an implementing bill submitted with respect to an agreement with such country or countries to join the agreement described in subsection (a)(2) only if—

(A) the President notifies Congress of the intention of the President to enter into negotiations with such country or countries in accordance with section 105(a)(1)(A);

(B) during the 90-day period provided for under section 105(a)(1)(A) before the President initiates such negotiations—

(i) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate each certify that such country or countries are capable of meeting the standards of the Trans-Pacific Partnership; and

(ii) the House of Representatives and the Senate each approve a resolution approving such country or countries entering into negotiations to join the agreement described in subsection (a)(2);

(C) the agreement with such country or countries to join the agreement described in subsection (a)(2) is entered into before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under section 103(c); and

(D) that implementing bill covers only such country or countries.

Mr. BROWN. Mr. President, very briefly, in 30 seconds, I will explain the amendment.

There are 12 countries in the Trans-Pacific Partnership. If at some point the President of the United States would like to add another country or two, this amendment simply says that Congress must approve; there must be a vote of the U.S. House of Representatives and a vote of the Senate in order to admit a new country.

There is some concern that the People's Republic of China, which is now the second largest economy in the world, would come in through the backdoor without congressional approval.

We want to make sure that neither the President who is in the White House today nor the next President nor the President after that can admit China or any other country with any other large economy or small economy in the TPP without congressional approval.

We will discuss and debate this amendment more tomorrow.

I thank Senator WYDEN and Senator HATCH for moving this process forward and bringing up many amendments to debate.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1227 TO AMENDMENT NO. 1221

(Purpose: To make trade agreements work for small businesses)

Mr. WYDEN. Mr. President, on behalf of Senator SHAHEEN, I call up her amendment, which is amendment No. 1227.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for Mrs. SHAHEEN, proposes an amendment numbered 1227 to amendment No. 1221.

Mr. WYDEN. Mr. President, 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 May 14, 2015, under ''Text of Amendments.'')

AMENDMENT NO. 1327 TO AMENDMENT NO. 1221

Mr. WYDEN. Mr. President, on behalf of Senator WARREN, I call up amendment No. 1327.

The PRESIDING OFFICER (Mr. DAINES). The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for Ms. WARREN, proposes an amendment numbered 1327 to amendment No. 1221.

Mr. WYDEN. Mr. President, 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 as follows:

(Purpose: To prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement)

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS THAT THREATEN UNITED STATES SOVEREIGNTY.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if such agreement or agreements, the implementing bill, or any statement of administrative action described in subsection (a)(1)(E)(ii) proposed to implement such agreement or agreements, includes investor-state dispute settlement.

The PRESIDING OFFICER. The Senator from Utah.

MORNING BUSINESS

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

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

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ADDITIONAL STATEMENTS

COMMEMORATING 35 YEARS SINCE THE ERUPTION OF MOUNT ST. HELENS

● Ms. CANTWELL. Mr. President, today marks the 35th anniversary of one of the largest and most devastating volcanic eruptions in the history of our Nation—the 1980 eruption of Mount St. Helens. Today, the people of my State continue to embrace the mountain's beauty, but retain a profound respect for its power given the potential for a recap of the 1980 eruption and the devastation that it brought.

On the morning of May 18, 1980, small eruptions and earthquakes finally culminated in a destructive eruption that changed surrounding geography and rendered the neighboring ridges void of life. David Johnston, a scientist with the U.S. Geological Survey was conducting measurements on the mountain. At 8:32 a.m., as an earthquake brought magma to St. Helens surface, Johnston sent the now infamous radio transmission: ''Vancouver, Vancouver. This is it!'' Sadly, just seconds later, Johnston was engulfed by the explosion and the ensuing landslide that swept laterally from the mountain at speeds as high as 670 miles per hour. Tragically, 57 lives were lost as a result of the eruption and 200 homes were destroyed along with bridges, roads, and railways in the vicinity. And the blast incinerated 100-year-old trees and all forms of plant life within the blast zone. Estimates put the total loss of trees at 4 billion board feet.

In the 35 years since the eruption, the private sector and the Federal Government's approach to forestry has changed significantly. Following the eruption, Congress directed the Forest Service to embark on a new approach to forest management. In 1982, Congress created the Mount Saint Helens National Volcanic Monument. This 110,000 acre designation has created a kind of ''biological laboratory'' at the site of the eruption to let nature take its course. That foresight has allowed ecologists to learn that forests didn't regenerate from clearings the way scientists had believed for almost a century. We also learned the importance of leaving behind a legacy of dead trees to serve as homes for birds and that patches of remnant areas existed which supported sporadic groups of live trees. The learnings from this natural disaster shaped the forest policy that we see throughout much of Washington and the country today.

Now, as residents in Washington and around the country are witnessing unusually large forest fires—the Federal Government needs to take the lessons learned following the Mount St. Helens eruptions and apply them to this new challenge. The government needs to do its part to rapidly provide the emergency services communities need after large fire and natural disasters. But we also need to stabilize slopes to prevent mudslides through investments in seismic monitoring equipment and Light Detection and Ranging or LiDAR. Just as we learned in the Mount St. Helens experiment, a great deal of wildlife thrive in the early forest conditions that come after a wildfire. Those areas need to be considered as managers look at what's the best for our Federal lands. And what better place to visit that conversation, than on the National Forest that houses the ecological record of the Mount St. Helens eruption of 35 years ago.

Seismic activity in the Pacific Northwest isn't just a once in a generation event, but an ever present reality in Washington State. The eruption of Mount St. Helens provides a clear reminder of the value of early earthquake monitoring and warning systems. The Pacific Northwest Seismic Network offers early warning systems and comprehensive seismic monitoring that can warn communities up to a minute before an earthquake occurs, or even future volcanic eruptions. With constant seismic activity throughout much of Washington State, including at volcanos such as Glacier Peak in the Cascades, we must continue to make the vital investments in these early warning systems.

I look forward to taking lessons learned on Mount St. Helens and applying them to a new approach to forest policy. I have also called for us as legislators and constituents to begin a conversation around what we want our national forests to look like over the next 50 years. What is working well, and what problems we do not want to see as we think about our 21st century vision for our national forests.

As we reflect today on the tragic and watershed event that happened on Mount St. Helens 35 years ago, we must work to put our forests on a long-term track to successfully delivering the things we expect from them—quality recreation, clean water, clean air, wildlife habitat, and a sustainable supply of wood products.●

TRIBUTE TO WALTON GRESHAM

● Mr. COCHRAN. Mr. President, I am pleased to commend Walton Gresham of Indianola, MS, for his service and

contributions to the State of Mississippi while serving as the 79th president of the Delta Council. This important organization was formed in 1935 and has grown into a widely respected economic development group representing the business, professional, and agricultural interests of the Mississippi Delta. I am grateful to Delta Council for its continuous role in meeting the economic and quality of life challenges in this unique part of our country.

Walton Gresham's tenure as council president began soon after Congress enacted the Agricultural Act of 2014, and his effective leadership has helped Mississippi producers adapt to the new federal agriculture policies established by this new farm bill. Mr. Gresham has been an active leader on transportation issues in our State, and he is constructively engaged as Congress prepares to consider legislation to reauthorize Federal spending on highway and public transportation programs that are vitally important to the Mississippi Delta and its future. Mr. Gresham's dedication to confronting health care disparities and higher education needs in our State should also be commended. Through its work with Delta Council, Mr. Gresham's family has improved Mississippi's workforce training and readiness.

In addition to his role as president of Delta Council, Mr. Gresham has been active in the Mississippi Propane Gas Association, the National Propane Gas Association, the Petroleum Marketers Association of America, the Mississippi Petroleum Marketers and Convenience Stores Association, and the Mississippi Economic Council. He serves on the board of directors of Planters Bank, Propane Energy Group, Delta Terminal, Gresham-McPherson Oil Company, DoubleQuick, and Indianola Insurance Agency. He is a past president of the Indianola Rotary Club and Indianola Country Club.

Walton Gresham is a respected businessman and his performance as president of Delta Council will complement his well-earned reputation for unselfish service to improve the quality of life for those who live and do business in the Mississippi Delta region. His dedication to the future of the delta and all of those who live there is sincere. I am pleased to join the people of my State in commending Walton Gresham and sharing our appreciation with his wife Laura and their children Lenore and Elizabeth as they prepare for the 80th annual meeting of the Delta Council organizational membership, at which time, he will reflect on his successful tenure before passing the torch to a new president.●

CONGRATULATING TIM WILSON

● Mr. KING. Mr. President, I would like to congratulate Mr. Timothy P. Wilson on receiving the Gerda Haas Award for Excellence in Human Rights Education and Leadership from the Holocaust and Human Rights Center of Maine.

The Gerda Haas Award recognizes and honors individuals who demonstrate excellence and initiative in human rights education and leadership. In the late 1970s, Gerda Haas was appointed to the Maine State School Board of Education and while serving on the board learned that students were not being taught about the Holocaust in Maine schools. Gerda identified this critical educational void and took action to remedy it, establishing the Holocaust and Human Rights Center of Maine with the goal of combating prejudice and discrimination while encouraging individuals to reflect and act upon their ethical and moral responsibilities in the modern world.

Tim Wilson certainly lives up to this philosophy. Over the course of his vibrant life as a teacher, coach, philanthropist, consultant, government official, husband, father, and grandfather, Tim has dedicated his time to serving others both at home in Maine and in the international community.

After graduating from Slippery Rock University and the University of Washington, where he was certified to teach English as a second language, Tim served in the Peace Corps in Thailand from 1962 to 1965. When he returned to the U.S., Tim took over as the head coach of the Dexter High School football team leading them to two Class C co-state championships and two Little Ten Conference titles. Over the course of his coaching career Tim has been a mentor to hundreds, if not thousands of students throughout Maine advocating education and sportsmanship.

One of Tim's greatest legacies is his work with Seeds of Peace. This student exchange program is focused on bringing young people from conflict zones around the world together in order to build lasting relationships and develop the skills needed to advance peace. In the program's first year, Tim managed the International Camp in Otisfield, ME where a group of 46 Israeli, Palestinian, Egyptian, and American teenagers attended the camp for the inaugural season. As Seeds of Peace grew to accommodate over 100 students every year, Tim worked as director of both the Seeds of Peace International Camp in Maine and the Seeds of Peace Center for Coexistence in Jerusalem. Currently, Tim serves as a special international advisor to Seeds of Peace which has generated over 5,000 international alumni and which continues to help young people work towards peace in international conflict areas.

Tim Wilson has worked under four Maine Governors, including myself. He has served in posts such as chair of the Maine Human Rights Commission, State ombudsman, and associate commissioner of programming for the Department of Mental Health, Mental Retardation and Corrections. He served as director of the State Offices of Energy, Community Services, and Civil Emergency Preparedness. He has also been the director of admissions at Maine Central Institute in Pittsfield, the associate headmaster at the Hyde School in Bath, ME, and the annual key note speaker at Dirigo Girls State.

In 1997, the late King Hussein of the Hashemite Kingdom of Jordan presented Tim with a Medal of Honor. Seeds of Peace has recognized his efforts with a Distinguished Leadership Award and the Maine Youth Camping Association honored him with the Halsey Gulick Award. Tim has also been honored with the Distinguished American Award by the Maine Chapter of the National Football Foundation. Most recently, Tim received the Franklin H. Williams Award which recognizes ethnically diverse returned Peace Corps Volunteers who exemplify a commitment to community service and the Peace Corps' goal of promoting a cultural awareness among Americans.

Tim Wilson has devoted his life to promoting peace and understanding, to educating young people, and to empowering them to make their communities—and the world—a better place. I can think of no one more deserving of the Gerda Haas Award. Tim has led a career dedicated to teaching the next generation of young people and he has done a truly spectacular job of preparing them.●

TRIBUTE TO JERRY DUNFEY

● Mrs. SHAHEEN. Mr. President, I wish to extend my best wishes to Jerry Dunfey on his 80th birthday this Saturday and to salute his lifetime of remarkable achievements as a business leader and political activist.

Jerry is one of 12 siblings born to Catharine and Leroy Dunfey, who emigrated from Ireland, worked in the textile mills of Lowell, MA, and later opened a small clam stand in Hampton, NH. In the years since, the Dunfeys have gone on to become one of the grand families of Granite State business and politics.

As a teenager, Jerry went to work managing Dunfey's Restaurant at Hampton Beach and then made his way through the University of New Hampshire by working at the family's restaurant in Durham. He and his brothers went on to operate other restaurants, acquired small inns across New England, and founded Dunfey Hotels, which under subsequent owners became Omni Hotels.

In 1968, they purchased the historic Parker House hotel in Boston, where they found the archives of the 19th century Saturday Club salon, which included Ralph Waldo Emerson, Henry Wadsworth Longfellow, and Oliver Wendell Holmes. Jerry Dunfey reincarnated this famous club by founding what would become known as the Global Citizens Circle. Since 1974, the circle has brought together elected officials, activists, and ordinary citizens to debate leading issues, advocate for civil

rights, and promote peaceful change in South Africa, Northern Ireland, and across the globe. Under auspices of the circle, Jerry has brought to New Hampshire speakers ranging from Archbishop Desmond Tutu to Ambassador Andrew Young to Arn Chorn-Pond, a survivor of the Cambodian killing fields. Hundreds of circle forums have been convened in Belfast, Soweto, Jerusalem, Havana, and in cities across the United States.

Jerry and his wife Nadine Hack have a long history of engagement in the U.S. civil rights movement, including a close friendship with the family of Martin Luther King, Jr. They both served on the board of the Martin Luther King, Jr. Center for Nonviolent Social Change, read a psalm at Coretta Scott King's private family funeral, and were honorary pall bearers at her larger public funeral. They also have close ties with leaders of South Africa's liberation movement and were guests of state at Nelson Mandela's inauguration as President in 1994.

For more than six decades, the large Dunfey and Kennedy families have been closely intertwined in both friendship and politics—though Ted Kennedy used to joke that, when it came to children, ''the Dunfeys are size 12 but the Kennedys are only size 9.'' Jerry was close friends with John, Bobby, and Ted Kennedy, dating back to the 1950s, and John announced for the Presidency in 1960 at a Dunfey hotel in Manchester. In 2009, Jerry and Nadine had the singular honor of sitting in the final hour of vigil by Ted Kennedy's casket at the JFK Presidential Library.

Jerry Dunfey's activism in progressive politics has continued strongly into the second decade of the 21st century. He and Nadine have had five children and six grandchildren, and they are especially proud that all three generations of their family actively campaigned for President Barack Obama. Now on the cusp of his ninth decade, Jerry is retired but far from retiring.

Dr. Martin Luther King, Jr., said, ''Life's most persistent and urgent question is: What are you doing for others?'' Across a lifetime in public life, Jerry Dunfey has answered that question in powerful ways: fighting for civil rights, advancing the cause of social and economic justice here at home, and promoting peace and reconciliation across the globe. I congratulate Jerry on his 80th birthday and send my best wishes to Nadine, their children and grandchildren, and the entire Dunfey clan. They have contributed so much to the civic life of our State and our country. ●

TRIBUTE TO DR. NICHOLAS WOLTER

● Mr. TESTER. Mr. President, today I wish to recognize a Montanan whose life's work is helping to improve the health of folks in my home State and across this country.

As a board-certified physician in internal medicine and pulmonary medicine, Dr. Nicholas Wolter has been dedicated to improving the health of folks in Montana for several decades. His distinguished career in Montana began more than 30 years ago at the Billings Clinic, where he now serves as the chief executive officer. Under his leadership, the Billings Clinic has become the largest health care organization in Montana, with more than 3,700 employees, including 350 physicians and 400 inpatient nurses. Dr. Wolter is known for his commitment to the people of Billings, and under his direction the clinic has provided more charity care than any other health care organization in the State and has gained a reputation nationally as a leader in patient safety, quality, and service.

For the past decade, Dr. Wolter has been one of the most influential voices on Capitol Hill in helping to reform our fragmented health care delivery system and championing the medical-group delivery model. His successes can be seen in several pieces of legislation, including the Affordable Care Act, and have improved care for countless numbers of patients. Dr. Wolter's close partnership with our former colleague, Senator Max Baucus, resulted in Montana serving as a model for the rest of the Nation on how best to deliver care in the most rural parts of this Nation.

Dr. Wolter is a former member of the board of directors of the American Medical Group Association and the American Hospital Association. He served two terms as a Commissioner on the Medicare Payment Advisory Commission, advising Congress on how to improve care and reduce costs in the health care system. Dr. Wolter was recognized by the Medical Group Management Association in 2004 as the Physician Executive of the Year and was named by Modern Healthcare as one of the 100 Most Influential People in Health Care in 2010 and 2011, and by Modern Physicians as one of the 50 Most Influential Physicians in Health Care in 2011.

Dr. Wolter has been a tireless advocate in improving our health care system and today I am delighted to recognize him as he is being entered into the American Medical Group Association's Policy Hall of Fame.●

MESSAGE FROM THE PRESIDENT

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

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA, RECEIVED DURING ADJOURNMENT OF THE SENATE ON MAY 15, 2015—PM 17

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2015. The Government of Burma has made significant progress across a number of important areas, including the release of over 1,300 political prisoners, continued progress toward a nationwide cease-fire, the discharge of hundreds of child soldiers from the military, steps to improve labor standards, and expanding political space for civil society to have a greater voice in shaping issues critical to Burma's future. In addition, Burma has become a signatory of the International Atomic Energy Agency's Additional Protocol and ratified the Biological Weapons Convention, significant steps towards supporting global nonproliferation. Despite these strides, the situation in the country continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Concerns persist regarding the ongoing conflict and human rights abuses in the country, particularly in ethnic minority areas and Rakhine State. In addition, Burma's military operates with little oversight from the civilian government and often acts with impunity. For these reasons, I have determined that it is necessary to continue the national emergency with respect to Burma.

Despite this action, the United States remains committed to supporting and strengthening Burma's reform efforts and to continue working both with the Burmese government and people to ensure that the democratic transition is sustained and irreversible.

BARACK OBAMA.

THE WHITE HOUSE, *May 15, 2015.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURMENT

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on May 15, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 1191) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act, and agrees to the amendment of the Senate to the title of the bill.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate on January 6, 2015, the Secretary of the Senate, on May 15, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 606. An act to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

H.R. 1191. An act to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

MESSAGE FROM THE HOUSE

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

H.R. 2252. An act to clarify the effective data of certain provisions of the Border Patrol Agent Pay Reform Act of 2014, and for other purposes.

H.R. 2297. An act to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, May 18, 2015, he had signed the following bills, which were previously signed by the Speaker of the House:

H.R. 606. An act to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

H.R. 1191. An act to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

MEASURES REFERRED

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

H.R. 2297. An act to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1350. A bill to provide a short-term extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

S. 1357. A bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes.

H.R. 2048. An act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 611. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes (Rept. No. 114–47).

S. 653. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act (Rept. No. 114–48).

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. NELSON (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 1360. A bill to amend the limitation on liability for passenger rail accidents or incidents under section 28103 of title 49, United States Code, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself, Mr. BARRASSO, Mr. TESTER, Mr. MORAN, and Ms. HEITKAMP):

S. 1361. A bill to amend the Internal Revenue Code of 1986 to extend and improve the Indian coal production tax credit; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. TOOMEY):

S. 1362. A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs); to the Committee on Finance.

By Mr. CRAPO:

S. 1363. A bill to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself, Mr. BROWN, Ms. HIRONO, Mr. BLUMENTHAL, and Mr. FRANKEN):

S. 1364. A bill to amend title XIX of the Social Security Act to require the payment of an additional rebate to the State Medicaid plan in the case of increase in the price of a generic drug at a rate that is greater than the rate of inflation; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. DAINES, Mr. FRANKEN, Mr. HEINRICH, Ms. HEITKAMP, Ms. KLOBUCHAR, and Mr. UDALL):

S. 1365. A bill to authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1366. A bill to amend the charter of the Gold Star Wives of America to remove the restriction on the federally chartered corporation, and directors and officers of the corporation, attempting to influence legislation; to the Committee on the Judiciary.

By Mr. DONNELLY (for himself and Mr. PORTMAN):

S. 1367. A bill to amend the Federal Home Loan Bank Act with respect to membership eligibility of certain institutions; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. DAINES) 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. 352

At the request of Ms. AYOTTE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 375

At the request of Mr. CARDIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 375, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 386

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 389

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 389, a bill to amend section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population.

S. 391

At the request of Mr. PAUL, the name of the Senator from South Carolina

(Mr. GRAHAM) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 447

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 447, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 559

At the request of Mr. BURR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 559, a bill to prohibit the Secretary of Education from engaging in regulatory overreach with regard to institutional eligibility under title IV of the Higher Education Act of 1965, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 599

At the request of Mr. CARDIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 599, a bill to extend and expand the Medicaid emergency psychiatric demonstration project.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 682

At the request of Mr. DONNELLY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 688

At the request of Mr. MANCHIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 688, a bill to amend title XVIII of the Social Security Act to adjust the Medicare hospital readmission reduction program to respond to patient disparities, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 851

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 851, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 933

At the request of Mr. ALEXANDER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 933, a bill to amend the National Labor Relations Act with respect to the timing of elections and pre-election hearings and the identification of pre-election issues, and to require that lists of employees eligible to vote in organizing elections be provided to the National Labor Relations Board.

S. 1006

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1006, a bill to incentivize early adoption of positive train control, and for other purposes.

S. 1119

At the request of Mr. PETERS, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1121

At the request of Ms. AYOTTE, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1126

At the request of Mr. COONS, the names of the Senator from California (Mrs. BOXER) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1126, a bill to modify and extend the National Guard State Partnership Program.

S. 1135

At the request of Mrs. MCCASKILL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1135, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 1142

At the request of Mr. LEE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1142, a bill to clarify that noncommercial species found entirely within the borders of a single State are not in interstate commerce or subject to regulation under the Endangered Species Act of 1973 or any other provision of law enacted as an exercise of the power of Congress to regulate interstate commerce.

S. 1193

At the request of Ms. CANTWELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1212

At the request of Mr. CARDIN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. PETERS), the Senator from California (Mrs. FEINSTEIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1294

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1294, a bill to require the Secretary of Energy and the Secretary of Agriculture to collaborate in promoting the development of efficient, economical, and environmentally sustainable thermally led wood energy systems.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1302

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1302, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 1324

At the request of Mrs. CAPITO, the name of the Senator from Alabama

(Mr. SESSIONS) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes.

S. RES. 87

At the request of Mr. MENENDEZ, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 87, a resolution to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

S. RES. 168

At the request of Mr. GRASSLEY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Res. 168, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system.

AMENDMENT NO. 1237

At the request of Mr. LANKFORD, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Louisiana (Mr. CASSIDY) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 1237 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1242

At the request of Mr. BROWN, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Delaware (Mr. COONS), the Senator from Hawaii (Ms. HIRONO), the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Mexico (Mr. UDALL), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. REED), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1242 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1244

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 1244 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. BARRASSO, Mr. TESTER, Mr. MORAN, and Ms. HEITKAMP):

S. 1361. A bill to amend the Internal Revenue Code of 1986 to extend and improve the Indian coal production tax credit; to the Committee on Finance.

Mr. DAINES. Mr. President, this year marks the 10-year anniversary of the Indian coal production tax credit. This is a crucial tax incentive that levels the playing field for the future development of tribal coal resources that are currently subject to more regulatory requirements than comparable development on private, State or Federal land. The credit protects the economic viability of existing tribal coal mining projects which support much needed tribal jobs and provide a major source of non-Federal revenue for coal-producing tribes.

Over the past 10 years, the Indian production coal tax credit has proven to be an essential tool in the work of Montana tribes to achieve self-sufficiency, increase economic opportunity, and create good-paying jobs for tribal members. It also has had a significant impact on Montana's economy as a whole.

In fact, in the State of Montana, the Crow tribe relies on coal production for good-paying jobs and as much as two-thirds of the Crow Nation's annual non-Federal budget, partially funding Crow elder programs, higher education for tribal youth, and other essential services for the Crow's 13,000 enrolled members.

Current unemployment on the Crow reservation is 47 percent. It would be over 80 percent if it weren't for the coal jobs. In fact, just last month, I chaired the first ever energy and jobs Senate field hearing on the Crow reservation back in Montana. I heard firsthand how the tax credit is creating economic opportunities for members of the Crow tribe. Yet the current nature of annual reauthorization has resulted in unnecessary uncertainty.

The Crow tribe, as well as all who rely on the Indian coal production tax credit, deserve a long-term solution that provides them with the support and certainty they desperately need. In fact, at last month's hearing, Crow chairman Darrin Old Coyote testified, ''There are a few federal tax incentives that encourage investment and development in Indian country, but their utility is diminished by their short-term nature.''

For those who have spent time on the Crow reservation and throughout Southeastern Montana, the economic benefits are most evident. The Indian coal production tax credit has served as a catalyst for creating jobs and fostering tribal self-determination.

In fact, the Harvard Project on American Indian Economic Development recently published a study of preliminary findings which analyzed the economic effects of this tax provision. The study found that the Indian coal production tax credit contributed 1,600 jobs across Montana and generated $107 million in royalties and tax revenue for the Crow tribe in 2013 alone. In addition, the tax credit stimulates $95 million in wages for the State of Montana. The Indian coal production tax credit, which expired at the end of 2014 after a 1-year extension, continues to serve the Crow tribe as an effective mechanism for economic development. However, it is a constant source of angst due to Congress's unwillingness to adopt an extension of this provision.

The benefits of this tax credit are evident on tribal lands, especially in Montana. In fact, displayed prominently in my Washington, DC, office is a note from Crow chairman Old Coyote's daughter Evelyn. I have it framed in my office. She wrote: ''Please keep the coal tax credit going to help me and other Crow kids have a brighter future.''

A permanent extension provides much needed certainty to invest in large-scale energy production projects and provides a path forward for the long-term prosperity of our tribal nations.

Today, I am introducing much needed legislation that addresses the problem and gives our tribes certainty. I appreciate my colleague Montana Senator JON TESTER for joining me in this important effort. I wish to thank Montana Representative RYAN Zinke for introducing a companion bill in the House of Representatives. I also wish to thank the bipartisan Senate team that includes Senators BARRASSO, MORAN, and HEITKAMP for sponsoring this bill. Together, we will continue to advance this legislation for the betterment of Native American tribes.

While there is still more to be done to better serve our tribes, the permanent extension of the Indian coal production tax credit is a good start. I believe this vital piece of legislation will continue to bring more good-paying jobs to Montana and to our Nation, and I strongly urge my colleagues in the Senate to support it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1249. Mr. MARKEY submitted an amendment intended to be proposed to

amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1250. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1251. Mr. BROWN (for himself, Mr. PETERS, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra.

SA 1252. Mr. BROWN (for himself, Mr. PORTMAN, Mrs. MCCASKILL, Mr. GRAHAM, Mr. BENNET, Mr. BURR, Mr. CASEY, Mr. DONNELLY, Mr. FRANKEN, Ms. KLOBUCHAR, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1253. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1254. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1255. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1256. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1257. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1258. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1259. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1260. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1261. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1262. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1263. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1264. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1265. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1266. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1267. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1268. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1269. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1270. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1271. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1272. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1273. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1274. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1275. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1276. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1277. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1278. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1279. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1280. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1281. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1282. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1283. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1284. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1285. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1286. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1287. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1288. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1289. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1290. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1291. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1292. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1293. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1294. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1295. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1296. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1297. Mr. BLUMENTHAL (for himself, Mr. BROWN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1298. Ms. HEITKAMP (for herself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1299. Mr. PORTMAN (for himself, Ms. STABENOW, Mr. BURR, Mr. BROWN, Mr. CASEY, Mr. SCHUMER, Mr. GRAHAM, Mrs. SHAHEEN, Ms. HEITKAMP, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. MANCHIN, Ms. WARREN, Ms. COLLINS, and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 1221

proposed by Mr. HATCH to the bill H.R. 1314, supra.

SA 1300. Mr. PORTMAN (for himself, Mrs. MCCASKILL, Mr. BURR, Mr. TOOMEY, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1301. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1302. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1303. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1304. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1305. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1306. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1307. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1308. Mr. MARKEY (for himself, Mr. WHITEHOUSE, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1309. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1310. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1311. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1312. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra.

SA 1313. Mr. COATS (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1314. Mr. COATS (for himself, Mrs. FEINSTEIN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1315. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1316. Ms. CANTWELL (for herself, Mr. KAINE, Ms. COLLINS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1317. Ms. BALDWIN (for herself, Mr. FRANKEN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1318. Ms. BALDWIN (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1319. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1320. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1321. Ms. BALDWIN (for herself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1322. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1323. Ms. BALDWIN (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1324. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1325. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1326. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1327. Ms. WARREN (for herself, Ms. HEITKAMP, Mr. MANCHIN, Mr. DURBIN, Mrs. BOXER, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MARKEY, Mr. PETERS, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. UDALL, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra.

SA 1328. Ms. WARREN (for herself, Mr. MERKLEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1329. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1330. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1331. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1332. Mr. MURPHY (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1333. Mr. MURPHY (for himself, Ms. WARREN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1334. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1335. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1336. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1337. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1338. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1339. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1340. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1341. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1342. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1343. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1344. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1345. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1346. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1347. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1348. Mr. MENENDEZ (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1349. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1350. Mr. MENENDEZ (for himself, Mr. UDALL, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill

H.R. 1314, supra; which was ordered to lie on the table.

SA 1351. Mr. MENENDEZ (for himself, Mr. UDALL, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1352. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1353. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1354. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1355. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1356. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1357. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1358. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1359. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1360. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1361. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1362. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1363. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1364. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1365. Ms. BALDWIN (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1249. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) ACCESS TO THE INTERNET.—The principal negotiating objectives of the United States with respect to the Internet shall be to preserve equal access to the Internet and to not undermine any law or regulation of the United States with respect to net neutrality.

SA 1250. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PRIVACY.—The principal negotiating objectives of the United States with respect to privacy shall be to protect the privacy of data of consumers and individuals and to not reduce protections for privacy under the law and regulations of the United States.

SA 1251. Mr. BROWN (for himself, Mr. PETERS, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

At the end of section 107, add the following:

(c) LIMITATIONS ON ADDITIONAL COUNTRIES JOINING THE TRANS-PACIFIC PARTNERSHIP AGREEMENT.—

(1) IN GENERAL.—The trade authorities procedures shall apply to an implementing bill submitted with respect to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries only if that implementing bill covers only the countries that are parties to the negotiations for that agreement as of the date of the enactment of this Act.

(2) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES TO ADDITIONAL COUNTRIES.—If a country or countries not a party to the negotiations for the agreement described in subsection (a)(2) as of the date of the enactment of this Act enter into negotiations to join the agreement after that date, the trade authorities procedures shall apply to an implementing bill submitted with respect to an agreement with such country or countries to join the agreement described in subsection (a)(2) only if—

(A) the President notifies Congress of the intention of the President to enter into negotiations with such country or countries in accordance with section 105(a)(1)(A);

(B) during the 90-day period provided for under section 105(a)(1)(A) before the President initiates such negotiations—

(i) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate each certify that such country or countries are capable of meeting the standards of the Trans-Pacific Partnership; and

(ii) the House of Representatives and the Senate each approve a resolution approving such country or countries entering into negotiations to join the agreement described in subsection (a)(2);

(C) the agreement with such country or countries to join the agreement described in subsection (a)(2) is entered into before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under section 103(c); and

(D) that implementing bill covers only such country or countries.

SA 1252. Mr. BROWN (for himself, Mr. PORTMAN, Mrs. MCCASKILL, Mr. GRAHAM, Mr. BENNET, Mr. BURR, Mr. CASEY, Mr. DONNELLY, Mr. FRANKEN, Ms. KLOBUCHAR, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—AMENDMENTS TO ANTI-DUMPING AND COUNTERVAILING DUTY LAWS

SEC. 301. CONSEQUENCES OF FAILURE TO COOPERATE WITH A REQUEST FOR INFORMATION IN A PROCEEDING.

Section 776 of the Tariff Act of 1930 (19 U.S.C. 1677e) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking ''ADVERSE INFERENCES.—If'' and inserting the following: ''ADVERSE INFERENCES.—

''(1) IN GENERAL.—If'';

(C) by striking ''under this title, may use'' and inserting the following: ''under this title—

''(A) may use''; and

(D) by striking ''facts otherwise available. Such adverse inference may include'' and inserting the following: ''facts otherwise available; and

''(B) is not required to determine, or make any adjustments to, a countervailable subsidy rate or weighted average dumping margin based on any assumptions about information the interested party would have provided if the interested party had complied with the request for information.

''(2) POTENTIAL SOURCES OF INFORMATION FOR ADVERSE INFERENCES.—An adverse inference under paragraph (1)(A) may include'';

(2) in subsection (c)—

(A) by striking ''CORROBORATION OF SECONDARY INFORMATION.—When the'' and inserting the following: ''CORROBORATION OF SECONDARY INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), when the''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—The administrative authority and the Commission shall not be required to corroborate any dumping margin

or countervailing duty applied in a separate segment of the same proceeding.''; and

(3) by adding at the end the following:

''(d) SUBSIDY RATES AND DUMPING MARGINS IN ADVERSE INFERENCE DETERMINATIONS.—

''(1) IN GENERAL.—If the administering authority uses an inference that is adverse to the interests of a party under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority may—

''(A) in the case of a countervailing duty proceeding—

''(i) use a countervailable subsidy rate applied for the same or similar program in a countervailing duty proceeding involving the same country, or

''(ii) if there is no same or similar program, use a countervailable subsidy rate for a subsidy program from a proceeding that the administering authority considers reasonable to use, and

''(B) in the case of an antidumping duty proceeding, use any dumping margin from any segment of the proceeding under the applicable antidumping order.

''(2) DISCRETION TO APPLY HIGHEST RATE.—In carrying out paragraph (1), the administering authority may apply any of the countervailable subsidy rates or dumping margins specified under that paragraph, including the highest such rate or margin, based on the evaluation by the administering authority of the situation that resulted in the administering authority using an adverse inference in selecting among the facts otherwise available.

''(3) NO OBLIGATION TO MAKE CERTAIN ESTIMATES OR ADDRESS CERTAIN CLAIMS.—If the administering authority uses an adverse inference under subsection (b)(1)(A) in selecting among the facts otherwise available, the administering authority is not required, for purposes of subsection (c) or for any other purpose—

''(A) to estimate what the countervailable subsidy rate or dumping margin would have been if the interested party found to have failed to cooperate under subsection (b)(1) had cooperated, or

''(B) to demonstrate that the countervailable subsidy rate or dumping margin used by the administering authority reflects an alleged commercial reality of the interested party.''.

SEC. 302. DEFINITION OF MATERIAL INJURY.

(a) EFFECT OF PROFITABILITY OF DOMESTIC INDUSTRIES.—Section 771(7) of the Tariff Act of 1930 (19 U.S.C. 1677(7)) is amended by adding at the end the following:

''(J) EFFECT OF PROFITABILITY.—The Commission shall not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.''.

(b) EVALUATION OF IMPACT ON DOMESTIC INDUSTRY IN DETERMINATION OF MATERIAL INJURY.—Subclause (I) of section 771(7)(C)(iii) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iii)) is amended to read as follows:

''(I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity,''.

(c) CAPTIVE PRODUCTION.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended—

(1) in subclause (I), by striking the comma and inserting '', and'';

(2) in subclause (II), by striking '', and'' and inserting a comma; and

(3) by striking subclause (III).

SEC. 303. PARTICULAR MARKET SITUATION.

(a) DEFINITION OF ORDINARY COURSE OF TRADE.—Section 771(15) of the Tariff Act of 1930 (19 U.S.C. 1677(15)) is amended by adding at the end the following:

''(C) Situations in which the administering authority determines that the particular market situation prevents a proper comparison with the export price or constructed export price.''.

(b) DEFINITION OF NORMAL VALUE.—Section 773(a)(1)(B)(ii)(III) of the Tariff Act of 1930 (19 U.S.C. 1677b(a)(1)(B)(ii)(III)) is amended by striking ''in such other country.''.

(c) DEFINITION OF CONSTRUCTED VALUE.—Section 773(e) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)) is amended—

(1) in paragraph (1), by striking ''business'' and inserting ''trade''; and

(2) By striking the flush text at the end and inserting the following:

''For purposes of paragraph (1), if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology. For purposes of paragraph (1), the cost of materials shall be determined without regard to any internal tax in the exporting country imposed on such materials or their disposition that is remitted or refunded upon exportation of the subject merchandise produced from such materials.''.

SEC. 304. DISTORTION OF PRICES OR COSTS.

(a) INVESTIGATION OF BELOW-COST SALES.—Section 773(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1677b(b)(2)) is amended by striking subparagraph (A) and inserting the following:

''(A) REASONABLE GROUNDS TO BELIEVE OR SUSPECT.—

''(i) REVIEW.—In a review conducted under section 751 involving a specific exporter, there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that are less than the cost of production of the product if the administering authority disregarded some or all of the exporter's sales pursuant to paragraph (1) in the investigation or, if a review has been completed, in the most recently completed review.

''(ii) REQUESTS FOR INFORMATION.—In an investigation initiated under section 732 or a review conducted under section 751, the administering authority shall request information necessary to calculate the constructed value and cost of production under subsections (e) and (f) to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the cost of production of the product.''.

(b) PRICES AND COSTS IN NONMARKET ECONOMIES.—Section 773(c) of the Tariff Act of 1930 (19 U.S.C. 1677b(c)) is amended by adding at the end the following:

''(5) DISCRETION TO DISREGARD CERTAIN PRICE OR COST VALUES.—In valuing the factors of production under paragraph (1) for the subject merchandise, the administering authority may disregard price or cost values without further investigation if the administering authority has determined that broadly available export subsidies existed or particular instances of subsidization occurred with respect to those price or cost values or if those price or cost values were subject to an antidumping order.''.

SEC. 305. REDUCTION IN BURDEN ON DEPARTMENT OF COMMERCE BY REDUCING THE NUMBER OF VOLUNTARY RESPONDENTS.

Section 782(a) of the Tariff Act of 1930 (19 U.S.C. 1677m(a)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, 2 ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(3) by striking ''INVESTIGATIONS AND REVIEWS.—In'' and inserting the following: ''INVESTIGATIONS AND REVIEWS.—

''(1) IN GENERAL.—In'';

(4) in paragraph (1), as designated by paragraph (3), by amending subparagraph (B), as redesignated by paragraph (2), to read as follows:

''(B) the number of exporters or producers subject to the investigation or review is not so large that any additional individual examination of such exporters or producers would be unduly burdensome to the administering authority and inhibit the timely completion of the investigation or review.''; and

(5) by adding at the end the following:

''(2) DETERMINATION OF UNDULY BURDENSOME.—In determining if an individual examination under paragraph (1)(B) would be unduly burdensome, the administering authority may consider the following:

''(A) The complexity of the issues or information presented in the proceeding, including questionnaires and any responses thereto.

''(B) Any prior experience of the administering authority in the same or similar proceeding.

''(C) The total number of investigations under subtitle A or B and reviews under section 751 being conducted by the administering authority as of the date of the determination.

''(D) Such other factors relating to the timely completion of each such investigation and review as the administering authority considers appropriate.''.

SEC. 306. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this title shall apply with respect to goods from Canada and Mexico.

SA 1253. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 203(d)(2) and insert the following:

(2) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking ''$16,000,000'' and all that follows through ''December 31, 2013'' and inserting ''$50,000,000 for each of the fiscal years 2015 through 2021''.

SA 1254. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PRINCIPAL NEGOTIATING OBJECTIVE DEFINED.—In this subsection, the term ''principal negotiating objective'' means a mandatory negotiating objective of the United States required to be achieved by the President for an agreement to be eligible for trade authorities procedures, as defined in section 3(b).

SA 1255. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b)(1), add the following:

(C) to obtain competitive opportunities for United States exports of goods by—

(i) providing reasonable adjustment periods for import-sensitive products manufactured in the United States and maintaining close consultation with Congress with respect to those products before initiating negotiations for a trade agreement that reduces tariffs;

(ii) taking into account whether a party to negotiations for a trade agreement has failed to adhere to any provision of an existing trade agreement with the United States or has circumvented any obligation under any such existing trade agreement; and

(iii) taking into account whether a product is subject to market distortions by reason of—

(I) the failure of a major producing country, as determined by the President, to adhere to any provision of an existing trade agreement with the United States; or

(II) the circumvention by that country of its obligations under an existing trade agreement with the United States.

SA 1256. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b)(4), strike subparagraph (G).

SA 1257. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b)(4), after subparagraph (E), insert the following:

(F) strengthening the capacity of trading partners of the United States to protect the rights and interests of investors through the establishment and maintenance of fair and efficient legal proceedings consistent with the legal principles and practices of the United States;

SA 1258. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b)(10), strike subparagraph (G).

SA 1259. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b), add at the end the following:

(21) RULES OF ORIGIN.—The principal negotiating objective of the United States with respect to rules of origin is to ensure that the benefits of a trade agreement accrue to the parties to the agreement, particularly with respect to goods produced in the United States and goods that incorporate materials produced in the United States.

SA 1260. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 105(a), add at the end the following:

(6) NEGOTIATIONS REGARDING INDUSTRIAL PRODUCTS.—

(A) IN GENERAL.—Before initiating or continuing negotiations with respect to a trade agreement or trade agreements relating to industrial products, the President shall—

(i) assess—

(I) whether there is global overcapacity in industrial products, including industrial products subject to the provisions of such agreement or agreements; and

(II) the enhanced access to the United States market that such agreement or agreements would provide; and

(ii) consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to—

(I) the potential impact of such agreement or agreements on industrial products produced in the United States;

(II) the results of the assessment conducted under clause (i)(I);

(III) whether it is appropriate for the President to agree to reduce tariffs on industrial products based on any conclusions reached in that assessment; and

(IV) how the President intends to comply with all negotiating objectives applicable to such agreement or agreements.

(B) ASSESSMENT.—The assessment conducted under subparagraph (A)(i) shall include, at a minimum, an assessment of the following industrial products:

(i) Steel and steel products.

(ii) Aluminum and aluminum products.

(iii) Solar products.

(iv) Glass, including flat glass and glassware.

(v) Cement.

(vi) Wood.

(vii) Paper products.

SA 1261. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 106(b), add at the end the following:

(7) FOR AGREEMENTS WITH COUNTRIES THAT DO NOT PROTECT RELIGIOUS FREEDOMS.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country that does not protect religious freedoms, as determined in the most recent report on international religious freedom under section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)).

SA 1262. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 106(b), add at the end the following:

(7) FOR AGREEMENTS WITH NONMARKET ECONOMY COUNTRIES.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a nonmarket economy country, as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)).

SA 1263. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 106(b), add at the end the following:

(7) FOR AGREEMENTS WITH COUNTRIES CLASSIFIED AS TAX HAVENS.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements with a country—

(A) that is classified as a tax haven by the Government Accountability Office; and

(B) with which the United States does not have a tax treaty in force.

SA 1264. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 104(a)(3), add at the end the following:

(D) SUBMISSION AND IMPLEMENTATION OF GUIDELINES.—

(i) IN GENERAL.—The United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a copy of the written guidelines developed under subparagraph (A)(i) and any revision to those guidelines under subparagraph (A)(ii).

(ii) IMPLEMENTATION.—The United States Trade Representative may not implement the written guidelines or revisions, as the case may be, submitted under clause (i) until the date that is 30 days after the submission of those guidelines or revisions under that clause.

SA 1265. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 107, add at the end the following:

(c) RULE OF CONSTRUCTION ON NONMARKET ECONOMY COUNTRIES.—Nothing in this Act, or negotiations for an agreement that were commenced before the date of the enactment of this Act, shall be construed to suggest that any country that is a nonmarket economy country, as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)), on the day before the date of the enactment of this Act has transitioned to a market economy for purposes of accession to the World Trade Organization.

SA 1266. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 107, add at the end the following:

(c) SENSE OF CONGRESS ON TREATMENT OF CHINA.—It is the sense of Congress that the People's Republic of China may not join negotiations for the Trans-Pacific Partnership until the President certifies to Congress that China—

(1) has not manipulated the exchange rate of its currency for a period of not less than one year preceding the certification; and

(2) has fully transitioned to a market economy country.

SA 1267. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 107, add the following:

(c) LIMITATION ON ADDITIONAL COUNTRIES JOINING THE TRANS-PACIFIC PARTNERSHIP NEGOTIATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall not apply with respect to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if a country that is not a party to the negotiations for that agreement as of the date of the enactment of this Act joins those negotiations.

(2) APPROVAL BY CONGRESS.—This section shall apply to an agreement described in subsection (a)(2) with the Trans-Pacific Partnership countries if, for each country that joins the negotiations for the agreement after the date of the enactment of this Act, the House of Representatives and the Senate each approve a resolution approving that country joining the negotiations.

(3) CERTIFICATION.—Before a resolution described in paragraph (2) with respect to a country may be voted on by the House of Representatives or the Senate, the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, as the case may be, shall certify that the country meets the standards for the Trans-Pacific Partnership.

SA 1268. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 104(a)(2) and insert the following:

(2) CONSULTATIONS PRIOR TO ENTRY INTO FORCE.—

(A) IN GENERAL.—Prior to exchanging notes providing for the entry into force of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.

(B) VOTE BY COMMITTEE ON WAYS AND MEANS AND COMMITTEE ON FINANCE BEFORE ENTRY INTO FORCE.—

(i) NOTICE.—Not later than 90 days before a trade agreement enters into force, the United States Trade Representative shall submit to Members of Congress and the committees of the House of Representatives and the Senate with jurisdiction over laws that could be affected by the agreement written notice that the agreement will enter into force.

(ii) VOTE BY COMMITTEE ON WAYS AND MEANS AND COMMITTEE ON FINANCE.—Not later than 30 days after receiving notice under clause (i) that a trade agreement will enter into force, the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate shall each meet and vote on whether or not each country that is a party to the agreement meets the standards of the agreement.

SA 1269. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 104(d), add at the end the following:

(5) PUBLIC AVAILABILITY OF NEGOTIATING PROPOSALS.—The United States Trade Representative shall make available to the public each proposal made by the United States in negotiations for a trade agreement conducted under this Act on the day on which the Trade Representative shares the proposal with any other party to the negotiations.

SA 1270. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 104(d), add at the end the following:

(5) PUBLIC PARTICIPATION IN TRADE NEGOTIATIONS.—The United States Trade Representative shall—

(A) make available to the public each proposed chapter of a trade agreement being negotiated under this Act; and

(B) provide for a period for public comment on each such chapter.

SA 1271. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 106(b)(2) and insert the following:

(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions—

(i) in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules;

(III) may not be amended by either Committee; and

(IV) shall be discharged from both such Committees on the day on which not less than one-third of the Members of the House become cosponsors of the resolution; and

(ii) in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance;

(III) may not be amended; and

(IV) shall be discharged from the Committee on Finance on the day on which not less than one-third of the Members of the Senate become cosponsors of the resolution.

(B) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 5(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

SA 1272. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 23, beginning on line 14, strike ''(as defined in'' and all that follows through line 20 and insert ''or its labor laws, or''.

SA 1273. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. REPORT ON IMPACT OF TRADE AGREEMENTS ON PUBLIC HEALTH.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall make available to the public an assessment of the anticipated impact of each trade agreement subject to section 103 on access to medicines in the United States.

(b) ELEMENTS.—The assessment shall include, for each trade agreement, the following:

(1) An estimate of the implications of applicable elements of the trade agreement for the cost of medical tools and technologies.

(2) An estimate of any delays of limits to generic competition for medical products that may arise as a result of the trade agreement above and beyond existing rules in the United States and in United States trading partners.

SA 1274. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 17, strike line 23 and all that follows through page 18, line 4, and insert the following:

(C) to respect—

(i) the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001;

(ii) the bipartisan congressional agreement on trade policy relating to trade agreements with Peru, Colombia, and Panama, dated May 10, 2007 (commonly referred to as the ''May 10 agreement'');

(iii) the World Intellectual Property Organization Development Agenda, adopted in 2007; and

(iv) World Health Organization Resolution 61.21 (2008); and

(D) to ensure that trade agreements protect all public health intellectual property flexibilities afforded by the agreements specified in subparagraph (C) and all other current and subsequent related agreements, included the flexibility to define the scope of patentability nationally, to foster patient-driven innovation, and to promote access to medicines for all people.

SA 1275. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 65, between lines 6 and 7, insert the following:

(g) PUBLICATION OF VISITORS TO THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—The United States Trade Representative shall publish on a publicly available Internet website of the Office of the United States Trade Representative a list of all individuals who visit that Office and are not employees of the Federal Government to facilitate the ability of the public to identify individuals and entities that are seeking to influence trade negotiations.

SA 1276. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. ASSESSMENT OF FOOD SAFETY SYSTEMS OF TRANS-PACIFIC PARTNERSHIP COUNTRIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of Health and Human Services shall jointly submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report assessing the food safety systems of the countries involved in the negotiations for a Trans-Pacific Partnership agreement.

(b) ELEMENTS.—The report required by subsection (a) shall include, with respect to each country involved in the negotiations for a Trans-Pacific Partnership agreement, the following:

(1) An assessment of the following:

(A) The food safety legal and regulatory system in place in that country.

(B) The microbiological and chemical contaminant standards used by that country, as compared to such standards in the United States.

(C) The frequency of testing conducted for microbiological and chemical contaminants by the government of that country.

(D) The food safety laboratory capacity for that country.

(E) The food safety inspection system used by that country and the frequency of such inspections.

(F) Whether that country has a formal food safety equivalency agreement or a similar agreement in effect with the United States.

(G) The volume of food products imported into the United States from that country, expressed in pounds amd broken down by classification under the Harmonized Tariff Schedule of the United States, for each of the 5 years preceding the date of the report.

(H) The amount of each such food product that received physical inspection at United States ports of entry each year during the 5-year period preceding the date of the report, expressed as a percentage of the total number of pounds imported from that country during that 5-year period.

(I) The amount of each such food product that received laboratory analysis by United States food safety authorities each year during that 5-year period, expressed as a percentage of the total number of pounds imported from that country during that 5-year period.

(2) A list of food products that country rejected for exportation to the United States during that 5-year period.

(3) A description of any incidents that led to complete bans of food products from being exported to the United States from that country during that 5-year period and the reasons for such bans.

(4) A description of any incidents in which that country has been found to have transshipped food products the importation of which is prohibited by the United States from other foreign countries for exportation to the United States.

(5) A description of major food safety incidents within that country during the 5 years preceding the date of the report that have raised concerns about the food safety system of the country.

SA 1277. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON CLASSIFICATION OF DOCUMENTS RELATING TO TRADE NEGOTIATIONS.

The Comptroller General of the United States shall submit to Congress a report on the classification by the United States Trade Representative of documents relating to trade negotiations, including an assessment of whether or not the classification levels are appropriate, consistent with historical practices, consistent with other the practices of other Federal agencies, and consistent with the practices of trading partners of the United States.

SA 1278. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 54, between lines 9 and 10, insert the following:

(C) ACCESS OF CONGRESSIONAL STAFF.—In developing guidelines under subparagraph (A), the United States Trade Representative may not require a staff member of a Member of Congress with a proper security clearance described in subparagraph (B)(ii) to be accompanied by the Member of Congress to have access to documents related to trade negotiations.

SA 1279. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative

appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 65, between lines 6 and 7, insert the following:

(g) REPORT ON CLASSIFICATION OF NEGOTIATING PROPOSALS.—Not later than 30 days after the date of the enactment of this Act, the United States Trade Representative shall submit to Congress a report—

(1) describing the policy of the Trade Representative with respect to the classification of proposed text for trade agreements and the use of other methods for limiting access to such text; and

(2) providing a justification for that policy.

SA 1280. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 65, between lines 6 and 7, insert the following:

(g) LIMITATION ON EMPLOYEES OF THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE ACTING AS FOREIGN AGENTS.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''(h) An individual who serves as employee of the Office of the United States Trade Representative may not register as an agent of a foreign principal under section 2 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 612) until the date that is 3 years after the date on which the employment of the individual with the Office terminates.''.

SA 1281. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 22, strike lines 1 through 14 and insert the following:

(8) STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.—The principle negotiating objectives of the United States regarding competition by state-owned and state-controlled commercial enterprises, including those enterprises for which the share of the enterprise owned by the country is less than 50 percent, are—

(A) to require each state-owned or state-controlled enterprise to act solely in a manner consistent with commercial considerations in all investments, operations, and other activities of the enterprise in the territory of a country that is a party to the trade agreement and is not the country that owns or controls the enterprise;

(B) to prohibit each country that is a party to the trade agreement from providing to an enterprise that is owned or controlled by that country any subsidies or other benefits—

(i) that are not generally available on commercial terms; and

(ii) that provide an advantage to the enterprise or its operations with respect to any investment, operation, or other activity in the territory of another country that is a party to the trade agreement;

(C) to not restrict temporary measures taken by a country that is a party to the trade agreement that the country determines are necessary to safeguard an essential economic or security interest of that country;

(D) to require each country that is a party to the agreement to make public an annual report with respect to each enterprise that is owned or controlled by that country and that invests in or conducts operations or other activities in the territory of another country that is a party to the trade agreement that—

(i) describes in detail the governing structure of the enterprise;

(ii) identifies the share of the interests in the capital structure of the enterprise that are held by the government of that country;

(iii) identifies the members of the board of directors of the enterprise; and

(iv) identifies the annual revenue and total assets of the enterprise;

(E) to subject all state-owned or state-controlled enterprises in a country that is a party to the trade agreement to dispute settlement mechanisms in enforcing the trade agreement; and

(F) to preserve the ability of state-owned or state-controlled enterprises to provide legitimate public services.

SA 1282. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 33, between lines 9 and 10, insert the following:

(H) to incorporate into the agreement the due process protections of the Constitution of the United States and provisions of the Constitution relating to access to documents, open hearings, transparency, and fair and impartial tribunals;

(I) to require that any dispute settlement panel, including an appellate panel, considering a dispute relating to intellectual property rights or environmental, health, labor, or other related issues include panelists with expertise in the issues that are the subject of the dispute; and

(J) to require that dispute resolution proceedings be open to the public and provide timely public access to information regarding enforcement of the agreement, disputes under the agreement, and ongoing negotiations relating to disputes under the agreement.

SA 1283. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 73, between lines 2 and 3, insert the following:

(6) REPORT ON FOREIGN COUNTRIES.—

(A) IN GENERAL.—Not later than 45 days before the President initiates negotiations for a trade agreement with a foreign country, the President shall submit to Congress and make available to the public a report on the foreign country that includes an assessment of whether the foreign country—

(i) has a democratic form of government;

(ii) has adopted the core labor standards into the laws and regulations of the foreign country and effectively enforces those standards as reflected in reports by the Committee of Experts on the Application of Conventions and Recommendations, the Conference Committee on the Application of Standards, and the Committee on Freedom of Association of the International Labour Organization;

(iii) respects fundamental human rights, as reflected in the annual Country Reports on Human Rights Practices of the Department of State;

(iv) is designated as a country of particular concern for religious freedom under section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1));

(v) is included on the list described in subparagraph (B) or (C) of section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly known as tier 2 and tier 3 of the Trafficking in Persons Report of the Department of State);

(vi) complies with the multilateral agreements relating to the environment to which the foreign country is a party;

(vii) has adequate environmental laws and regulations, has devoted sufficient resources to implementing those laws and regulations, and has an adequate record of enforcement of those laws and regulations;

(viii) enforces the rights and flexibilities provided under the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)); and

(ix) provides for government transparency, due process of law, and respect for international agreements.

(B) REPORT ON ONGOING NEGOTIATIONS.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress and make available to the public a report on each foreign country with which negotiations for a trade agreement are ongoing on such date of enactment that includes the matters required to be included in the report under paragraph (1) with respect to that foreign country.

(C) FORM OF REPORT.—Each report required under paragraphs (1) and (2) shall be submitted in unclassified form, but may contain a classified annex.

SA 1284. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 103 and insert the following:

SEC. 103. TRADE AGREEMENTS AUTHORITY.

(a) AGREEMENTS REGARDING TARIFF BARRIERS.—

(1) IN GENERAL.—If the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before July 1, 2018; and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, shall not be eligible for approval under this title.

(2) NOTIFICATION.—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

(3) LIMITATIONS.—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

(4) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.—

(A) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of 1/10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) EXEMPTION FROM STAGING.—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(5) ROUNDING.—If the President determines that such action will simplify the computation of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) ½ of 1 percent ad valorem.

(6) OTHER LIMITATIONS.—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 106 and that bill is enacted into law.

(7) OTHER TARIFF MODIFICATIONS.—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.

(8) AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(b) AGREEMENTS REGARDING TARIFF AND NONTARIFF BARRIERS.—

(1) IN GENERAL.—(A) If the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy, or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,

and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before July 1, 2018.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, shall not be eligible for approval under this title.

(2) CONDITIONS.—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 102 and the President satisfies the conditions set forth in sections 104 and 105.

(3) BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.—(A) The provisions of section 151 of the Trade Act of 1974 (in this title referred to as ''trade authorities procedures'') apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this title be referred to as an ''implementing bill''.

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) COMMENCEMENT OF NEGOTIATIONS.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 102.

SA 1285. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 107, add the following:

(c) AVAILABILITY OF INFORMATION ON AUTOMOBILE SUPPLY CHAINS.—The United States Trade Representative shall make available to all Members of Congress and their staff with proper security clearances upon request and in a timely and comprehensive manner—

(1) an analysis of the supply chains in each of the Trans-Pacific Partnership countries with respect to automobiles and the estimated impact that the rules of origin proposal with respect to automobiles by the United States for the Trans-Pacific Partnership Agreement will have on those supply chains; and

(2) a comparison of the rules of origin with respect to automobiles under the North American Free Trade Agreement to the rules of origin proposal with respect to automobiles by the United States for the Trans-Pacific Partnership Agreement and an analysis of the effect of each of the rules on the supply chain in the United States with respect to automobiles.

SA 1286. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 107, add the following:

(c) REPORT BY SECRETARY OF LABOR ON LABOR LAWS OF TRANS-PACIFIC PARTNERSHIP COUNTRIES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report on the labor laws of the Trans-Pacific Partnership countries.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of whether the labor laws of each of the Trans-Pacific Partnership countries comply with the Trans-Pacific Partnership Agreement.

(B) If those laws are not in compliance with that agreement, a description of the steps each such country would be required to take to comply with the agreement during the following periods:

(i) Before the agreement is signed.

(ii) Before the agreement is implemented.

(iii) After the agreement takes effect.

(C) An assessment of the monitoring, investigatory, and enforcement mechanisms that each such country has in place to ensure continued compliance with the labor standards under that agreement.

SA 1287. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. REPORT BY COMPTROLLER GENERAL ON COMPLIANCE WITH AND ENFORCEMENT OF LABOR PROVISIONS OF TRADE AGREEMENTS.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, and not less frequently than every two years thereafter, the Comptroller General of the United States shall submit to Congress a report on compliance by trading partners of the United States with, and enforcement by Federal agencies of, labor provisions of trade agreements to which the United States is a party.

(b) ELEMENTS.—Each report required by subsection (a) shall assess the status of the implementation by trading partners of the United States of labor provisions of trade agreements to which the United States is a party during the period covered by the report, including—

(1) a description of the steps that trading partners have taken, including any assistance provided by the United States to carry out those steps, to implement those provisions and any other labor initiatives, including the results of those steps;

(2) a description of any submission accepted by the Department of Labor regarding a possible violation of a labor provision of a trade agreement to which the United States is a party and any issues relating to the submission process in general, as determined by the Comptroller General; and

(3) an assessment of the extent to which Federal agencies monitor and enforce the implementation by trading partners of the United States of labor provisions of trade agreements to which the United States is a party and report the results of that monitoring and enforcement to Congress.

SA 1288. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. REPORT BY COMPTROLLER GENERAL ON INVESTOR-STATE CASES BROUGHT AGAINST THE UNITED STATES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) each case brought against the Government of the United States under investor-state dispute settlement procedures;

(2) the outcome of each such case; and

(3) the resources of the Government of the United States expended on each such case.

SA 1289. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. ANNUAL REPORT BY SECRETARY OF COMMERCE ON UNITED STATES IMPORTS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Commerce shall submit to Congress and publish in the Federal Register a report on imports into the United States.

(b) ELEMENTS.—Each report submitted under subsection (a) shall identify, for the year covered by the report, disaggregated by country of origin of the import—

(1) the industry sectors in the United States with the most imports;

(2) the industry sectors in the United States with the largest increase in imports as compared to the previous year; and

(3) the trade agreements, if any, under which imports described in paragraph (1) or (2) were imported into the United States and the impact of those imports on employment in the United States.

SA 1290. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 21, strike lines 5 through 14 and insert the following:

and interoperable standards, as appropriate; and

SA 1291. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 20, strike line 21 and insert the following:

practices; and

(vii) the prevention of conflicts of interest in the development of regulations;

SA 1292. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 19, line 24, insert '', including public and civil society stakeholders,'' after ''parties''.

SA 1293. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 16, strike lines 20 through 24 and insert the following:

(iii) recognizing that laws and rules that distinguish the availability, acquisition, scope, maintenance, use, and enforcement for medical products are not discriminatory and the legal rights of trading partners to implement safeguards for the protection of access to medicines and public health, in accordance with the Agreement on Trade-Related Aspects of Intellectual Property Rights (known as the ''TRIPS Agreement''), signed in Marrakesh, Morocco, on April 15, 1994;

SA 1294. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 16, line 12, strike ''United States'' and insert ''international''.

SA 1295. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 3, line 9, insert ''ensure that workers in the United States benefit equally from international trade,'' after ''United States,''.

SA 1296. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 13, strike line 23 and all that follows through page 14, line 2, and insert the following:

(D) establishing standards for expropriation that require compensation when a government seizes or appropriates an investment for its own use or the use of a third party but that do not require compensation when a government regulates an investment in a nondiscriminatory manner that does not transfer ownership or control of the investment;

SA 1297. Mr. BLUMENTHAL (for himself, Mr. BROWN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 104, strike subsection (d) and insert the following:

(d) CONSULTATIONS WITH THE PUBLIC.—

(1) TRANSPARENCY REQUIREMENTS FOR TRADE NEGOTIATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the United States Trade Representative shall make available to Members of Congress and the public, through means including publication on a publicly available Internet website, all formal proposals advanced by the United States in negotiations for a trade agreement pursuant to this title not later than 5 calendar days after the earliest of—

(i) the date on which the proposal is shared with another party to the negotiations;

(ii) the date on which the proposal is submitted to an advisory committee established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155); or

(iii) the date on which the proposal is cleared through the interagency process established to approve official positions in trade negotiations.

(B) CLASSIFIED PROPOSALS SHARED WITH FOREIGN GOVERNMENTS.—If text proposed by the United States Trade Representative to be included in a trade agreement is classified and is shared with any official of a foreign government, that text shall be declassified when the text is shared with that official and made available to Members of Congress and the public in accordance with subparagraph (A).

(C) EXCEPTIONS.—The Trade Representative shall not be required to make available under subparagraph (A)—

(i) any formal proposal advanced by the United States in negotiations for a trade agreement that is intended to be contained in the provisions of the agreement relating to market access for goods and relates to such market access; or

(ii) subject to subparagraph (B), any classified information that does not constitute a formal proposal advanced by the United States in negotiations for a trade agreement.

(D) FORMAL PROPOSAL DEFINED.—

(i) IN GENERAL.—In this paragraph, the term ''formal proposal advanced by the United States in negotiations for a trade agreement''—

(I) means any proposed language, position paper, summary of position, or other document that—

(aa) includes analysis or other language intended to inform negotiations for a trade agreement;

(bb) is offered or intended to be offered on behalf of the United States to any party to the negotiations; and

(cc) reflects the official position of the United States with respect to the negotiations; and

(II) includes any communication regarding the negotiations that is shared with other parties to the negotiations after being cleared through the interagency process established to approve official positions in trade negotiations or that is submitted to an advisory committee established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155).

(ii) EXCLUSION.—The term ''formal proposal'' does not include any communication between negotiators or other officials participating in negotiations for a trade agreement that is not intended to reflect the official position of the United States, including any communication not cleared through the interagency process described in clause (i)(II).

(E) EFFECTIVE DATE.—

(i) IN GENERAL.—The provisions of this paragraph apply with respect to negotiations for a trade agreement initiated on or after or pending on the date of the enactment of this Act.

(ii) PENDING TRADE AGREEMENTS.—In the case of a trade agreement pending on the date of the enactment of this Act, the President shall, not more than 30 calendar days after such date of enactment, make available to Members of Congress and the public all formal proposals that have been advanced by the United States in negotiations for that trade agreement in accordance with this paragraph.

(F) SHARING OF INFORMATION WITH MEMBERS OF CONGRESS AND STAFF.—Nothing in this section shall be construed to prevent or otherwise limit the sharing of classified or unclassified information with Members of Congress and staff in accordance with subsections (a) and (b).

(2) GUIDELINES FOR PUBLIC ENGAGEMENT.—

(A) IN GENERAL.—In carrying out the requirements of paragraph (1), the United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) PURPOSES.—The guidelines developed under subparagraph (A) shall—

(i) facilitate transparency;

(ii) encourage public participation; and

(iii) promote collaboration in the negotiation process.

(C) CONTENT.—The guidelines developed under subparagraph (A) shall include procedures that—

(i) provide for rapid disclosure of information in forms that the public can readily find and use; and

(ii) provide frequent opportunities for public input through Federal Register requests for comment and other means.

(D) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

SA 1298. Ms. HEITKAMP (for herself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—AGRICULTURAL EXPORT EXPANSION

SEC. 301. PRIVATE FINANCING OF SALES OF AGRICULTURAL COMMODITIES TO CUBA.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207), as amended by subsection (c)), a person subject to the jurisdiction of the United States may provide payment or financing terms for sales of agricultural commodities to Cuba or an individual or entity in Cuba.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) FINANCING.—The term ''financing'' includes any loan or extension of credit.

(c) CONFORMING AMENDMENT.—Section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207) is amended—

(1) in the section heading, by striking ''**AND FINANCING**'';

(2) by striking subsection (b);

(3) in subsection (a)—

(A) by striking ''PROHIBITION'' and all that follows through ''(1) IN GENERAL.—Notwithstanding'' and inserting ''IN GENERAL.—Notwithstanding''; and

(B) by redesignating paragraphs (2) and (3) as subsections (b) and (c), respectively, and by moving those subsections, as so redesignated, 2 ems to the left; and

(4) by striking ''paragraph (1)'' each place it appears and inserting ''subsection (a)''.

SA 1299. Mr. PORTMAN (for himself, Ms. STABENOW, Mr. BURR, Mr. BROWN, Mr. CASEY, Mr. SCHUMER, Mr. GRAHAM, Mrs. SHAHEEN, Ms. HEITKAMP, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. MANCHIN, Ms. WARREN, Ms. COLLINS, and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

In section 102(b), strike paragraph (11) and insert the following:

(11) CURRENCY MANIPULATION.—The principal negotiating objective of the United States with respect to unfair currency exchange practices is to target protracted large-scale intervention in one direction in the exchange markets by a party to a trade agreement to gain an unfair competitive advantage in trade over other parties to the agreement, by establishing strong and enforceable rules against exchange rate manipulation that are subject to the same dispute settlement procedures and remedies as other enforceable obligations under the agreement and are consistent with existing principles and agreements of the International Monetary Fund and the World Trade Organization. Nothing in the previous sentence shall be construed to restrict the exercise of domestic monetary policy.

SA 1300. Mr. PORTMAN (for himself, Mrs. MCCASKILL, Mr. BURR, Mr. TOOMEY, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—PROCESS FOR CONSIDERATION OF TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS

SEC. 301. SHORT TITLE.

This title may be cited as the ''American Manufacturing Competitiveness Act of 2015''.

SEC. 302. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL.

(a) FINDINGS.—Congress makes the following findings:

(1) As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported

goods for which there is no domestic availability or insufficient domestic availability.

(2) The imposition of duties on such goods creates artificial distortions in the economy of the United States that negatively affect United States manufacturers and consumers.

(3) It is in the interests of the United States to update the Harmonized Tariff Schedule every 3 years to eliminate such artificial distortions by suspending or reducing duties on such goods.

(4) The manufacturing competitiveness of the United States around the world will be enhanced if Congress regularly and predictably updates the Harmonized Tariff Schedule to suspend or reduce duties on such goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to remove the competitive disadvantage to United States manufactures and consumers resulting from an outdated Harmonized Tariff Schedule and to promote the competitiveness of United States manufacturers, Congress should consider a miscellaneous tariff bill not later than 180 days after the United States International Trade Commission and the Department of Commerce issue reports on proposed duty suspensions and reductions under this title.

SEC. 303. PROCESS FOR CONSIDERATION OF DUTY SUSPENSIONS AND REDUCTIONS.

(a) PURPOSE.—It is the purpose of this section to establish a process by the appropriate congressional committees, in conjunction with the Commission pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332), for the submission and consideration of proposed duty suspensions and reductions.

(b) ESTABLISHMENT.—Not later than October 15, 2015, and October 15, 2018, the appropriate congressional committees shall establish and, on the same day, publish on their respective publicly available Internet websites a process—

(1) to provide for the submission and consideration of legislation containing proposed duty suspensions and reductions in a manner that, to the maximum extent practicable, is consistent with the requirements described in subsection (c); and

(2) to include in a miscellaneous tariff bill those duty suspensions and reductions that meet the requirements of this title.

(c) REQUIREMENTS OF COMMISSION.—

(1) INITIATION.—Not later than October 15, 2015, and October 15, 2018, the Commission shall publish in the Federal Register and on a publicly available Internet website of the Commission a notice requesting members of the public to submit to the Commission during the 60-day period beginning on the date of such publication—

(A) proposed duty suspensions and reductions; and

(B) Commission disclosure forms with respect to such duty suspensions and reductions.

(2) REVIEW.—

(A) COMMISSION SUBMISSION TO CONGRESS.—As soon as practicable after the expiration of the 60-day period specified in paragraph (1), but not later than 15 days after the expiration of such 60-day period, the Commission shall submit to the appropriate congressional committees the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(B) PUBLIC AVAILABILITY OF PROPOSED DUTY SUSPENSIONS AND REDUCTIONS.—Not later than 15 days after the expiration of the 60-day period specified in paragraph (1), the Commission shall publish on a publicly available Internet website of the Commission the proposed duty suspensions and reductions submitted under paragraph (1)(A) and the Commission disclosure forms with respect to such duty suspensions and reductions submitted under paragraph (1)(B).

(C) COMMISSION REPORTS TO CONGRESS.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subparagraph (B), the Commission shall submit to the appropriate congressional committees a report on each proposed duty suspension or reduction submitted pursuant to subsection (b)(1) or paragraph (1)(A) that contains the following information:

(i) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(ii) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(iii) The amount of tariff revenue that would no longer be collected if the proposed duty suspension or reduction takes effect.

(iv) A determination of whether or not the proposed duty suspension or reduction is available to any person that imports the article that is the subject of the proposed duty suspension or reduction.

(3) PROCEDURES.—The Commission shall prescribe and publish on a publicly available Internet website of the Commission procedures for complying with the requirements of this subsection.

(4) AUTHORITIES DESCRIBED.—The Commission shall carry out this subsection pursuant to its authorities under section 332 of the Tariff Act of 1930 (19 U.S.C. 1332).

(d) DEPARTMENT OF COMMERCE REPORT.—Not later than the end of the 90-day period beginning on the date of publication of the proposed duty suspensions and reductions under subsection (c)(2)(B), the Secretary of Commerce, in consultation with U.S. Customs and Border Protection and other relevant Federal agencies, shall submit to the appropriate congressional committees a report on each proposed duty suspension and reduction submitted pursuant to subsection (b)(1) or (c)(1)(A) that includes the following information:

(1) A determination of whether or not domestic production of the article that is the subject of the proposed duty suspension or reduction exists and, if such production exists, whether or not a domestic producer of the article objects to the proposed duty suspension or reduction.

(2) Any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation.

(e) RULE OF CONSTRUCTION.—A proposed duty suspension or reduction submitted under this section by a Member of Congress shall receive treatment no more favorable than the treatment received by a proposed duty suspension or reduction submitted under this section by a member of the public.

SEC. 304. REPORT ON EFFECTS OF DUTY SUSPENSIONS AND REDUCTIONS ON UNITED STATES ECONOMY.

(a) IN GENERAL.—Not later than May 1, 2018, and May 1, 2020, the Commission shall submit to the appropriate congressional committees a report on the effects on the United States economy of temporary duty suspensions and reductions enacted pursuant to this title, including a broad assessment of the economic effects of such duty suspensions and reductions on producers, purchasers, and consumers in the United States, using case studies describing such effects on selected industries or by type of article as available data permit.

(b) RECOMMENDATIONS.—The Commission shall also solicit and append to the report required under subsection (a) recommendations with respect to those domestic industry sectors or specific domestic industries that might benefit from permanent duty suspensions and reductions or elimination of duties, either through a unilateral action of the United States or though negotiations for reciprocal tariff agreements, with a particular focus on inequities created by tariff inversions.

(c) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 305. JUDICIAL REVIEW PRECLUDED.

The exercise of functions under this title shall not be subject to judicial review.

SEC. 306. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(2) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(3) COMMISSION DISCLOSURE FORM.—The term ''Commission disclosure form'' means, with respect to a proposed duty suspension or reduction, a document submitted by a member of the public to the Commission that contains the following:

(A) The contact information for any known importers of the article to which the proposed duty suspension or reduction would apply.

(B) A certification by the member of the public that the proposed duty suspension or reduction is available to any person importing the article to which the proposed duty suspension or reduction would apply.

(4) DOMESTIC PRODUCER.—The term ''domestic producer'' means a person that demonstrates production, or imminent production, in the United States of an article that is identical to, or like or directly competitive with, an article to which a proposed duty suspension or reduction would apply.

(5) DUTY SUSPENSION OR REDUCTION.—

(A) IN GENERAL.—The term ''duty suspension or reduction'' means an amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States that—

(i)(I) extends an existing temporary duty suspension or reduction of duty on an article under that subchapter; or

(II) provides for a new temporary duty suspension or reduction of duty on an article under that subchapter; and

(ii) otherwise meets the requirements described in subparagraph (B).

(B) REQUIREMENTS.—A duty suspension or reduction meets the requirements described in this subparagraph if—

(i) the duty suspension or reduction can be administered by U.S. Customs and Border Protection;

(ii) the estimated loss in revenue to the United States from the duty suspension or reduction does not exceed $500,000 in a calendar year during which the duty suspension or reduction would be in effect, as determined by the Congressional Budget Office; and

(iii) the duty suspension or reduction is available to any person importing the article that is the subject of the duty suspension or reduction.

(6) MEMBER OF CONGRESS.—The term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, Congress.

(7) MISCELLANEOUS TARIFF BILL.—The term ''miscellaneous tariff bill'' means a bill of either House of Congress that contains only—

(A) duty suspensions and reductions that—

(i) meet the applicable requirements for—

(I) consideration of duty suspensions and reductions described in section 303; or

(II) any other process required under the Rules of the House of Representatives or the Senate; and

(ii) are not the subject of an objection because such duty suspensions and reductions do not comply with the requirements of this title from—

(I) a Member of Congress; or

(II) a domestic producer, as contained in comments submitted to the appropriate congressional committees, the Commission, or the Department of Commerce under section 303; and

(B) provisions included in bills introduced in the House of Representatives or the Senate pursuant to a process described in subparagraph (A)(i)(II) that correct an error in the text or administration of a provision of the Harmonized Tariff Schedule of the United States.

SA 1301. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 203(c) and insert the following:

(c) REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.—Section 246 of the Trade Act of 1974 (19 U.S.C. 2318) is amended—

(1) in subsection (a)(3)(B)(ii), by striking ''$50,000'' and inserting ''$55,000''; and

(2) in subsection (b)(1), by striking ''December 31, 2013'' and inserting ''June 30, 2021''.

SA 1302. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. RESTORATION OF BUREAU OF LABOR STATISTICS INTERNATIONAL PRICE PROGRAM EXPORT PRICE INDICES.

The Secretary of Commerce shall restore the activities of the Bureau of Labor Statistics International Price Program relating to export price indices.

SA 1303. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike section 103 and insert the following:

SEC. 103. TRADE AGREEMENTS AUTHORITY.

(a) AGREEMENTS REGARDING TARIFF BARRIERS.—

(1) IN GENERAL.—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this Act will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before January 19, 2017; and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after January 19, 2017, shall not be eligible for approval under this Act.

(2) NOTIFICATION.—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

(3) LIMITATIONS.—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

(4) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.—

(A) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of 1/10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) EXEMPTION FROM STAGING.—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(5) ROUNDING.—If the President determines that such action will simplify the computation of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) 1/2 of 1 percent ad valorem.

(6) OTHER LIMITATIONS.—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 6 and that bill is enacted into law.

(7) OTHER TARIFF MODIFICATIONS.—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.

(8) AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(b) AGREEMENTS REGARDING TARIFF AND NONTARIFF BARRIERS.—

(1) IN GENERAL.—(A) Whenever the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy, or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,

and that the purposes, policies, priorities, and objectives of this Act will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before January 19, 2017.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after January 19, 2017, shall not be eligible for approval under this Act.

(2) CONDITIONS.—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 2 and the President satisfies the conditions set forth in sections 4 and 5.

(3) BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.—(A) The provisions of section 151 of the Trade Act of 1974 (in this Act referred to as ''trade authorities procedures'') apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this Act be referred to as an ''implementing bill''.

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement

such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) COMMENCEMENT OF NEGOTIATIONS.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 2.

SA 1304. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 103, add the following:

(e) TERMINATION OF TRADE AGREEMENTS AUTHORITY IF AN AGREEMENT INCREASES THE TRADE DEFICIT.—The authority to enter into trade agreements under this section shall terminate on the date on which the Secretary of Commerce determines that the United States annual bilateral trade deficit with any country that is a party to a trade agreement entered into under this section after the date of the enactment of this Act increases by more than 10 percent after that agreement enters into force.

SA 1305. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 103, add the following:

(e) TERMINATION OF TRADE AGREEMENTS AUTHORITY FOR VIOLATIONS OF LABOR COMMITMENTS.—The authority to enter into trade agreements under this section shall terminate if—

(1) the Secretary of Labor receives a submission from an organization alleging that a country that is a party to a trade agreement entered into under this section is not fulfilling its labor commitments under that agreement; and

(2) the Secretary does not issue, by the date that is one year after the date on which the Secretary receives that submission, a publicly available report that—

(A) summarizes the investigation of the Secretary with respect to the allegations in the submission; and

(B) sets forth any findings and recommendations of the Secretary based on that investigation, including any recommendation that the United States request consultations with that country under the agreement.

SA 1306. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. CONTINUED OPERATION OF BUREAU OF LABOR STATISTICS MASS LAYOFF STATISTICS PROGRAM.

The Secretary of Commerce shall ensure that the Bureau of Labor Statistics Mass Layoff Statistics program, including the collection of data on plant closings, receives funding sufficient to ensure that the program continues operating.

SA 1307. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 65, between lines 6 and 7, insert the following:

(g) COMMUNICATIONS OF ADVISORY COMMITTEES MADE PUBLIC.—The President shall ensure that any communications made by an advisory committee established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) with respect to negotiations under this title are made available to the public if more than 50 percent of the members of the advisory committee represent industry interests, as determined by the United States Trade Representative.

SA 1308. Mr. MARKEY (for himself, Mr. WHITEHOUSE, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PROTECTING CLEAN AIR, WATER, AND FOOD.—The principal negotiating objectives of the United States with respect to clean air, clean water, and food safety are to preserve the rights of all governments to regulate and enact laws providing for public health and environmental protections and to ensure the rights of all governments to exercise any legal rights or safeguards, including under any existing law or regulation, to protect and provide clean air, clean water, and safe food without the threat of trade-related penalties.

SA 1309. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(a), add the following:

''(13) to ensure that trade policies and trade agreements contribute to the reduction of poverty and the elimination of hunger.''.

SA 1310. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—OTHER MATTERS

SEC. 301. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES RELATING TO THE ENVIRONMENT.

Section 301(d)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2411(d)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii)(V), by striking the period at the end and inserting '', or''; and

(3) by adding at the end the following:

''(iv) constitutes a persistent pattern of conduct by the government of the foreign country under which that government—

''(I) fails to effectively enforce the environmental laws of the foreign country,

''(II) waives or otherwise derogates from the environmental laws of the foreign country or weakens the protections afforded by such laws,

''(III) fails to provide for judicial or administrative proceedings giving access to remedies for violations of the environmental laws of the foreign country,

''(IV) fails to provide appropriate and effective sanctions or remedies for violations of the environmental laws of the foreign country, or

''(V) fails to effectively enforce environmental commitments under agreements to which the foreign country and the United States are a party.''.

SA 1311. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES

SEC. 311. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.

(a) MAJOR TRADING PARTNER REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit

to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—

(i) for each country that is a major trading partner of the United States—

(I) that country's bilateral trade balance with the United States;

(II) that country's current account balance as a percentage of its gross domestic product;

(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;

(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and

(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and

(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country—

(I) that is a major trading partner of the United States;

(II) the currency of which is persistently and substantially undervalued;

(III) that has—

(aa) a significant bilateral trade surplus with the United States; and

(bb) a material global current account surplus; and

(IV) that has engaged in persistent one-sided intervention in the foreign exchange market.

(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—

(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;

(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;

(iii) an analysis of changes in the capital controls and trade restrictions of that country; and

(iv) patterns in the reserve accumulation of that country.

(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to—

(A) urge implementation of policies to address the causes of the undervaluation of its currency, its bilateral trade surplus with the United States, and its material global current account surplus, including undervaluation and surpluses relating to exchange rate management;

(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses;

(C) develop measureable objectives for addressing that undervaluation and those surpluses; and

(D) advise that country of the ability of the President to take action under subsection (c).

(2) EXCEPTION.—The Secretary may determine not to enhance bilateral engagement with a country under paragraph (1) for which an enhanced analysis of macroeconomic and exchange rate policies is included in the report submitted under subsection (a) if the Secretary submits to the appropriate committees of Congress a report that describes how the currency and other macroeconomic policies of that country are addressing the undervaluation and surpluses specified in paragraph (1)(A) with respect to that country, including undervaluation and surpluses relating to exchange rate management.

(c) REMEDIAL ACTION.—

(1) IN GENERAL.—If, on the date that is one year after the commencement of enhanced bilateral engagement by the President with respect to a country under subsection (b)(1), the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President may take one or more of the following actions:

(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.

(B) Except as provided in paragraph (2), and pursuant to paragraph (3), prohibit the Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.

(C) Instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.

(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).

(2) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) with respect to a country that is a party to the Agreement on Government Procurement or a free trade agreement to which the United States is a party.

(3) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) AGREEMENT ON GOVERNMENT PROCUREMENT.—The term ''Agreement on Government Procurement'' means the agreement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(3) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(4) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

SEC. 312. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not less than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such

staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

SA 1312. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

At the appropriate place, insert the following:

SEC. ___. FREE TRADE AGREEMENTS WITH SUB-SAHARAN AFRICAN COUNTRIES.

(a) PLAN REQUIREMENTS AND REPORTING.—Section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723) is amended by striking subsections (b) and (c) and inserting the following:

''(b) PLAN REQUIREMENT.—

''(1) IN GENERAL.—The President shall develop a plan for the purpose of negotiating and entering into one or more free trade agreements with all sub-Saharan African countries and ranking countries or groups of countries in order of readiness.

''(2) ELEMENTS OF PLAN.—The plan required by paragraph (1) shall include, for each sub-Saharan African country, the following:

''(A) The steps such sub-Saharan African country needs to be equipped and ready to enter into a free trade agreement with the United States, including the development of a bilateral investment treaty.

''(B) Milestones for accomplishing each step identified in (A) for each sub-Saharan African country, with the goal of establishing a free trade agreement with each sub-Saharan African country not later than 10 years after the date of the enactment of the Trade Act of 2015.

''(C) A description of the resources required to assist each sub-Saharan African country in accomplishing each milestone described in subparagraph (B).

''(D) The extent to which steps described in subparagraph (A), the milestones described in subparagraph (B), and resources described in subparagraph (C) may be accomplished through regional or subregional organizations in sub-Saharan Africa, including the East African Community, the Economic Community of West African States, the Common Market for Eastern and Southern Africa, and the Economic Community of Central African States.

''(E) Procedures to ensure the following:

''(i) Adequate consultation with Congress and the private sector during the negotiations.

''(ii) Consultation with Congress regarding all matters relating to implementation of the agreement or agreements.

''(iii) Approval by Congress of the agreement or agreements.

''(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiation of the agreement or agreements.

''(c) REPORTING REQUIREMENT.—Not later than 12 months after the date of the enactment of the Trade Act of 2015, the President shall prepare and transmit to Congress a report containing the plan developed pursuant to subsection (b).''.

(b) ELIGIBLE COUNTRIES.—Section 104(a)(1) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by adding ''and'' at the end; and

(3) by inserting after subparagraph (F) the following:

''(G) a free trade agreement with the United States, in accordance with section 116(b);''.

(c) MILLENNIUM CHALLENGE COMPACTS.—After the date of the enactment of this Act, the United States Trade Representative and Administrator of the United States Agency for International Development shall consult and coordinate with the Chief Executive Officer of the Millennium Challenge Corporation regarding countries that have entered into a Millennium Challenge Compact pursuant to section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) that have been declared eligible to enter into such a Compact for the purpose of developing and carrying out the plan required by subsection (b) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as amended by subsection (a).

(d) COORDINATION OF USAID WITH FREE TRADE AGREEMENT POLICY.—

(1) AUTHORIZATION OF FUNDS.—Funds made available to the United States Agency for International Development under section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) may be used in consultation with the United States Trade Representative—

(A) to carry out subsection (b) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as amended by subsection (a), including for the deployment of resources in individual eligible countries to assist such country in the development of institutional capacities to carry out such subsection (b); and

(B) to coordinate the efforts of the United States to establish free trade agreements in accordance with the policy set out in subsection (a) of such section 116.

(2) DEFINITIONS.—In this subsection:

(A) ELIGIBLE COUNTRY.—The term ''eligible country'' means a sub-Saharan African country that receives—

(i) benefits under for the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); and

(ii) funding from the United States Agency for International Development.

(B) SUB-SAHARAN AFRICAN COUNTRY.—The term ''sub-Saharan African country'' has the meaning given that term in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

SA 1313. Mr. COATS (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:

SEC. 112. OFFICIAL DEDICATED TO HEALTH CARE ISSUES IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) Health care accounts for almost $6,000,000,000,000 of the global economy and is expected to grow even more in the years ahead.

(2) The United States is the global leader in the health sector, including pharmaceuticals, medical devices, health information technology systems, insurance, and health care delivery.

(3) By some estimates, the health sector is the largest private sector employer in the United States.

(4) Because of the size and complexity of the health sector, a dedicated health official is needed in the Office of the United States Trade Representative to coordinate policy on health care-related trade issues with industry, health care workers, other offices within the Office of the United States Trade Representative, and other Federal agencies, as well as to promote United States health exports.

(b) OFFICIAL DEDICATED TO HEALTH CARE ISSUES IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''(h) OFFICIAL DEDICATED TO HEALTH CARE ISSUES.—The United States Trade Representative shall ensure that there is within the Office of the United States Trade Representative an official dedicated to health care issues. That official shall be responsible for coordinating policy on health care-related trade issues with industry, health care workers, other offices within the Office of the United States Trade Representative, and other Federal agencies, and for promoting United States health exports.''.

SA 1314. Mr. COATS (for himself, Mrs. FEINSTEIN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. ELIMINATION OF TARIFFS ON CERTAIN EDUCATIONAL DEVICES.

(a) IN GENERAL.—Chapter 85 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new subheading, with the article description for subheading 8543.70.94 having the same degree of indentation as the article description for subheading 8543.70.92:

''	8543.70.94	Electronic educational devices designed or intended primarily for children	Free	35%	''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SA 1315. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Enforcing Orders and Reducing Customs Evasion Act of 2015''.

SEC. 302. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 516A (19 U.S.C. 1516a) the following:

''SEC. 517. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771(1).

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner responsible for U.S. Customs and Border Protection, acting pursuant to the delegation by the Secretary of the Treasury of the authority of the Secretary with respect to customs revenue functions (as defined in section 415 of the Homeland Security Act of 2002 (6 U.S.C. 215)).

''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—

''(A) an antidumping duty order issued under section 736;

''(B) a finding issued under the Antidumping Act, 1921; or

''(C) a countervailing duty order issued under section 706.

''(4) ENTER; ENTRY.—The terms 'enter' and 'entry' refer to the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.

''(5) EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

''(B) EXCEPTION FOR CLERICAL ERROR.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—

''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or

''(II) an omission that results from a clerical error.

''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the Commissioner determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the Commissioner may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States through evasion.

''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere nonintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.

''(iv) RULE OF CONSTRUCTION.—A determination by the Commissioner that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than through evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.

''(6) INTERESTED PARTY.—

''(A) IN GENERAL.—The term 'interested party' means—

''(i) a manufacturer, producer, or wholesaler in the United States of a domestic like product;

''(ii) a certified union or recognized union or group of workers that is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product;

''(iii) a trade or business association a majority of whose members manufacture, produce, or wholesale a domestic like product in the United States;

''(iv) an association, a majority of whose members is composed of interested parties described in clause (i), (ii), or (iii) with respect to a domestic like product; and

''(v) if the covered merchandise is a processed agricultural product, as defined in section 771(4)(E), a coalition or trade association that is representative of either—

''(I) processors;

''(II) processors and producers; or

''(III) processors and growers,

but this clause shall cease to have effect if the United States Trade Representative notifies the administering authority and the Commission that the application of this clause is inconsistent with the international obligations of the United States.

''(B) DOMESTIC LIKE PRODUCT.—For purposes of subparagraph (A), the term 'domestic like product' means a product that is like, or in the absence of like, most similar in characteristics and uses with, covered merchandise.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—Not later than 10 business days after receiving an allegation described in paragraph (2) or a referral described in paragraph (3), the Commissioner shall initiate an investigation if the Commissioner determines that the information provided in the allegation or the referral, as the case may be, reasonably suggests that covered merchandise has been entered into the customs territory of the United States through evasion.

''(2) ALLEGATION DESCRIBED.—An allegation described in this paragraph is an allegation that a person has entered covered merchandise into the customs territory of the United States through evasion that is—

''(A) filed with the Commissioner by an interested party; and

''(B) accompanied by information reasonably available to the party that filed the allegation.

''(3) REFERRAL DESCRIBED.—A referral described in this paragraph is information submitted to the Commissioner by any other Federal agency, including the Department of Commerce or the United States International Trade Commission, that reasonably suggests that a person has entered covered merchandise into the customs territory of the United States through evasion.

''(4) CONSOLIDATION OF ALLEGATIONS AND REFERRALS.—

''(A) IN GENERAL.—The Commissioner may consolidate multiple allegations described in paragraph (2) and referrals described in paragraph (3) into a single investigation if the Commissioner determines it is appropriate to do so.

''(B) EFFECT ON TIMING REQUIREMENTS.—If the Commissioner consolidates multiple allegations or referrals into a single investigation under subparagraph (A), the date on which the Commissioner receives the first such allegation or referral shall be used for purposes of the requirement under paragraph (1) with respect to the timing of the initiation of the investigation.

''(5) INFORMATION-SHARING TO PROTECT HEALTH AND SAFETY.—If, during the course of conducting an investigation under paragraph (1) with respect to covered merchandise, the Commissioner has reason to suspect that such covered merchandise may pose a health or safety risk to consumers, the Commissioner shall provide, as appropriate, information to the appropriate Federal agencies for purposes of mitigating the risk.

''(6) TECHNICAL ASSISTANCE AND ADVICE.—

''(A) IN GENERAL.—Upon request, the Commissioner shall provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations described in paragraph (2), except that the Commissioner may deny assistance if the Commissioner concludes that the allegation, if submitted, would not lead to the initiation of an investigation under this subsection or any other action to address the allegation.

''(B) ELIGIBLE SMALL BUSINESS DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'eligible small business' means any business concern that the Commissioner determines, due to its small size, has neither adequate internal resources nor the financial ability to obtain qualified outside assistance in preparing and filing allegations described in paragraph (2).

''(ii) NON-REVIEWABILITY.—The determination of the Commissioner regarding whether a business concern is an eligible small business for purposes of this paragraph is not reviewable by any other agency or by any court.

''(c) DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 270 calendar days after the date on which the Commissioner initiates an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall make a determination, based on substantial evidence, with respect to whether such covered merchandise was entered into the customs territory of the United States through evasion.

''(2) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (1) with respect to covered merchandise, the Commissioner may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by—

''(A) issuing a questionnaire with respect to such covered merchandise to—

''(i) an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise;

''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States through evasion;

''(iii) a person that is a foreign producer or exporter of such covered merchandise; or

''(iv) the government of a country from which such covered merchandise was exported; and

''(B) conducting verifications, including on-site verifications, of any relevant information.

''(3) ADVERSE INFERENCE.—If the Commissioner finds that a party or person described in clause (i), (ii), or (iii) of paragraph (2)(A) has failed to cooperate by not acting to the best of the party or person's ability to comply with a request for information, the Commissioner may, in making a determination under paragraph (1), use an inference that is adverse to the interests of that party or person in selecting from among the facts otherwise available to make the determination.

''(4) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (1) with respect to covered merchandise, the Commissioner—

''(A) shall provide to each interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise a notification of the determination and may, in addition, include an explanation of the basis for the determination; and

''(B) may provide to importers, in such manner as the Commissioner determines appropriate, information discovered in the investigation that the Commissioner determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(d) EFFECT OF DETERMINATIONS.—

''(1) IN GENERAL.—If the Commissioner makes a determination under subsection (c) that covered merchandise was entered into the customs territory of the United States through evasion, the Commissioner shall—

''(A)(i) suspend the liquidation of unliquidated entries of such covered merchandise that are subject to the determination and that enter on or after the date of the initiation of the investigation under subsection (b) with respect to such covered merchandise and on or before the date of the determination; or

''(ii) if the Commissioner has already suspended the liquidation of such entries pursuant to subsection (e)(1), continue to suspend the liquidation of such entries;

''(B) pursuant to the Commissioner's authority under section 504(b)—

''(i) extend the period for liquidating unliquidated entries of such covered merchandise that are subject to the determination and that entered before the date of the initiation of the investigation; or

''(ii) if the Commissioner has already extended the period for liquidating such entries pursuant to subsection (e)(1), continue to extend the period for liquidating such entries;

''(C) notify the administering authority of the determination and request that the administering authority—

''(i) identify the applicable antidumping or countervailing duty assessment rates for entries described in subparagraphs (A) and (B); or

''(ii) if no such assessment rate for such an entry is available at the time, identify the applicable cash deposit rate to be applied to the entry, with the applicable antidumping or countervailing duty assessment rate to be provided as soon as that rate becomes available;

''(D) require the posting of cash deposits and assess duties on entries described in subparagraphs (A) and (B) in accordance with the instructions received from the administering authority under paragraph (2); and

''(E) take such additional enforcement measures as the Commissioner determines appropriate, such as—

''(i) initiating proceedings under section 592 or 596;

''(ii) implementing, in consultation with the relevant Federal agencies, rule sets or modifications to rules sets for identifying, particularly through the Automated Targeting System and the Automated Commercial Environment authorized under section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)), importers, other parties, and merchandise that may be associated with evasion;

''(iii) requiring, with respect to merchandise for which the importer has repeatedly provided incomplete or erroneous entry summary information in connection with determinations of evasion, the importer to deposit estimated duties at the time of entry; and

''(iv) referring the record in whole or in part to U.S. Immigration and Customs Enforcement for civil or criminal investigation.

''(2) COOPERATION OF ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—Upon receiving a notification from the Commissioner under paragraph (1)(C), the administering authority shall promptly provide to the Commissioner the applicable cash deposit rates and antidumping or countervailing duty assessment rates and any necessary liquidation instructions.

''(B) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the Commissioner and the administering authority are unable to determine the producer or exporter of the merchandise with respect to which a notification is made under paragraph (1)(C), the administering authority shall identify, as the applicable cash deposit rate or antidumping or countervailing duty assessment rate, the cash deposit or duty (as the case may be) in the highest amount applicable to any producer or exporter, including the 'all-others' rate of the merchandise subject to an antidumping order or countervailing duty order under section 736 or 706, respectively, or a finding issued under the Antidumping Act, 1921, or any administrative review conducted under section 751.

''(e) INTERIM MEASURES.—Not later than 90 calendar days after initiating an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall decide based on the investigation if there is a reasonable suspicion that such covered merchandise was entered into the customs territory of the United States through evasion and, if the Commissioner decides there is such a reasonable suspicion, the Commissioner shall—

''(1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after the date of the initiation of the investigation;

''(2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation; and

''(3) pursuant to the Commissioner's authority under section 623, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.

''(f) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner makes a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may file an appeal with the Commissioner for de novo review of the determination.

''(2) TIMELINE FOR REVIEW.—Not later than 60 business days after an appeal of a determination is filed under paragraph (1), the Commissioner shall complete the review of the determination.

''(g) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner completes a review under subsection (f) of a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may commence a civil action in the United States Court of International Trade by filing concurrently a summons and complaint contesting any factual findings or legal conclusions upon which the determination is based.

''(2) STANDARD OF REVIEW.—In a civil action under this subsection, the court shall hold unlawful any determination, finding, or conclusion found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

''(h) RULE OF CONSTRUCTION WITH RESPECT TO OTHER CIVIL AND CRIMINAL PROCEEDINGS AND INVESTIGATIONS.—No determination under subsection (c) or action taken by the Commissioner pursuant to this section shall be construed to limit the authority to carry out, or the scope of, any other proceeding or investigation pursuant to any other provision of Federal or State law, including sections 592 and 596.''.

(b) CONFORMING AMENDMENT.—Section 1581(c) of title 28, United States Code, is amended by inserting ''or 517'' after ''516A''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe such regulations as may be necessary to implement the amendments made by this section.

(e) APPLICATION TO CANADA AND MEXICO.—Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), the amendments made by this section shall apply with respect to goods from Canada and Mexico.

SEC. 303. ANNUAL REPORT ON PREVENTION AND INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Not later than January 15 of each calendar year that begins on or after the date that is 270 days after the date of the

enactment of this Act, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the efforts being taken to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion.

(b) CONTENTS.—Each report required under subsection (a) shall include—

(1) for the calendar year preceding the submission of the report—

(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion;

(B) the number of allegations of evasion received under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 302 of this Act, and the number of such allegations resulting in investigations by U.S. Customs and Border Protection or any other agency;

(C) a summary of investigations initiated under subsection (b) of such section 517, including—

(i) the number and nature of the investigations initiated, conducted, and completed; and

(ii) the resolution of each completed investigation;

(D) the number of investigations initiated under that subsection not completed during the time provided for making determinations under subsection (c) of such section 517 and an explanation for why the investigations could not be completed on time;

(E) the amount of additional duties that were determined to be owed as a result of such investigations, the amount of such duties that were collected, and, for any such duties not collected, a description of the reasons those duties were not collected;

(F) with respect to each such investigation that led to the imposition of a penalty, the amount of the penalty;

(G) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion;

(H) the amount of antidumping and countervailing duties collected as a result of any investigations or other actions by U.S. Customs and Border Protection or any other agency;

(I) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and

(J) a description of training conducted to increase expertise and effectiveness in the prevention and investigation of evasion; and

(2) a description of processes and procedures of U.S. Customs and Border Protection to prevent and investigate evasion, including—

(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;

(B) an evaluation of the efficacy of those guidelines, policies, and practices;

(C) an identification of any changes since the last report required by this section, if any, that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion;

(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of not collecting those duties;

(E) a description of the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and investigate evasion; and

(F) an identification of any recommended policy changes for other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion.

(c) PUBLIC SUMMARY.—The Commissioner shall make available to the public a summary of the report required by subsection (a) that includes, at a minimum—

(1) a description of the type of merchandise with respect to which investigations were initiated under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 302 of this Act;

(2) the amount of additional duties determined to be owed as a result of such investigations and the amount of such duties that were collected;

(3) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion; and

(4) a description of the types of measures used by U.S. Customs and Border Protection to prevent and investigate evasion.

(d) DEFINITIONS.—In this section, the terms ''covered merchandise'' and ''evasion'' have the meanings given those terms in section 517(a) of the Tariff Act of 1930, as added by section 302 of this Act.

SA 1316. Ms. CANTWELL (for herself, Mr. KAINE, Ms. COLLINS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TAX CREDIT FOR APPRENTICESHIP PROGRAMS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. CREDIT FOR APPRENTICESHIP PROGRAM EXPENSES.

''(a) TAX CREDIT.—

''(1) IN GENERAL.—For purposes of section 38, in the case of an employer, the apprenticeship program credit determined under this section for any taxable year is an amount equal to—

''(A) with respect to each qualified individual in a qualified apprenticeship program, the lesser of—

''(i) the amount of any wages (as defined in section 51(c)(1)) paid or incurred by the employer with respect to such qualified individual during the taxable year, or

''(ii) $5,000, and

''(B) with respect to each qualified individual in a qualified multi-employer apprenticeship program, the lesser of—

''(i) an amount equal to the product of—

''(I) the total number of hours of work performed by such qualified individual for such employer during such taxable year, multiplied by

''(II) $3, or

''(ii) $5,000.

''(2) ESTABLISHED APPRENTICESHIP PROGRAMS.—

''(A) IN GENERAL.—The apprenticeship program credit determined under this section for the taxable year shall only be applicable to the number of qualified individuals employed by the employer through a qualified apprenticeship program or a qualified multi-employer apprenticeship program which are in excess of the apprenticeship participation average for such employer (as determined under subparagraph (B)).

''(B) APPRENTICESHIP PARTICIPATION AVERAGE.—For purposes of subparagraph (A), the apprenticeship participation average shall be equal to the average of the total number of qualified individuals employed by the employer through a qualified apprenticeship program or qualified multi-employer apprenticeship program for—

''(i) the 3 preceding taxable years, or

''(ii) the number of taxable years in which the qualified apprenticeship program or the qualified multi-employer apprenticeship program was in existence, whichever is less.

''(3) DENIAL OF DOUBLE BENEFIT.—No deduction or any other credit shall be allowed under this chapter for any amount taken into account in determining the credit under this section.

''(4) ELECTION NOT TO CLAIM CREDIT.—This section shall not apply to a taxpayer for any taxable year if such taxpayer elects to have this section not apply for such taxable year.

''(5) LIMITATION.—The apprenticeship program credit under this section shall not be allowed for more than 3 taxable years with respect to any qualified individual.

''(b) QUALIFIED INDIVIDUAL.—

''(1) IN GENERAL.—For purposes of this section, the term 'qualified individual' means, with respect to any taxable year, an individual who is an apprentice and—

''(A) is participating in a qualified apprenticeship program or a qualified multi-employer apprenticeship program with an employer that is subject to the terms of a valid apprenticeship agreement (as defined in the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.)),

''(B) has been employed under a qualified apprenticeship program or a qualified multi-employer apprenticeship program for a period of not less than 7 months that ends within the taxable year,

''(C) is not a highly compensated employee (as defined in section 414(q)), and

''(D) is not a seasonal worker (as defined in section 45R(d)(5)(B)).

''(2) TRAINING RECEIVED BY MEMBERS OF THE ARMED FORCES.—An employer shall consider and may accept, in the case of a qualified individual participating in a qualified apprenticeship program or a qualified multi-employer apprenticeship program, any relevant training or instruction received by such individual while serving in the Armed Forces of the United States, for the purpose of satisfying the applicable training and instruction requirements under such qualified apprenticeship program.

''(c) QUALIFIED APPRENTICESHIP PROGRAM AND QUALIFIED MULTI-EMPLOYER APPRENTICESHIP PROGRAM.—

''(1) QUALIFIED APPRENTICESHIP PROGRAM.—

''(A) IN GENERAL.—For purposes of this section, the term 'qualified apprenticeship program' means a program registered under the National Apprenticeship Act, whether or not

such program is sponsored by an employer, which—

''(i) provides qualified individuals with on-the-job training and instruction for a qualified occupation with the employer,

''(ii) is registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by such Office of Apprenticeship,

''(iii) maintains records relating to the qualified individual, in such manner as the Secretary, after consultation with the Secretary of Labor, may prescribe, and

''(iv) satisfies such other requirements as the Secretary, after consultation with the Secretary of Labor, may prescribe.

''(B) QUALIFIED OCCUPATION.—For purposes of subparagraph (A)(i), the term 'qualified occupation' means a skilled trade occupation in a high-demand mechanical, technical, healthcare, or technology field (or such other occupational field as the Secretary, after consultation with the Secretary of Labor, may prescribe) that satisfies the criteria for an apprenticeable occupation under the National Apprenticeship Act.

''(2) QUALIFIED MULTI-EMPLOYER APPRENTICESHIP PROGRAM.—The term 'qualified multi-employer apprenticeship program' means an apprenticeship program described in paragraph (1) in which multiple employers are required to contribute and that is maintained pursuant to 1 or more collective bargaining agreements between 1 or more employee organizations and such employers.

''(d) APPRENTICESHIP AGREEMENT.—

''(1) IN GENERAL.—For purposes of this section, the term 'apprenticeship agreement' means an agreement between a qualified individual and an employer that satisfies the criteria under the National Apprenticeship Act.

''(2) CREDIT FOR TRAINING RECEIVED UNDER APPRENTICESHIP AGREEMENT.—If a qualified individual has received training or instruction through a qualified apprenticeship program or a qualified multi-employer apprenticeship program with an employer which is subsequently unable to satisfy its obligations under the apprenticeship agreement, such individual may transfer any completed training or instruction for purposes of satisfying any applicable training and instruction requirements under a separate apprenticeship agreement with a different employer.

''(e) APPLICATION OF CERTAIN RULES.—For purposes of this section, all persons treated as a single employer under subsection (a) or (b) of section 52, or subsections (m) or (o) of section 414, shall be treated as a single person.

''(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the provisions of this section.

''(g) TERMINATION.—This section shall not apply with respect to any wages paid to or any hours of work performed by a qualified individual after December 31, 2020.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the apprenticeship program expenses credit determined under section 45S(a).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 45S. Credit for apprenticeship program expenses.''.

(d) CONFORMING AMENDMENTS.—

(1) RULE FOR EMPLOYMENT CREDITS.—Section 280C(a) of the Internal Revenue Code of 1986 is amended by inserting ''45S(a),'' after ''45P(a),''.

(2) EXCLUSION FOR DETERMINATION OF CREDIT FOR INCREASING RESEARCH ACTIVITIES.—Clause (iii) of section 41(b)(2)(D) of such Code is amended by inserting ''the apprenticeship program credit under section 45S(a) or'' after ''in determining''.

(e) EVALUATION.—Not later than 3 years after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit a report to the Committees on Finance and Health, Education, Labor, and Pensions of the Senate and the Committees on Ways and Means and Education and the Workforce of the House of Representatives that contains an evaluation of the activities authorized under this Act, including—

(1) the extent to which qualified individuals completed qualified apprenticeship programs and qualified multi-employer apprenticeship programs;

(2) whether qualified individuals remained employed by an employer that received an apprenticeship program credit under section 45S of the Internal Revenue Code of 1986 and the length of such employment following expiration of the apprenticeship period;

(3) whether qualified individuals who completed a qualified apprenticeship program or a qualified multi-employer apprenticeship program remained employed in the same occupation or field; and

(4) recommendations for legislative and administrative actions to improve the effectiveness of the apprenticeship program credit under section 45S of the Internal Revenue Code of 1986.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. ENCOURAGING MENTORS TO TRAIN THE FUTURE.

(a) EARLY DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS.—Section 72(t)(2) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (A)—

(A) by striking ''or'' at the end of clause (vii);

(B) by striking the period at the end of clause (viii) and inserting '', or''; and

(C) by adding at the end the following new clause:

''(ix) made to an employee who is serving as a mentor.''; and

(2) by adding at the end the following new subparagraph:

''(H) DISTRIBUTIONS TO MENTORS.—For purposes of this paragraph, the term 'mentor' means an individual who—

''(i) has attained 55 years of age,

''(ii) is not separated from their employment with a company, corporation, or institution of higher education,

''(iii) in accordance with such requirements and standards as the Secretary determines to be necessary, has substantially reduced their hours of employment with their employer, with the individual to be engaged in mentoring activities described in clause (iv) for not less than 20 percent of the hours of employment after such reduction, and

''(iv) is responsible for the training and education of employees or students in an area of expertise for which the individual has a professional credential, certificate, or degree.''.

(b) DISTRIBUTIONS DURING WORKING RETIREMENT.—Paragraph (36) of section 401(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(36) DISTRIBUTIONS DURING WORKING RETIREMENT.—

''(A) IN GENERAL.—A trust forming part of a pension plan shall not be treated as failing to constitute a qualified trust under this section solely because the plan provides that a distribution may be made from such trust to an employee who—

''(i) has attained age 62 and who is not separated from employment at the time of such distribution, or

''(ii) subject to subparagraph (B), is serving as a mentor (as such term is defined in section 72(t)(2)(H)).

''(B) LIMITATION ON DISTRIBUTIONS TO MENTORS.—For purposes of subparagraph (A)(ii), the amount of the distribution made to an employee who is serving as a mentor shall not be greater than the amount equal to the product obtained by multiplying—

''(i) the amount of the distribution that would have been payable to the employee if such employee had separated from employment instead of reducing their hours of employment with their employer and engaging in mentoring activities, in accordance with clauses (iii) and (iv) of section 72(t)(2)(H), by

''(ii) the percentage equal to the quotient obtained by dividing—

''(I) the sum of—

''(aa) the number of hours per pay period by which the employee's hours of employment are reduced, and

''(bb) the number of hours of employment that such employee is engaging in mentoring activities, by

''(II) the total number of hours per pay period worked by the employee before such reduction in hours of employment.''.

(c) ERISA.—Subparagraph (A) of section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2)) is amended by striking the period at the end and inserting the following: '', or solely because such distribution is made to an employee who is serving as a mentor (as such term is defined in section 72(t)(2)(H) of the Internal Revenue Code of 1986).''.

(d) APPLICATION.—The amendments made by this section shall apply to distributions made in taxable years beginning after December 31, 2015 and before January 1, 2021.

SA 1317. Ms. BALDWIN (for herself, Mr. FRANKEN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Beginning on page 33, strike line 10 and all that follows through page 34, line 4, and insert the following:

(16) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are the following:

(A) To preserve the ability of the United States to enforce vigorously its trade laws, including antidumping and countervailing duty and safeguard laws, and not to enter into agreements that lessen in any respect the effectiveness of domestic and international disciplines—

(i) on unfair trade, especially dumping and subsidies, or

(ii) that address import increases or surges, such as under the safeguard remedy, in order to ensure that United States workers, farmers and agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions.

(B) To eliminate the underlying causes of unfair trade practices and import surges, including closed markets, subsidization, government practices promoting, enabling, or tolerating anticompetitive practices, and other forms of government intervention that generate or sustain excess, uneconomic capacity.

SA 1318. Ms. BALDWIN (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS WITH COUNTRIES THAT CRIMINALIZE HOMOSEXUALITY.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 3(b) with a country the government of which criminalizes homosexuality or persecutes or otherwise punishes individuals on the basis of sexual orientation or gender identity, as identified by the Secretary of State in the most recent annual Country Reports on Human Rights Practices under section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n).

SA 1319. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 112. NOTIFICATION OF WAIVERS OF DOMESTIC CONTENT RESTRICTIONS.

The Office of Federal Procurement Policy shall notify the public each time the application of a law, regulation, procedure, or practice regarding Government procurement is waived under section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511) to permit a entity organized under the laws of a country with which the United States enters into a free trade agreement under section 103(b) to compete for a Federal procurement contract.

SA 1320. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 36, between lines 17 and 18, insert the following:

(21) MANUFACTURING JOBS AND WAGES.—The principal negotiating objective of the United States with respect to manufacturing jobs and wages is to ensure that a trade agreement benefits the parties to the agreement, particularly with respect to resulting in net increases in manufacturing jobs and wages in the United States.

SA 1321. Ms. BALDWIN (for herself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 50, between lines 11 and 12, insert the following:

(e) PROHIBITION ON WAIVING DOMESTIC CONTENT RESTRICTIONS.—The President may not designate, under subsection (b) of section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511), a country with which the United States enters into a trade agreement under this section for purposes of exercising the waiver authority provided under such section 301.

SA 1322. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 90, between lines 15 and 16, insert the following:

(5) LIMITATION ON EFFECT OF AGREEMENTS WITH PRIORITY FOREIGN COUNTRIES.—Any agreement entered into under section 103(b) with a country that has been identified as a priority foreign country under section 182(a)(2) of the Trade Act of 1974 (19 U.S.C. 2242(a)(2)) during each of the 3 years preceding the date on which the agreement was entered into shall not enter into force with respect to the United States until the date that is 3 years after the most recent date on which that country was so identified.

SA 1323. Ms. BALDWIN (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 4, between lines 21 and 22, insert the following:

(13) to oppose any attempts to weaken in any respect the trade remedy laws of the United States.

SA 1324. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. ENVIRONMENTAL IMPROVEMENT TRUST FUND.

(a) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Environmental Improvement Trust Fund'' (in this section referred to as the ''Trust Fund''), consisting of such amounts as may be transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (d)(3).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, amounts determined by the Secretary to be equivalent to amounts received in the general fund that are attributable to the duties collected, during the period specified in paragraph (3), pursuant to a countervailing duty order or an antidumping duty order under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or a finding under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14) on articles produced by manufacturers in the following industries, as determined by the Secretary:

(A) Food and beverages.
(B) Textiles.
(C) Lumber.
(D) Paper and printing.
(E) Chemicals.
(F) Plastics and rubber.
(G) Nonmetallic minerals.
(H) Primary metals.
(I) Fabricated metals.
(J) Machinery and equipment.
(K) Electronic equipment.
(L) Transportation equipment.
(M) Any other manufacturing industry if domestic manufacturers in that industry are required to purchase new equipment or hire new employees in order to comply with regulations promulgated by the Administrator of the Environmental Protection Agency relating to improving overall environmental quality.

(2) DETERMINATION.—In determining if domestic manufacturers are required to purchase new equipment or hire new employees in order to comply with regulations under paragraph (1)(M), the Secretary shall consult with the Administrator.

(3) PERIOD SPECIFIED.—The period specified in this paragraph begins on January 1, 2016, and ends on the date that is 5 years after the date of the enactment of this Act.

(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

(1) AVAILABILITY FOR ASSISTING DOMESTIC MANUFACTURERS.—Amounts in the Trust Fund shall be available to the Administrator, as provided by appropriation Acts—

(A) to assist any domestic manufacturer in an industry specified in subsection (b)(1) if that domestic manufacturer is required to purchase new equipment or hire new employees in order to comply with any regulations promulgated by the Administrator relating to improving overall environmental quality, as determined by the Administrator; and

(B) to cover administrative costs incurred by the Administrator in carrying out subparagraph (A).

(2) DISTRIBUTION OF AMOUNTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Administrator shall distribute amounts available for assistance under paragraph (1)(A) among domestic manufacturers in the industries specified in subsection (b)(1) in proportion to the estimated impact of regulations described in such paragraph on the prices in the United States of articles produced by domestic manufacturers in such industries, as determined by the Administrator.

(B) EXCLUSION.—Of the amounts distributed under subparagraph (A), 75 percent of those amounts shall be distributed to domestic manufacturers that are small or medium sized enterprises, as determined by the Administrator.

(d) INVESTMENT OF TRUST FUND.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) OBLIGATIONS.—

(A) ACQUISITION.—The obligations specified in paragraph (1) may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price.

(B) SALE.—Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

(3) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(e) DOMESTIC MANUFACTURER DEFINED.—In this section, the term ''domestic manufacturer'' means a person that produces articles in the United States.

SA 1325. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—EXPANSION OF ELIGIBLE PROGRAMS

SEC. 301. EXPANSION OF ELIGIBLE PROGRAMS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 481(b), by adding at the end the following:

''(5)(A) For purposes of parts D and E, the term 'eligible program' includes a program of not less than 250 clock hours of instruction, offered during a minimum of 5 weeks of instruction that leads an industry–recognized credential.

''(B) In this paragraph, the term 'industry-recognized credential' means an industry-recognized credential that—

''(i) is demonstrated to be of high quality by the institution offering the program in the program participation agreement under section 487;

''(ii) meets the current, as of the date of the determination, or projected needs of a local or regional workforce for recruitment, screening, hiring, retention, or advancement purposes—

''(I) as determined by the State in which the program is located, in consultation with business entities; or

''(II) as demonstrated by the institution offering the program leading to the credential; and

''(iii) is, where applicable, endorsed by a nationally recognized trade association or organization representing a significant part of the industry or sector.''; and

(2) in section 487(a), by adding at the end the following:

''(30) In the case of an institution that offers a program of not less than 250 clock hours of instruction, offered during a minimum of 5 weeks of instruction that leads an industry–recognized credential, as provided under section 481(b)(5), the institution will demonstrate to the Secretary that the industry-recognized credential is of high quality.''.

SA 1326. Ms. WARREN (for herself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS THAT THREATEN UNITED STATES SOVEREIGNTY.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement entered into under section 103(b) if—

(A) the agreement, the implementing bill, or any statement of administrative action described in subsection (a)(1)(E)(ii) proposed to implement the agreement, includes an investor-state dispute settlement arbitration mechanism; and

(B) any other party to the agreement has opted out of all or part of the arbitration mechanism.

SA 1327. Ms. WARREN (for herself, Ms. HEITKAMP, Mr. MANCHIN, Mr. DURBIN, Mrs. BOXER, Mr. BROWN, Mr. CASEY, Mr. FRANKEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. MARKEY, Mr. PETERS, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. UDALL, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS THAT THREATEN UNITED STATES SOVEREIGNTY.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if such agreement or agreements, the implementing bill, or any statement of administrative action described in subsection (a)(1)(E)(ii) proposed to implement such agreement or agreements, includes investor-state dispute settlement.

SA 1328. Ms. WARREN (for herself, Mr. MERKLEY, Mr. BLUMENTHAL, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS THAT UNDERMINE THE FINANCIAL STABILITY OF THE UNITED STATES.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if such agreement or agreements include provisions relating to financial services regulation.

SA 1329. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

After section 3, add the following:

SEC. 4. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE TO PUBLIC AGENCY WORKERS.

(a) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''The'' and inserting ''Subject to section 222(d)(5), the''; and

(B) in subparagraph (A), by striking ''or service sector firm'' and inserting '', service sector firm, or public agency''; and

(2) by adding at the end the following:

''(19) The term 'public agency' means a department or agency of a State or local government or of the Federal Government, or a subdivision thereof.''.

(b) GROUP ELIGIBILITY REQUIREMENTS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively;

(2) by inserting after subsection (b) the following:

''(c) ADVERSELY AFFECTED WORKERS IN PUBLIC AGENCIES.—A group of workers in a public agency shall be certified by the Secretary as eligible to apply for adjustment assistance under this chapter pursuant to a petition filed under section 221 if the Secretary determines that—

''(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

''(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

''(3) the acquisition of services described in paragraph (2) contributed importantly to such workers' separation or threat of separation.'';

(3) in subsection (d) (as redesignated), by adding at the end the following:

''(5) REFERENCE TO FIRM.—For purposes of subsections (a) and (b), the term 'firm' does not include a public agency.''; and

(4) in paragraph (2) of subsection (e) (as redesignated), by striking ''subsection (a) or (b)'' and inserting ''subsection (a), (b), or (c)''.

SA 1330. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 14, strike lines 3 through 6 and insert the following:

(E) ensuring foreign investors have access to justice to seek relief from harms inflicted in the territory of or by the United States ' trading partners;

SA 1331. Mr. BROWN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal

Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 36, between lines 17 and 18, insert the following:

(21) PUBLIC HEALTH.—The principal negotiating objectives of the United States with respect to public health are—

(A) to strengthen the commitments made in the bipartisan congressional agreement on trade policy relating to trade agreements with Peru, Colombia, and Panama, dated May 10, 2007 (commonly referred to as the ''May 10 agreement'');

(B) to ensure that a party to a trade agreement with the United States adopts and maintains current rights and obligations under—

(i) the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar, on November 14, 2001;

(ii) the World Intellectual Property Organization Development Agenda, adopted in 2007; and

(iii) World Health Organization Resolution 61.21 (2008);

(C) to ensure that no provision of a trade agreement imposes upon the United States or any other party to the agreement any rule that may be interpreted as undermining or limiting access to medical tools and technologies, including pharmaceutical products, diagnostics, vaccines, or other medical devices, or the practice of medicine; and

(D) to recognize the right of all governments to regulate and enact laws in the interest of public health and the right of all governments to exercise any legal rights or safeguards to protect public health without the threat of trade-related penalties.

SA 1332. Mr. MURPHY (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) DEMOCRACY.—The principal negotiating objective of the United States with respect to democracy is to require the trading partners of the United States to maintain open and free democratic elections at all levels of government.

SA 1333. Mr. MURPHY (for himself, Ms. WARREN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(a), add the following:

(13) to preserve and grow manufacturing in the United States by recognizing the implications to the national security of the United States of the erosion of the defense industrial base and to ensure that any waiver under section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511) regarding Government procurement is exercised only if—

(A) the waiver does not cause the closure of a domestic manufacturer; and

(B) domestic manufacturers are unable to produce the item to be procured.

SA 1334. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 44, line 9, insert before the end period the following: ''and does not violate, weaken, or undermine the requirements of chapter 83 of title 41, United States Code (commonly known as the 'Buy American Act') or section 313 of title 23, United States Code''.

SA 1335. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 79, lines 3 and 4, strike ''and the interests of United States consumers'' and insert ''the interests of United States consumers, and the wages, living standards, and employment prospects of United States workers''.

SA 1336. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 105(a), add at the end the following:

(6) NEGOTIATIONS REGARDING AUTOMOBILES AND AUTO PARTS.—Before initiating or continuing negotiations with respect to a trade agreement or trade agreements relating to automobiles and auto parts, the President shall—

(A) assess the likelihood of such agreement or agreements substantially reducing the overall global trade deficit of the United States in automobiles and auto parts;

(B) determine whether the countries participating in the negotiations maintain nontariff barriers or other policies or practices that distort trade in automobiles and auto parts and identify the impact of those barriers, policies, or practices on producers of automobiles and auto parts in the United States and the employees of those producers; and

(C) consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to—

(i) the results of the assessment conducted under subparagraph (A);

(ii) whether it is appropriate for the President to agree to reduce tariffs on automobiles or auto parts based on any conclusions reached in that assessment; and

(iii) how the President intends to comply with all negotiating objectives applicable to such agreement or agreements.

SA 1337. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 90, between lines 17 and 18, insert the following:

(1) CERTIFICATION THAT NEGOTIATING OBJECTIVES HAVE BEEN ACHIEVED.—

(A) CONSIDERATION BY COMMITTEE ON WAYS AND MEANS AND COMMITTEE ON FINANCE.—Not later than 90 days after the President submits to Congress a copy of the final legal text of a trade agreement under subsection (a)(1)(E), the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate shall each meet, consider whether or not the agreement achieves the negotiating objectives set forth in section 102, and vote on whether to certify that the agreement achieves those objectives.

(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement unless the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate both vote to certify under subparagraph (A) that the agreement achieves the negotiating objectives set forth in section 102.

SA 1338. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 111(6)(B), add the following:

(viii) The United Nations Framework Convention on Climate Change.

SA 1339. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS THAT DO NOT ALLOW GREENHOUSE GAS EMISSIONS PRICING OR SIMILAR POLICIES.—Notwithstanding any other provision of law, the trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) unless the agreement or agreements explicitly permit parties to the agreement or agreements to price greenhouse gas

emissions or adopt other policies that have substantially the same effect in reducing greenhouse gas emissions as pricing such emissions.

SA 1340. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—TRADE PREFERENCES FOR NEPAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''Nepal Trade Preferences Act''.

SEC. 302. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—The President may authorize the provision of preferential treatment under this title to articles that are imported directly from Nepal into the customs territory of the United States pursuant to section 303 if the President determines—

(1) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and

(2) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

SEC. 303. ELIGIBLE ARTICLES.

(a) CERTAIN MANUFACTURED AND OTHER ARTICLES.—

(1) IN GENERAL.—An article described in paragraph (2) may enter the customs territory of the United States free of duty.

(2) ARTICLES DESCRIBED.—

(A) IN GENERAL.—An article is described in this paragraph if—

(i) the article is the growth, product, or manufacture of Nepal;

(ii) the article is imported directly from Nepal into the customs territory of the United States;

(iii) the article is described in subparagraphs (B) through (G) of subsection (b)(1) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463);

(iv) the President determines, after receiving the advice of the United States International Trade Commission in accordance with subsection (e) of that section, that the article is not import-sensitive in the context of imports from Nepal; and

(v) subject to subparagraph (C), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.

(B) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of subparagraph (A)(i) by virtue of having merely undergone—

(i) simple combining or packaging operations; or

(ii) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(C) LIMITATION ON UNITED STATES COST.—For purposes of subparagraph (A)(v), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that subparagraph may not exceed 15 percent of the appraised value of the article at the time it is entered.

(b) TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—A textile or apparel article described in paragraph (2) or (3) may enter the customs territory of the United States free of duty.

(2) TEXTILE AND APPAREL ARTICLES WHOLLY ASSEMBLED IN NEPAL.—

(A) IN GENERAL.—A textile or apparel article is described in this paragraph if the textile or apparel article is—

(i) wholly assembled in Nepal, without regard to the country of origin of the yarn or fabric used to make the articles; and

(ii) imported directly from Nepal into the customs territory of the United States.

(B) AGGREGATE LIMIT.—The aggregate quantity of textile and apparel articles described in subparagraph (A) imported into the customs territory of the United States from Nepal during a calendar year under this subsection may not exceed one half of one percent of the aggregate square meter equivalents of all textile and apparel articles imported into the customs territory of the United States in the most recent 12-month period for which data are available.

(3) HANDLOOMED, HANDMADE, FOLKLORE ARTICLES AND ETHNIC PRINTED FABRICS.—

(A) IN GENERAL.—A textile or apparel article is described in this paragraph if the textile or apparel article is—

(i) imported directly from Nepal into the customs territory of the United States;

(ii) on a list of textile and apparel articles determined by the President, after consultation with the Government of Nepal, to be handloomed, handmade, folklore articles or ethnic printed fabrics of Nepal; and

(iii) certified as a handloomed, handmade, folklore article or an ethnic printed fabric of Nepal by the competent authority of Nepal.

(B) ETHNIC PRINTED FABRIC.—For purposes of subparagraph (A), an ethnic printed fabric of Nepal is fabric—

(i) containing a selvedge on both edges and having a width of less than 50 inches;

(ii) classifiable under subheading 5208.52.30 or 5208.52.40 of the Harmonized Tariff Schedule of the United States;

(iii) of a type that contains designs, symbols, and other characteristics of Nepal—

(I) normally produced for and sold in indigenous markets in Nepal; and

(II) normally sold in Nepal by the piece as opposed to being tailored into garments before being sold in indigenous markets in Nepal;

(iv) printed, including waxed, in Nepal; and

(v) formed in the United States from yarns formed in the United States or formed in Nepal from yarns originating in either the United States or Nepal.

(4) QUANTITATIVE LIMITATION.—Preferential treatment under this subsection shall be extended in the 1-year period beginning January 1, 2016, and in each of the succeeding 10 1-year periods, to imports of textile and apparel articles from Nepal under this subsection in an amount not to exceed one half of one percent of the aggregate square meter equivalents of all textile and apparel articles imported into the customs territory of the United States in the most recent 12-month period for which data are available.

(5) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR CERTAIN APPAREL ARTICLES.—

(A) IN GENERAL.—Not later than April 1, July 1, October 1, and January 1 of each year, the Commissioner responsible for U.S. Customs and Border Protection shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this subsection are not being unlawfully transshipped into the United States.

(B) REPORT TO PRESIDENT.—If the Commissioner determines pursuant to subparagraph (A) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this subsection are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.

(C) AUTHORITY TO REDUCE QUANTITATIVE LIMITATION.—If, in any 1-year period with respect to which the President extends preferential treatment to textile and apparel articles under this subsection, the Commissioner reports to the President pursuant to subparagraph (B) regarding unlawful transshipments, the President—

(i) may modify the quantitative limitation under paragraph (4) as the President considers appropriate to account for such transshipments; and

(ii) if the President modifies that limitation under clause (i), shall publish notice of the modification in the Federal Register.

(6) SURGE MECHANISM.—The provisions of subparagraph (B) of section 112(b)(3) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(3)) shall apply to textile and apparel articles imported from Nepal to which preferential treatment is extended under this subsection to the same extent and in the same manner that such provisions apply to textile and apparel articles described in such section 112(b)(3) and imported from a beneficiary sub-Saharan African country.

(7) SPECIAL ELIGIBILITY RULES; PROTECTIONS AGAINST TRANSSHIPMENT.—The provisions of subsection (e) of section 112 and section 113 of the African Growth and Opportunity Act (19 U.S.C. 3721 and 3722) shall apply to textile and apparel articles imported from Nepal to which preferential treatment is extended under this subsection to the same extent and in the same manner that such provisions apply to textile and apparel articles imported from beneficiary sub-Saharan countries to which preferential treatment is extended under such section 112.

SEC. 304. REPORTING REQUIREMENT.

The President shall monitor, review, and report to Congress, not later than one year after the date of the enactment of this Act, and annually thereafter, on the implementation of this title and on the trade and investment policy of the United States with respect to Nepal.

SEC. 305. TERMINATION OF PREFERENTIAL TREATMENT.

No preferential treatment extended under this title shall remain in effect after December 31, 2025.

SEC. 306. EFFECTIVE DATE.

The provisions of this title shall take effect on January 1, 2016.

SA 1341. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT.

(a) ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION.—

(1) IN GENERAL.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by striking ''The provisions of this section'' and all that follows through ''of the United States.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 15 days after the date of the enactment of this Act.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner responsible for U.S. Customs and Border Protection shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) that includes the following:

(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.

(2) A description of the merchandise denied entry pursuant to that section.

(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.

SA 1342. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE [____]—DETERRING LABOR SLOWDOWNS

SEC. [___]. DETERRING LABOR SLOWDOWNS.

(a) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—The National Labor Relations Act is amended—

(1) in section 1 (29 U.S.C. 151), by adding at the end the following:

''International trade is one of the most important components of the economy of the United States and will likely continue to grow in the future. In order to remain competitive in an increasingly competitive global economy, it is essential that the United States possess a highly efficient and reliable public and private transportation network. The ports of the United States are an increasingly important part of such transportation network. Experience has demonstrated that frequent and periodic disruptions to commerce in the maritime industry in the form of deliberate and unprotected labor slowdowns at the ports of the United States have led to substantial and frequent economic disruption and loss, interfering with the free flow of domestic and international commerce and threatening the economic health of the United States, as well as its citizens and businesses. Such frequent and periodic disruptions to commerce in the maritime industry hurt the reputation of the United States in the global economy, cause the ports of the United States to lose business, and represent a serious and burgeoning threat to the financial health and economic stability of the United States. It is hereby declared to be the policy of the United States to eliminate the causes and mitigate the effects of such disruptions to commerce in the maritime industry and to provide effective and prompt remedies to individuals injured by such disruptions.'';

(2) in section 2 (29 U.S.C. 152), by adding at the end the following:

''(15) The term 'employee engaged in maritime employment' has the meaning given the term 'employee' in section 2(3) of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 902(3)).

''(16) The term 'labor slowdown'—

''(A) includes any intentional effort by employees to reduce productivity or efficiency in the performance of any duty of such employees; and

''(B) does not include any such effort required by the good faith belief of such employees that an abnormally dangerous condition exists at the place of employment of such employees.'';

(3) in section 8(b) (29 U.S.C. 158(b)), by adding at the end the following:

''(8) in representing, or seeking to represent, employees engaged in maritime employment, to engage in a labor slowdown at any time, including when a collective-bargaining agreement is in effect.'';

(4) in section 9 (29 U.S.C. 159), by adding at the end the following:

''(f) EFFECT OF LABOR SLOWDOWNS.—If a labor organization has been found, pursuant to a final order of the Board, to have violated section 8(b)(8), the Board shall—

''(1) revoke the exclusive recognition or certification of the labor organization, which shall immediately cease to be entitled to represent the employees in the bargaining unit of such labor organization; or

''(2) take other appropriate disciplinary action.''; and

(5) in section 10(l) (29 U.S.C. 160(l)), in the first sentence, by striking ''or section 8(b)(7)'' and inserting ''or paragraph (7) or (8) of section 8(b)''.

(b) AMENDMENT TO THE LABOR MANAGEMENT RELATIONS ACT, 1947.—Section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187) is amended—

(1) in subsection (a), by striking ''in section 8(b)(4)'' and inserting ''under paragraph (4) or (8) of section 8(b)'';

(2) in subsection (b), by inserting '', including reasonable attorney fees for a violation under section 8(b)(8) of the National Labor Relations Act (29 U.S.C. 158(b)(8))'' before the period; and

(3) by adding at the end the following:

''(c) In an action for damages resulting from a violation of section 8(b)(8) of the National Labor Relations Act (29 U.S.C. 158(b)(8)), it shall not be a defense that the injured party has, in any manner, waived, or purported to waive, the right of such party to pursue monetary damages relating to the labor slowdown at issue—

''(1) in connection with a contractual grievance alleging a violation of a clause prohibiting a strike, or a similar clause, in a collective-bargaining agreement; or

''(2) in connection with an action for a breach of such a clause under section 301.''.

SA 1343. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTING THE UNITED STATES POSTAL SERVICE.

(a) MORATORIUM ON CLOSING OR CONSOLIDATING POSTAL FACILITIES.—During the 2-year period beginning on the date of enactment of this Act, the United States Postal Service may not close or consolidate any processing and distribution center, processing and distribution facility, network distribution center, or other facility that is operated by the United States Postal Service, the primary function of which is to sort and process mail.

(b) REINSTATEMENT OF OVERNIGHT SERVICE STANDARDS.—During the 2-year period beginning on the date of enactment of this Act, the United States Postal Service shall apply the service standards for first-class mail and periodicals under part 121 of title 39, Code of Federal Regulations, that were in effect on July 1, 2012.

SA 1344. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. WITHDRAWAL OF NORMAL TRADE RELATIONS TREATMENT FROM THE PEOPLE'S REPUBLIC OF CHINA.

Notwithstanding the provisions of title I of the Act to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China (Public Law 106–286; 114 Stat. 880), or any other provision of law, effective on the date of the enactment of this Act—

(1) normal trade relations treatment shall not apply pursuant to section 101 of that Act to the products of the People's Republic of China;

(2) normal trade relations treatment may thereafter be extended to the products of that country only in accordance with the provisions of chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), as in effect with respect to the products of the People's Republic of China on the day before the effective date of the accession of the People's Republic of China to the World Trade Organization; and

(3) the extension of waiver authority that was in effect with respect to the People's Republic of China under section 402(d)(1) of the Trade Act of 1974 (19 U.S.C. 2432(d)(1)) on the day before the effective date of the accession of the People's Republic of China to the World Trade Organization shall, upon the enactment of this Act, be deemed not to have expired, and shall continue in effect until the date that is 90 days after the date of such enactment.

SA 1345. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—UNITED STATES EMPLOYEE OWNERSHIP BANK

SECTION 301. SHORT TITLE.

This title may be cited as the ''United States Employee Ownership Bank Act''.

SEC. 302. FINDINGS.

Congress finds that—

(1) between January 2000 and February 2015, the manufacturing sector lost 4,963,000 jobs;

(2) as of February 2015, only 12,321,000 workers in the United States were employed in the manufacturing sector, lower than July 1941;

(3) at the end of 2014, the United States had a trade deficit of $505,047,000,000, including a record-breaking $342,632,500,000 trade deficit with China;

(4) preserving and increasing decent paying jobs must be a top priority of Congress;

(5) providing loan guarantees, direct loans, and technical assistance to employees to buy their own companies will preserve and increase employment in the United States; and

(6) the time has come to establish the United States Employee Ownership Bank to preserve and expand jobs in the United States through Employee Stock Ownership Plans and worker-owned cooperatives.

SEC. 303. DEFINITIONS.

In this title—

(1) the term ''Bank'' means the United States Employee Ownership Bank, established under section 304;

(2) the term ''eligible worker-owned cooperative'' has the meaning given that term in section 1042(c) of the Internal Revenue Code of 1986;

(3) the term ''employee stock ownership plan'' has the meaning given that term in section 4975(e) of the Internal Revenue Code of 1986; and

(4) the term ''Secretary'' means the Secretary of the Treasury.

SEC. 304. ESTABLISHMENT OF UNITED STATES EMPLOYEE OWNERSHIP BANK WITHIN THE DEPARTMENT OF THE TREASURY.

(a) ESTABLISHMENT OF BANK.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish the United States Employee Ownership Bank to foster increased employee ownership of United States companies and greater employee participation in company decision-making throughout the United States.

(2) ORGANIZATION OF THE BANK.—

(A) MANAGEMENT.—The Secretary shall appoint a Director to serve as the head of the Bank, who shall serve at the pleasure of the Secretary.

(B) STAFF.—The Director may select, appoint, employ, and fix the compensation of the employees that are necessary to carry out the functions of the Bank.

(b) DUTIES OF BANK.—The Bank is authorized to provide loans, on a direct or guaranteed basis, which may be subordinated to the interests of all other creditors—

(1) to purchase a company through an employee stock ownership plan or an eligible worker-owned cooperative, which shall be not less than 51 percent employee-owned, or will become not less than 51 percent employee-owned as a result of financial assistance from the Bank;

(2) to allow a company that is less than 51 percent employee-owned to become not less than 51 percent employee-owned;

(3) to allow a company that is not less than 51 percent employee-owned to increase the level of employee ownership at the company; and

(4) to allow a company that is not less than 51 percent employee-owned to expand operations and increase or preserve employment.

(c) PRECONDITIONS.—Before the Bank makes any subordinated loan or guarantees a loan under subsection (b)(1), a business plan shall be submitted to the Bank that—

(1) shows that—

(A) not less than 51 percent of all interests in the company is or will be owned or controlled by an employee stock ownership plan or eligible worker-owned cooperative;

(B) the board of directors of the company is or will be elected by shareholders on a 1 share to 1 vote basis or by members of the eligible worker-owned cooperative on a 1 member to 1 vote basis, except that shares held by the employee stock ownership plan will be voted according to section 409(e) of the Internal Revenue Code of 1986, with participants providing voting instructions to the trustee of the employee stock ownership plan in accordance with the terms of the employee stock ownership plan and the requirements of that section 409(e); and

(C) all employees will receive basic information about company progress and have the opportunity to participate in day-to-day operations; and

(2) includes a feasibility study from an objective third party with a positive determination that the employee stock ownership plan or eligible worker-owned cooperative will generate enough of a margin to pay back any loan, subordinated loan, or loan guarantee that was made possible through the Bank.

(d) TERMS AND CONDITIONS FOR LOANS AND LOAN GUARANTEES.—Notwithstanding any other provision of law, a loan that is provided or guaranteed under this section shall—

(1) bear interest at an annual rate, as determined by the Secretary—

(A) in the case of a direct loan provided under this section—

(i) sufficient to cover the cost of borrowing to the Department of the Treasury for obligations of comparable maturity; or

(ii) of 4 percent; and

(B) in the case of a loan guaranteed under this section, in an amount that is equal to the current applicable market rate for a loan of comparable maturity; and

(2) have a term of not more than 12 years.

SEC. 305. EMPLOYEE RIGHT OF FIRST REFUSAL BEFORE PLANT OR FACILITY CLOSING.

Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended—

(1) in the heading, by inserting: ''**; EMPLOYEE STOCK OWNERSHIP PLANS OR ELIGIBLE WORKER-OWNED COOPERATIVES**'' after ''layoffs''; and

(2) by adding at the end the following:

''(e) EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—

''(1) GENERAL RULE.—If an employer orders a plant or facility closing in connection with the termination of operations at the plant or facility, the employer shall offer its employees an opportunity to purchase the plant or facility through an employee stock ownership plan (as that term is defined in section 4975(e) of the Internal Revenue Code of 1986) or an eligible worker-owned cooperative (as that term is defined in section 1042(c) of the Internal Revenue Code of 1986) that is not less than 51 percent employee-owned. The value of the company that is to be the subject of the plan or cooperative shall be the fair market value of the plant or facility, as determined by an appraisal by an independent third party jointly selected by the employer and the employees. The cost of the appraisal may be shared evenly between the employer and the employees.

''(2) EXEMPTIONS.—Paragraph (1) shall not apply—

''(A) if an employer orders a plant closing but will retain the assets of the plant to continue or begin a business within the United States; or

''(B) if an employer orders a plant closing and the employer intends to continue the business conducted at the plant at another plant within the United States.''.

SEC. 306. REGULATIONS ON SAFETY AND SOUNDNESS AND PREVENTING COMPETITION WITH COMMERCIAL INSTITUTIONS.

Not later than 90 days after the date of enactment of this Act, the Secretary shall prescribe such regulations as are necessary to implement this title and the amendments made by this title, including—

(1) regulations to ensure the safety and soundness of the Bank; and

(2) regulations to ensure that the Bank will not compete with commercial financial institutions.

SEC. 307. COMMUNITY REINVESTMENT CREDIT.

Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following:

''(e) ESTABLISHMENT OF EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—In assessing and taking into account, under subsection (a), the record of a financial institution, the appropriate Federal financial supervisory agency may consider as a factor capital investments, loans, loan participation, technical assistance, financial advice, grants, and other ventures undertaken by the institution to support or enable employees to establish employee stock ownership plans or eligible worker-owned cooperatives (as those terms are defined in sections 4975(e) and 1042(c) of the Internal Revenue Code of 1986, respectively), that are not less than 51 percent employee-owned plans or cooperatives.''.

SEC. 308. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary to carry out this title—

(1) $500,000,000 for fiscal year 2016; and

(2) such sums as may be necessary for each fiscal year thereafter.

SA 1346. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 105(a), insert the following:

(6) REPORT ON POTENTIAL UNITED STATES TRADING PARTNERS.—

(A) REQUIREMENT FOR REPORT.—Not later than 45 days prior to the date the President initiates negotiations for a trade agreement with a country, the Chairman of the United States International Trade Commission shall prepare and submit to Congress a report on market access opportunities and challenges arising from such trade agreement.

(B) CONTENT.—Each report required by subparagraph (A) shall assess—

(i) tariff and nontariff barriers, policies, and practices of the government of the country;

(ii) expected opportunities for United States exports to the country if such tariff and nontariff barriers are eliminated; and

(iii) the potential impact of the trade agreement on aggregate employment and job displacement of workers in the United States and the country.

(C) PUBLIC AVAILABILITY OF REPORT.—Each report required by subparagraph (A) shall be made available to the public.

SA 1347. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

After section 106, insert the following:

SEC. 107. WITHDRAWAL FROM TRADE AGREEMENTS THAT LEAD TO OUTSOURCING OF MANUFACTURING JOBS.

(a) NOTIFICATIONS OF DECREASE IN MANUFACTURING EMPLOYMENT BY CONGRESSIONAL BUDGET OFFICE.—The Director of the Congressional Budget Office shall notify Congress if, at any time during the 3-year period beginning on the date on which a trade agreement entered into under section 103(b) enters into force, the Director determines that manufacturing employment in the United States has decreased by 100,000 jobs or more since the entry into force of the agreement.

(b) WITHDRAWAL.—The United States shall withdraw from a trade agreement entered into under section 103(b) on the date of the enactment of a joint resolution of withdrawal under subsection (c) with respect to that agreement.

(c) JOINT RESOLUTION OF WITHDRAWAL.—

(1) JOINT RESOLUTION OF WITHDRAWAL DEFINED.—In this subsection, the term ''joint resolution of withdrawal'', with respect to a trade agreement entered into under section 103(b), means only a joint resolution of either House of Congress the sole matter after the resolving clause of which is as follows: ''That the United States withdraws from the trade agreement with _____.'', with the blank space being filled with the country or countries that are parties to the agreement.

(2) INTRODUCTION.—During the 60-day period beginning on the date on which the Director submits to Congress a notification under subsection (a), any Member of the House or Senate may introduce a joint resolution of withdrawal.

(3) COMMITTEE REFERRAL.—A joint resolution of withdrawal shall not be referred to a committee in the House of Representatives or the Senate.

(4) FLOOR CONSIDERATION.—The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a joint resolution of withdrawal to the same extent such provisions apply to joint resolutions under subsection (a) of that section.

SA 1348. Mr. MENENDEZ (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) WORST FORMS OF CHILD LABOR.—The principal negotiating objectives of the United States with respect to the worst forms of child labor are—

(A) to prevent distortions in the conduct of international trade caused by the use of the worst forms of child labor, in whole or in part, in the production of goods for export in international commerce; and

(B) to redress unfair and illegitimate competition based upon the use of the worst forms of child labor, in whole or in part, in the production of goods for export in international commerce, including by—

(i) promoting universal ratification and full compliance by all trading partners of the United States with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor;

(ii) clarifying the right under subsections (a) and (b) of Article XX of GATT 1994 to enact and enforce national measures that are necessary to protect public morals or to protect human, animal, or plant life or health, including measures that limit or ban the importation of goods or services that are produced through the use of the worst forms of child labor;

(iii) ensuring that any multilateral or bilateral trade agreement that is entered into by the United States requires all parties to such agreement to enact and enforce laws that satisfy their international legal obligations to prevent the use of the worst forms of child labor, especially in the conduct of international trade; and

(iv) providing for strong enforcement of laws that require all trading partners of the United States to prevent the use of the worst forms of child labor, especially in the conduct of international trade, through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms, including procedures to impound at the border or otherwise refuse entry of goods made, in whole or in part, through the use of the worst forms of child labor.

SA 1349. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

In section 102(b)(1)(A), after ''global value chains,'' insert ''especially those global value chains established under existing trade agreements,''.

SA 1350. Mr. MENENDEZ (for himself, Mr. UDALL, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b)(10), add the following:

(J) to ensure that each party to a trade agreement implements all measures to bring its environmental laws and regulations into compliance with the agreement before the agreement enters into effect.

SA 1351. Mr. MENENDEZ (for himself, Mr. UDALL, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b)(10), add the following:

(J) to ensure that each party to a trade agreement implements all measures to bring its labor laws and regulations into compliance with the agreement before the agreement enters into effect.

SA 1352. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES THAT DISCRIMINATE AGAINST LGBT INDIVIDUALS.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country that discriminates against lesbian, gay, bisexual, and transgendered (LGBT) individuals.

SA 1353. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 105(f), add the following:

(4) REPORT ON FAIR TRADE INDEX.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the United States Trade Representative shall submit to Congress a report on each foreign country with which the United States has conducted negotiations under this title that—

(i) analyzes the acts, policies, and practices of such foreign country that negatively impact the trade relationship of the United States with such foreign country;

(ii) analyzes the adherence of such foreign country to international trade norms;

(iii) assesses the compliance of such foreign country with fair trade factors (including the factors specified in subparagraph (B)); and

(iv) ranks each such foreign country in order from most to least egregious violator of those fair trade factors.

(B) FAIR TRADE FACTORS.—The fair trade factors for each foreign country included in the report under subparagraph (A) shall include the following:

(i) An assessment of the extent to which that country manipulates the exchange rate for its currency, including an assessment of the following:

(I) Whether that country had a current account surplus during the 180-day period preceding the submission of the report.

(II) Whether that country increased its foreign exchange reserves during that period.

(III) Whether the amount of foreign exchange reserves of that country is more than the total value of exports from that country during a 3-month period.

(IV) Such other factors as the United States Trade Representative considers appropriate.

(ii) An assessment of the localization barriers to trade with that country, including an assessment of the following:

(I) Whether that country has formal legal and regulatory measures designed to protect, favor, or stimulate industries, service providers, or intellectual property from that country at the expense of goods, services, or intellectual property from other countries, including local content requirements, subsidies, or other preferences available only if producers use local goods, locally-owned service providers, or locally-owned or developed intellectual property.

(II) Any requirements in that country to provide services using local facilities or infrastructure.

(III) Any measures taken by that country to promote the transfer of technology or intellectual property from foreign entities to domestic entities.

(IV) Any requirements in that country to comply with standards specific to that country or region that create unnecessary obstacles to trade.

(V) Any requirements in that country to conduct duplicative conformity assessment procedures that the United States Trade Representative considers unjustified.

(VI) Such other factors as the United States Trade Representative considers appropriate.

(iii) An assessment of any other barriers to trade with that country, including considering the ranking of that country in the National Trade Estimate submitted to Congress under section 181(b) of the Trade Act of 1974 (19 U.S.C. 2241(b)).

(iv) An assessment of the extent to which that country protects intellectual property rights, including considering whether that country is identified by the United States Trade Representative under section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a country that denies adequate and effective protection of intellectual property rights or denies fair and equitable market access to United States persons that rely upon intellectual property rights protection.

(v) An assessment of the extent to which that country exhibits discriminatory preferences for domestic production, including considering any findings of the Trade Policy Review Body of the World Trade Organization with respect to that country.

(vi) An assessment of the labor rights and labor practices in that country, including the findings with respect to that country included in the report on labor rights required by subsection (d)(3).

SA 1354. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 36, between lines 17 and 18, insert the following new principal negotiating objective:

(21) ADDRESSING CLIMATE CHANGE.—All trade agreements to which the United States is a party shall recognize the right of all governments to regulate and enact laws in the interest of addressing climate change and the rights of all governments to exercise any legal rights or safeguards to reduce greenhouse gas emissions without the threat of trade-related penalties.

SA 1355. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to protect or provide for clean air, clean water, or safe food, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1356. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for reductions in children's exposure to carcinogens and toxic substances in toys and other consumer products, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1357. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for reductions in exposure to substances that are known to cause cancer or other serious health impacts, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1358. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for reductions in the pesticide residue levels on food, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1359. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for the reductions in the emission of, or exposure to, toxic air pollutants, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1360. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for the reductions in the exposure to asbestos, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1361. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr.

HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) LIMITATION ON TRADE AUTHORITIES PROCEDURES FOR AGREEMENTS WITH CERTAIN COUNTRIES.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country that has a minimum wage that is less than $1.00 an hour, as determined by the Secretary of Labor.

SA 1362. Mrs. BOXER (for herself, Mr. MARKEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

On page 15, between lines 17 and 18, insert the following:

(I) ensuring that the procedures for resolving investor-state disputes involving claims for expected future profits or similar compensation related to the exercise by the United States or a State of any legal rights or safeguards to provide for reductions in contaminants harmful to public health in drinking water, including actions under any existing or future law or regulation, occur under the jurisdiction of a court of the United States or a State and not through the dispute settlement mechanism.

SA 1363. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Tax Credit for Apprenticeship Programs

SEC. 301. CREDIT FOR EMPLOYEES PARTICIPATING IN QUALIFIED APPRENTICESHIP PROGRAMS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. EMPLOYEES PARTICIPATING IN QUALIFIED APPRENTICESHIP PROGRAMS.

''(a) IN GENERAL.—For purposes of section 38, the apprenticeship credit determined under this section for the taxable year is an amount equal to the sum of the applicable credit amounts (as determined under subsection (b)) for each of apprentice of the employer that exceeds the applicable apprenticeship level (as determined under subsection (e)) during such taxable year.

''(b) APPLICABLE CREDIT AMOUNT.—For purposes of subsection (a), the applicable credit amount for each apprentice for each taxable year is equal to—

''(1) $1,500, in the case of an apprentice who—

''(A) has not attained 25 years of age at the close of the taxable year, or

''(B) is certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974, and

''(2) $1,000, in the case of any apprentice not described in paragraph (1).

''(c) LIMITATION ON NUMBER OF YEARS WHICH CREDIT MAY BE TAKEN INTO ACCOUNT.—The apprenticeship credit shall not be allowed for more than 2 taxable years with respect to any apprentice.

''(d) APPRENTICE.—For purposes of this section, the term 'apprentice' means any employee who is employed by the employer—

''(1) in an officially recognized apprenticeable occupation, as determined by the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, and

''(2) pursuant to an apprentice agreement registered with—

''(A) the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, or

''(B) a recognized State apprenticeship agency, as determined by the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor.

''(e) APPLICABLE APPRENTICESHIP LEVEL.—

''(1) IN GENERAL.—For purposes this section, the applicable apprenticeship level shall be equal to—

''(A) in the case of any apprentice described in subsection (b)(1), the amount equal to 80 percent of the average number of such apprentices of the employer for the 3 taxable years preceding the taxable year for which the credit is being determined, rounded to the next lower whole number; and

''(B) in the case of any apprentices described in subsection (b)(2), the amount equal to 80 percent of the average number of such apprentices of the employer for the 3 taxable years preceding the taxable year for which the credit is being determined, rounded to the next lower whole number.

''(2) FIRST YEAR OF NEW APPRENTICESHIP PROGRAMS.—In the case of an employer which did not have any apprentices during any taxable year in the 3 taxable years preceding the taxable year for which the credit is being determined, the applicable apprenticeship level shall be equal to zero.

''(f) COORDINATION WITH OTHER CREDITS.—The amount of credit otherwise allowable under sections 45A, 51(a), and 1396(a) with respect to any employee shall be reduced by the credit allowed by this section with respect to such employee.

''(g) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (i)(1) and (k) of section 51 shall apply for purposes of this section.''.

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the apprenticeship credit determined under section 45S(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C of the Internal Revenue Code of 1986 is amended by inserting ''45S(a),'' after ''45P(a),''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 45S. Employees participating in qualified apprenticeship programs.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals commencing apprenticeship programs after the date of the enactment of this Act.

(f) LIMITATION ON GOVERNMENT PRINTING COSTS.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of Federal departments and independent agencies to—

(1) determine which Government publications could be available on Government websites and no longer printed and to devise a strategy to reduce overall Government printing costs over the 10-year period beginning with fiscal year 2015, except that the Director shall ensure that essential printed documents prepared for social security recipients, medicare beneficiaries, and other populations in areas with limited Internet access or use continue to remain available;

(2) establish government wide Federal guidelines on employee printing; and

(3) issue guidelines requiring every department, agency, commission, or office to list at a prominent place near the beginning of each publication distributed to the public and issued or paid for by the Federal Government—

(A) the name of the issuing agency, department, commission, or office;

(B) the total number of copies of the document printed;

(C) the collective cost of producing and printing all of the copies of the document; and

(D) the name of the entity publishing the document.

Subtitle B—Build America Bonds

SEC. 311. BUILD AMERICA BONDS MADE PERMANENT.

(a) IN GENERAL.—Subparagraph (B) of section 54AA(d)(1) of the Internal Revenue Code of 1986 is amended by inserting ''or during a period beginning on or after the date of the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015,'' after ''January 1, 2011,''.

(b) REDUCTION IN CREDIT PERCENTAGE TO BONDHOLDERS.—Subsection (b) of section 54AA of such Code is amended to read as follows:

''(b) AMOUNT OF CREDIT.—

''(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any interest payment date for a build America bond is the applicable percentage of the amount of interest payable by the issuer with respect to such date.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage shall be determined under the following table:

''In the case of a bond issued during calendar year:	**The applicable percentage is:**
2009 or 2010	35
2014	31
2015	30
2016	29
2017 and thereafter	28.''.

(c) SPECIAL RULES.—Subsection (f) of section 54AA of such Code is amended by adding at the end the following new paragraph:

''(3) APPLICATION OF OTHER RULES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a build America bond shall be considered a recovery zone economic development bond (as defined in section 1400U–2) for purposes of application of section 1601 of title I of division B of Public Law 111–5 (26 U.S.C. 54C note).

''(B) PUBLIC TRANSPORTATION PROJECTS.—Recipients of any financial assistance authorized under this section that funds public transportation projects, as defined in Title 49, United States Code, must comply with the grant requirements described under section 5309 of such title.''.

(d) EXTENSION OF PAYMENTS TO ISSUERS.—

(1) IN GENERAL.—Section 6431 of such Code is amended—

(A) by inserting ''or during a period beginning on or after the date of the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015,'' after ''January 1, 2011,'' in subsection (a), and

(B) by striking ''before January 1, 2011'' in subsection (f)(1)(B) and inserting ''during a particular period''.

(2) CONFORMING AMENDMENTS.—Subsection (g) of section 54AA of such Code is amended—

(A) by inserting ''or during a period beginning on or after the date of the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015,'' after ''January 1, 2011,'', and

(B) by striking ''QUALIFIED BONDS ISSUED BEFORE 2011'' in the heading and inserting ''CERTAIN QUALIFIED BONDS''.

(e) REDUCTION IN PERCENTAGE OF PAYMENTS TO ISSUERS.—Subsection (b) of section 6431 of such Code is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'',

(2) by striking ''35 percent'' and inserting ''the applicable percentage'', and

(3) by adding at the end the following new paragraph:

''(2) APPLICABLE PERCENTAGE.—For purposes of this subsection, the term 'applicable percentage' means the percentage determined in accordance with the following table:

"In the case of a qualified bond issued during calendar year:	The applicable percentage is:
2009 or 2010	35
2014	31
2015	30
2016	29
2017 and thereafter	28.''.

(f) CURRENT REFUNDINGS PERMITTED.—Subsection (g) of section 54AA of such Code is amended by adding at the end the following new paragraph:

''(3) TREATMENT OF CURRENT REFUNDING BONDS.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'qualified bond' includes any bond (or series of bonds) issued to refund a qualified bond if—

''(i) the average maturity date of the issue of which the refunding bond is a part is not later than the average maturity date of the bonds to be refunded by such issue,

''(ii) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

''(iii) the refunded bond is redeemed not later than 90 days after the date of the issuance of the refunding bond.

''(B) APPLICABLE PERCENTAGE.—In the case of a refunding bond referred to in subparagraph (A), the applicable percentage with respect to such bond under section 6431(b) shall be the lowest percentage specified in paragraph (2) of such section.

''(C) DETERMINATION OF AVERAGE MATURITY.—For purposes of subparagraph (A)(i), average maturity shall be determined in accordance with section 147(b)(2)(A).

''(D) ISSUANCE RESTRICTION NOT APPLICABLE.—Subsection (d)(1)(B) shall not apply to a refunding bond referred to in subparagraph (A).''.

(g) CLARIFICATION RELATED TO LEVEES AND FLOOD CONTROL PROJECTS.—Subparagraph (A) of section 54AA(g)(2) of such Code is amended by inserting ''(including capital expenditures for levees and other flood control projects)'' after ''capital expenditures''.

(h) GROSS-UP OF PAYMENT TO ISSUERS IN CASE OF SEQUESTRATION.—In the case of any payment under section 6431(b) of the Internal Revenue Code of 1986 made after the date of the enactment of this Act to which sequestration applies, the amount of such payment shall be increased to an amount equal to—

(1) such payment (determined before such sequestration), multiplied by

(2) the quotient obtained by dividing 1 by the amount by which 1 exceeds the percentage reduction in such payment pursuant to such sequestration.

For purposes of this subsection, the term ''sequestration'' means any reduction in direct spending ordered in accordance with a sequestration report prepared by the Director of the Office and Management and Budget pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or the Statutory Pay-As-You-Go Act of 2010.

(i) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued on or after the date of the enactment of this Act.

Subtitle C—Export Promotion Reform

SEC. 321. IMPROVED COORDINATION OF EXPORT PROMOTION ACTIVITIES OF FEDERAL AGENCIES THROUGH TRADE PROMOTION COORDINATING COMMITTEE.

(a) DUTIES OF COMMITTEE.—Section 2312(b) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(b)) is amended—

(1) in paragraph (5), by striking ''and'' after the semicolon;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(4) in making the assessments under paragraph (5), review the proposed annual budget of each agency described in that paragraph under procedures established by the TPCC for such review, before the agency submits that budget to the Office of Management and Budget and the President for inclusion in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code; and''.

(b) STRATEGIC PLAN.—Section 2312(c) of the Export Enhancement Act of 1988 is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

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

''(3) in conducting the review and developing the plan under paragraph (2), take into account recommendations from a representative number of United States exporters, in particular small businesses and medium-sized businesses, and representatives of United States workers;''.

(c) IMPLEMENTATION.—Section 2312 of the Export Enhancement Act of 1988 is amended by adding at the end the following:

''(g) IMPLEMENTATION.—The President shall take such steps as are necessary to provide the chairperson of the TPCC with the authority to ensure that the TPCC carries out each of its duties under subsection (b) and develops and implements the strategic plan under subsection (c).''.

(d) SMALL BUSINESS DEFINED.—Section 2312 of the Export Enhancement Act of 1988, as amended by subsection (c), is further amended by adding at the end the following:

''(h) SMALL BUSINESS DEFINED.—In this section, the term 'small business' means a small business concern as defined under section 3 of the Small Business Act (15 25 U.S.C. 632).''.

SEC. 322. EFFECTIVE DEPLOYMENT OF UNITED STATES COMMERCIAL SERVICE RESOURCES IN FOREIGN OFFICES.

Section 2301(c)(4) of the Export Enhancement Act of 1988 (15 U.S.C. 4721(c)(4)) is amended—

(1) by redesignating subparagraphs (B) through (F) as subparagraphs (C) through (G), respectively; and

(2) by striking ''(4) FOREIGN OFFICES.—(A) The Secretary may'' and inserting the following:

''(4) FOREIGN OFFICES.—(A)(i) In consultation with the Trade Promotion Coordinating Committee established under section 2312(a), the Secretary shall, not less frequently than once every 5 years—

''(I) conduct a global assessment of overseas markets to identify those markets with the greatest potential for increasing United States exports; and

''(II) deploy Commercial Service personnel and other resources on the basis of the global assessment conducted under subclause (I).

''(ii) Each global assessment conducted under clause (i)(I) shall take into account recommendations from a representative number of United States exporters, in particular small businesses (as defined in section 2312(h)) and medium-sized businesses, and representatives of United States workers.

''(iii) Not later than 180 days after the date of the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, and not less frequently than once every 5 years thereafter, the Secretary shall submit to Congress the results of the most recent global assessment conducted under clause (i)(I) and a plan for deployment of personnel and resources under clause (i)(II) on the basis of that global assessment.

''(B) The Secretary may' ''.

SEC. 323. STRENGTHENED COMMERCIAL DIPLOMACY IN SUPPORT OF UNITED STATES EXPORTS.

(a) DEVELOPMENT OF PLAN.—Section 207(c) of the Foreign Service Act of 1980 (22 U.S.C. 3927(c)) is amended by inserting before the period at the end the following: '', including through the development of a plan, drafted in consultation with the Trade Promotion Coordinating Committee established under section 2312(a) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(a)), for effective diplomacy to remove or reduce obstacles to exports of United States goods and services''.

(b) ASSESSMENTS AND PROMOTIONS.—Section 603 of the Foreign Service Act of 1980 (22 U.S.C. 4003) is amended—

(1) in subsection (b), by striking the second sentence; and

(2) by adding at the end the following:

''(c)(1) Precepts for selection boards responsible for recommending promotions into and within the Senior Foreign Service shall emphasize performance which demonstrates the strong policy formulation capabilities, executive leadership qualities, and highly developed functional and area expertise, which are required for the Senior Foreign Service.

''(2) Precepts described in paragraph (1) related to functional and area expertise shall include, with respect to members of the Service with responsibilities relating to economic affairs, expertise on the effectiveness of efforts to promote the export of United States goods and services in accordance with a commercial diplomacy plan developed pursuant to section 207(c).''.

(c) INSPECTOR GENERAL.—Section 209(b) of the Foreign Service Act of 1980 (22 U.S.C. 3929(b)) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

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

''(5) the effectiveness of commercial diplomacy relating to the promotion of exports of United States goods and services; and''.

Subtitle D—STEM Education

SEC. 331. GRANTS FOR STEM EDUCATION.

(a) PURPOSE.—The purpose of this section is to improve student academic achievement in science, technology, engineering, and mathematics, including computer science, by—

(1) improving instruction in such subjects through grade 12;

(2) improving student engagement in, and increasing student access to, such subjects;

(3) improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting highly rated teachers and providing robust tools and supports for students and teachers in such subjects; and

(4) closing student achievement gaps, and preparing more students to be college and career ready in such subjects.

(b) DEFINITIONS.—In this section:

(1) TERMS IN THE ESEA.—The terms ''elementary school'', ''secondary school'', ''Secretary'', and ''State educational agency'' shall have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency; or

(B) a State educational agency in partnership with 1 or more State educational agencies.

(3) STATE.—The term ''State'' means—

(A) any of the 50 States;

(B) the District of Columbia;

(C) the Bureau of Indian Education; or

(D) the Commonwealth of Puerto Rico.

(c) RESERVATIONS.—

(1) IN GENERAL.—From the amounts appropriated for this section for a fiscal year, the Secretary shall reserve—

(A) not more than 2 percent to provide technical assistance to States under this section;

(B) not more than 5 percent for State capacity-building grants under this section, if the Secretary is awarding such grants in accordance with paragraph (2); and

(C) 10 percent for STEM Master Teacher Corps programs described under subsection (g)(2).

(2) CAPACITY-BUILDING GRANTS.—

(A) IN GENERAL.—In any year for which funding is distributed competitively, as described in subsection (e)(1), the Secretary may award 1 capacity-building grant to each State that does not receive a grant under subsection (e), on a competitive basis, to enable such State to become more competitive in future years.

(B) DURATION.—Grants awarded under subparagraph (A) shall be for a period of 1 year.

(d) FORMULA GRANTS.—

(1) IN GENERAL.—For each fiscal year for which the amount appropriated to carry out this section, and not reserved under subsection (c)(1), is equal to or more than $300,000,000, the Secretary shall award grants to States, based on the formula described in paragraph (2) to carry out activities described in subsection (g)(1).

(2) DISTRIBUTION OF FUNDS.—The Secretary shall allot to each State—

(A) an amount that bears the same relationship to 35 percent of the excess amount described in paragraph (1) as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(B) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals ages 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

(3) FUNDING MINIMUM.—No State receiving an allotment under this subsection may receive less than ½ of 1 percent of the total amount allotted under paragraph (1) for a fiscal year.

(4) PUERTO RICO.—The amount allotted under paragraph (2) to the Commonwealth of Puerto Rico for a fiscal year may not exceed ½ of 1 percent of the total amount allotted under paragraph (1) for such fiscal year.

(5) REALLOTMENT OF UNUSED FUNDS.—If a State does not successfully apply, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this subsection.

(e) COMPETITIVE GRANTS.—

(1) IN GENERAL.—For each fiscal year for which the amount appropriated to carry out this section, and not reserved under subsection (c)(1), is less than $300,000,000, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such eligible entities to carry out the activities described in subsection (g)(1).

(2) DURATION.—Grants awarded under this subsection shall be for a period of not more than 3 years.

(3) RENEWAL.—

(A) IN GENERAL.—If an eligible entity demonstrates progress on the performance metrics established under subsection (h)(1), the Secretary may renew a grant for an additional 2-year period.

(B) REDUCED FUNDING.—Grant funds awarded under subparagraph (A) shall be awarded at a reduced amount.

(f) APPLICATIONS.—Each eligible entity or State desiring a grant under this section, whether through a competitive grant under subsection (e) or through an allotment under subsection (d), shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(g) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—Each State or eligible entity receiving a grant under this section shall use such grant funds to carry out activities to promote the subject fields of science, technology, engineering, and mathematics in elementary schools and secondary schools.

(2) STEM MASTER TEACHER CORPS.—The Secretary shall use funds reserved in accordance with subsection (c)(1)(C) to establish STEM Master Teacher Corps programs, which shall be programs that—

(A) elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing and rewarding outstanding teachers in those subjects; and

(B) attract and retain effective science, technology, engineering, and mathematics teachers, particularly in high-need schools, by offering them additional compensation, instructional resources, and instructional leadership roles.

(h) PERFORMANCE METRICS AND REPORT.—

(1) PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this section.

(2) ANNUAL REPORT.—Each State or eligible entity that receives a grant under this section shall prepare and submit an annual report to the Secretary, which shall include information relevant to the performance metrics described in paragraph (1).

(i) EVALUATION.—The Secretary shall—

(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

(A) evaluate the implementation and impact of the activities supported under this section, including progress measured by the metrics established under subsection (h)(1); and

(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects; and

(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects.

SEC. 332. INNOVATIVE INSPIRATION SCHOOL GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) LOW-INCOME STUDENT.—The term ''low-income student'' means a student who is eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(3) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(5) STEM.—The term ''STEM'' means science, technology, engineering (including robotics), or mathematics, and includes the field of computer science.

(6) NON-TRADITIONAL STEM TEACHING METHOD.—The term ''non-traditional STEM teaching method'' means a STEM education method or strategy such as incorporating self-directed student learning, inquiry-based learning, cooperative learning in small groups, collaboration with mentors in the field of study, and participation in STEM-related competitions.

(b) GOALS OF PROGRAM.—The goals of the Innovation Inspiration grant program are—

(1) to provide opportunities for local educational agencies to support non-traditional STEM teaching methods;

(2) to support the participation of students in nonprofit STEM competitions;

(3) to foster innovation and broaden interest in, and access to, careers in the STEM fields by investing in programs supported by educators and professional mentors who receive hands-on training and ongoing communications that strengthen the interactions of the educators and mentors with—

(A) students who are involved in STEM activities; and

(B) other students in the STEM classrooms and communities of such educators and mentors; and

(4) to encourage collaboration among students, engineers, and professional mentors.

(c) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to local educational agencies to enable the local educational agencies—

(A) to promote STEM in secondary schools and after school programs;

(B) to support the participation of secondary school students in non-traditional STEM teaching methods; and

(C) to broaden secondary school students' access to careers in STEM.

(2) DURATION.—The Secretary shall award each grant under this section for a period of not more than 5 years.

(3) AMOUNTS.—The Secretary shall award a grant under this section in an amount that is sufficient to carry out the goals of this section.

(d) APPLICATION.—

(1) IN GENERAL.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications from local educational agencies that propose to carry out activities that target—

(A) a rural or urban school;

(B) a low-performing school or local educational agency; or

(C) a local educational agency or school that serves low-income students.

(e) USES OF FUNDS.—

(1) IN GENERAL.—Each local educational agency that receives a grant under this section shall use the grant funds for any of the following:

(A) STEM EDUCATION AND CAREER ACTIVITIES.—Promotion of STEM education and career activities.

(B) PURCHASE OF PARTS.—The purchase of parts and supplies needed to support participation in non-traditional STEM teaching methods.

(C) TEACHER INCENTIVES AND STIPENDS.—Incentives and stipends for teachers involved in non-traditional STEM teaching methods outside of their regular teaching duties.

(D) SUPPORT AND EXPENSES.—Support and expenses for student participation in regional and national nonprofit STEM competitions.

(E) ADDITIONAL MATERIALS AND SUPPORT.—Additional materials and support, such as equipment, facility use, technology, broadband access, and other expenses, directly associated with non-traditional STEM teaching and mentoring.

(F) OTHER ACTIVITIES.—Carrying out other activities that are related to the goals of the grant program, as described in subsection (b).

(2) PROHIBITION.—A local educational agency shall not use grant funds awarded under this section to participate in any STEM competition that is not a nonprofit competition.

(3) ADMINISTRATIVE COSTS.—Each local educational agency that receives a grant under this section may use not more than 2 percent of the grant funds for costs related to the administration of the grant project.

(f) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Subject to paragraph (2), each local educational agency that receives a grant under this section shall secure, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 50 percent of the grant. The non-Federal contribution may be provided in cash or in-kind.

(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for a local educational agency if the Secretary determines that applying the matching requirement would result in a serious financial hardship or a financial inability to carry out the goals of the grant project.

(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided to a local educational agency under this section shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this section.

(h) EVALUATION.—The Secretary shall establish an evaluation program to determine the efficacy of the grant program established by this section, which shall include comparing students participating in a grant project funded under this section to similar students who do not so participate, in order to assess the impact of student participation on—

(1) what courses a student takes in the future; and

(2) a student's postsecondary study.

Subtitle E—Extension of Tax Credit for Research Expenses

SEC. 341. TEMPORARY EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 41(h) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2014'' and inserting ''December 31, 2019''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2014.

Subtitle F—Hollings Manufacturing Extension Partnership

SEC. 351. AUTHORIZATION OF APPROPRIATIONS FOR HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.

There is authorized to be appropriated to the Secretary of Commerce to carry out the Hollings Manufacturing Extension Partnership under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l)—

(1) for each of fiscal years 2016 through 2021, $192,450,000; and

(2) for fiscal year 2022 and each fiscal year thereafter, such sums as may be necessary.

SA 1364. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place in title I, add the following:

SEC. 1_____. DRUG IMPORTATION.

(a) PROMULGATION OF REGULATIONS.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) until the Secretary of Health and Human Services promulgates regulations under section 804(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384(b)), as amended by subsection (b)(2).

(b) AMENDMENTS TO FFDCA.—Section 804 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384) is amended—

(1) in subsection (a)(1), by striking ''pharmacist or wholesaler'' and inserting ''pharmacist, wholesaler, or the head of a relevant agency of the Federal Government'';

(2) in subsection (b), by striking ''from Canada'';

(3) in subsection (f), by striking ''Canada'' and inserting '' any country that is a party to the Trans-Pacific Partnership Agreement''; and

(4) in subsection (j)—

(A) in the heading of paragraph (3), by striking ''CANADA'' and inserting ''**A FOREIGN COUNTRY**''; and

(B) in paragraph (3)(C), by striking ''from Canada'' and inserting ''from a country that is a party to the Trans-Pacific Partnership Agreement''.

(c) PRESCRIPTION DRUG IMPORTATION.—The principal negotiating objective of the United States regarding the importation of prescription drugs is to permit the importation of such drugs from any country that is a party to a trade agreement with the United States, pursuant to section 804 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384).

SA 1365. Ms. BALDWIN (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 106(b), add the following:

(7) FOR AGREEMENTS WITH COUNTRIES THAT CRIMINALIZE HOMOSEXUALITY.—The trade authorities procedures shall not apply to an implementing bill submitted with respect to a trade agreement entered into under section 103(b) with a country the government of which criminalizes homosexuality or persecutes or otherwise punishes individuals on the basis of sexual orientation or gender identity, as identified by the Secretary of State in the most recent annual Country Reports on Human Rights Practices under section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n).

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the remainder of this week: Nikesh Patel and Jennifer Kay.

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

MEASURES PLACED ON THE CALENDAR—S. 1350, S. 1357, and H.R. 2048

Mr. LANKFORD. Mr. President, I understand there are three bills at the desk due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 1350) to provide a short-term extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

A bill (S. 1357) to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 until July 31, 2015, and for other purposes.

A bill (H.R. 2048) to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Mr. LANKFORD. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

AUTHORIZING USE OF THE CAPITOL GROUNDS, THE ROTUNDA OF THE CAPITOL, AND EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 43, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 43) authorizing the use of the Capitol Grounds, the rotunda of the Capitol, and Emancipation Hall in the Capitol Visitor Center for official Congressional events surrounding the visit of His Holiness Pope Francis to the United States Capitol.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LANKFORD. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 43) was agreed to.

ORDERS FOR TUESDAY, MAY 19, 2015

Mr. LANKFORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 19; 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; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, with the Democrats controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of H.R. 1314; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ORDER FOR ADJOURNMENT

Mr. LANKFORD. 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, following the remarks of Senator PORTMAN for up to 10 minutes.

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

The Senator from Ohio.

CURRENCY MANIPULATION

Mr. PORTMAN. Mr. President, I thank the Presiding Officer for allowing me to speak briefly about an amendment I am offering to the trade promotion authority legislation.

Also, I was not here earlier because I was unavoidably detained. I was on a flight to arrive at National Airport, and because of thunderstorms, they diverted us to Richmond, VA, where I spent about an hour this evening.

If I had been here, I would have voted yes on both the trade adjustment assistance legislation and also the religious freedom legislation that came before this Chamber earlier this evening.

Again, I appreciate the opportunity to speak now about an amendment I am offering to the underlying legislation, the trade promotion authority.

This amendment is regarding currency manipulation, something we have talked a lot about in this Chamber over the last week. Now is the opportunity for us to speak with our votes on behalf of the people we represent, who believe that, yes, we should be trading with other countries. In fact, I strongly believe that we should be expanding our exports and, therefore, I support trade-opening agreements that could be negotiated under a trade promotion authority.

But I also believe that we need to level the playing field, so that while we are expanding trade and increasing our exports and therefore creating more jobs in my home State of Ohio and around the country, at the same time, we are able to tell those workers and farmers that other countries are going to be required to play by the rules.

There are lots of issues that get addressed here in this Chamber regarding leveling that playing field. One is to ensure that countries don't dump their products here in the United States, and we have language in the Customs bill that deals with that, to ensure that companies can indeed seek a remedy and seek help for that.

We also talk about subsidized products that come to the United States, to our shores, to compete unfairly. We have legislation to address that as well.

But there are other issues that need to be addressed to ensure that, again, countries are playing by the rules. One is currency manipulation.

We are in the process now of giving our government the ability to negotiate an agreement that could lower tariffs and nontariff barriers to our products, and that is a good thing, whether it is the agreement with Asia, the so-called TPP Agreement, or the agreement in Europe, the so-called TTIP Agreement and others.

But the reality is that we are also in a situation where, regardless of what agreements we negotiated, many of the benefits of those reductions in tariffs or nontariff barriers could immediately be countered by another country saying: Do you know what? I am going to intervene aggressively in international currency markets to lower the price, to lower the cost of my currency, so that my exports, specifically to United States, will be less expensive. And, by the way, it also affects other countries in the meantime. So relative to the dollar, their currency is lower, so, therefore, their exports are less expensive to us, and our exports to them are more expensive.

When I walk the shop floors in Ohio and I talk to workers and I talk to management about how this affects us in Ohio, what I hear very directly is: Rob, we are all for trade. We believe we can compete. But we need to be able to compete on a playing field where everybody is agreeing that there will be certain rules of the road.

There are rules of the road. The amendment that we are offering, despite what some people have been saying about it and what I have seen written even today, which is inaccurate—the rules of the road are actually set up by the International Monetary Fund and by the World Trade Organization, by reference to the IMF.

As an example, every single country we are negotiating with right now with regard to Trans-Pacific Partnership—the so-called TPP—is a signatory to this International Monetary Fund and to the WTO. Therefore, they are obliged to live with these rules.

Our amendment is very simple. All it says is that these rules apply just as they are currently provided for by the International Monetary Fund, and that countries, when they are negotiating with us in a trade agreement, need to be consistent with those obligations that they have undertaken and that there is an enforceability measure. In other words, if they don't do it, there will be some consequences. Right now, there is no enforcement penalty. This is one reason we continue to see in some cases currency manipulation, which in turn, again, hurts our workers and our farmers, who just want the chance to be able to compete—and compete fairly.

I would also say there has been some misinformation about this amendment out there regarding whether it would affect monetary policy. We will see under this amendment that we have clarified that—not that it was ever a question in my mind or of others who drafted it. We clarified that to the extent that we have actually said: This does not apply to monetary policy. It doesn't apply to macroeconomic policy, decisions that countries make.

Instead, again, it takes the very specific undertakings that the IMF has established for all these countries, which says: You cannot intervene in purchasing other currencies and doing so in a way to expand your exports unfairly.

So I think this is a very important debate we are having with regard to trade promotion authority. We need to get back in the business of expanding trade for our workers and our farmers.

The Presiding Officer's wheat farmers in Montana are looking forward to a chance to get into some of these markets where they have been essentially

closed out because other countries have completed trade agreements lowering tariffs and we have not. So this will be good for the Presiding Officer's farmers and for the farmers in Ohio. One in every three acres they plant is now planted for export. It will be good for our soybean farmers in Ohio, as 50 percent of their crop is exported. It will be good for the workers of Ohio, as 25 percent of our manufacturing jobs are now export jobs.

But we are losing ground because over the last 7 years, we haven't been able to knock down these barriers because we haven't had this trade promotion authority, which is necessary in order to create the opportunity for us to export more.

Again, while we are doing that and using the leverage of our market here in the United States of America, the largest economy, we must also be sure that we are dealing with dumping, with subsidization, and, yes, with currency manipulation and other aspects of trade that simply aren't fair.

Recently, I received a letter signed by thousands of Ohio auto workers, and they called currency manipulation ''the most critical barrier in the 21st century.'' They get it. These are workers who work at the transmission plant in Sharonville, OH, but I see this all over Ohio. More than 1,500 UAW workers will soon manufacture Ford's medium-duty truck in Avon Lake, OH. We are really excited about that. This is actually production that was moved from Mexico to the United States.

This is what they told me: We want to be able to compete. We want to be able to keep our jobs here at Avon Lake, OH.

They said: Currency manipulation hurts American competitiveness here at home and export markets where we compete around the world.

This assembly plant's mission is to provide our customers with the highest quality, and the safest, most reliable automotive products and services, while also fostering continuous growth and prosperity for our families and the surrounding communities. That is why they say that we must ensure that trade policies do not undermine this progress in the U.S. auto industry and in U.S. manufacturing.

By the way, this letter was jointly signed not just by UAW members but also by the plant manager and other members of management at this company. Why? Because they get it. If they are working hard, making concessions, becoming more efficient to be more competitive, they are willing to do it. They know they have to. They get it. We are an international marketplace now. There is global competition. But they want to be darn sure that they aren't having an unfair advantage weighed against them because another government, as they say, cheated on their currency.

Given what we are hearing from these American workers, I have introduced this bipartisan amendment with Senator STABENOW, cracking down on currency manipulation. I have been on the floor a number of times to talk about this. I want to be sure that we have the opportunity to be able to move forward with this amendment. We also have a number of other cosponsors, including Senators BURR, BROWN, GRAHAM, CASEY, COLLINS, SCHUMER, SHAHEEN, HEITKAMP, BALDWIN, KLOBUCHAR, MANCHIN, WARREN, and DONNELLY.

We are pleased that our work here is backed up—yes—by the auto companies, including GM, Chrysler, Ford, but also by U.S. Steel, Nucor Steel, AK Steel, and others. This very idea of enforceable currency disciplines in trade has been backed up again and again. It has been endorsed by 60 Senators on the floor of the Senate through either votes or letters that they have signed and by 230 Members of the House.

Again, what it does is it gives teeth to the existing IMF and WTO rules against currency manipulation.

Some have said: Well, this is kind of a stretch. Why are we dealing with currency manipulation in this legislation? Let me remind them that the TPA bill being considered today—the one without this amendment in it, the one that was offered by Chairman HATCH, my friend ORRIN HATCH, and supported by Treasury Secretary Jack Lew—so the administration—includes a negotiating objective to address currency concerns.

So this notion that we shouldn't have this involved in the trade agreement—it is in the underlying TPA. The problem is it is not enforceable. So we say that we agree that currency manipulation is a bad thing because it distorts trade and it distorts free markets.

I am a conservative. I believe we shouldn't be encouraging distortion.

The difference between the negotiating objective in the bill and the one I am proposing is that ours is actually enforceable. It gives us the opportunity to actually make a difference in this debate, to be able to ensure that countries do indeed abide by the rules they have promised to follow as members of the International Monetary Fund.

Some have said this is a poison pill for trade. I don't quite get that. Again, trade promotion authority already includes currency manipulation. The question is whether it should be enforceable. If we believe, as we say we do, that this is wrong, why wouldn't we want to have some ability to enforce it?

As I said earlier, this legislation specifically excludes domestic monetary policy. It is now in the text of the amendment itself, which is different than it was in committee.

So I very much appreciate being allowed to speak on this tonight. I appreciate the opportunity for me to offer this amendment that I have drafted with Senators STABENOW and others. I look forward to talking more about this issue later this week. I do believe it is important that we move forward on providing the opportunity for the workers I represent, the farmers I represent, and the service providers in Ohio to expand their exports. It creates not just more jobs but good-paying jobs. On average, those jobs pay 15 to 18 percent more—and better benefits. That is important. America needs to get back in the business of expanding exports. For 7 years we haven't had that and other countries have, through hundreds of trade agreements that left us out and lowered the barriers between their countries. That hurts us. We want that market share. We don't want to lose it.

But, again, as we do that, let's be darned sure that we are giving our workers and our farmers a fair shake so they have the opportunity. If they play by the rules and they work hard, they become more efficient, they make the concessions, and they know this is going to be something where they have the opportunity to excel, to compete, and ultimately to help create jobs and opportunity here in this country.

Just as we are encouraging other countries to take on our free enterprise system and our values we hold so dear, we should also encourage them to take on these rules of fairness, including prohibiting the manipulation of currency that is explicitly directed at increasing our costs and decreasing their costs as they send exports to us.

I appreciate the opportunity to speak tonight.

VOTE EXPLANATION

I would reiterate that I support the Brown amendment No. 1242. I was not able to be here for the vote because I was unavoidably detained and was diverted from National Airport.

I also want to say that I support the Lankford amendment No. 1237, again, regarding the religious freedoms and making that a part of trade negotiation objectives as well.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:57 p.m., adjourned until Tuesday, May 19, 2015, at 10 a.m.