and verify that we reach out to this last year, when we said as a body that wind energy would not get a production tax credit anymore, and remove it from the tax credit and verify for ourselves that, no, it is not going to happen.

One last thing. I came into this body 5 years ago and served in the House of Representatives. For the 4 years I served in the House of Representatives, I distinctly remember the first year, in 2011, when I sat down with some folks from wind energy and I asked: How much more time do you need for the production tax credit because wind continues to increase its efficiency. They said: It is becoming much more efficient. If we had 3 more years, we could make it. Again, this was in 2011. The discussion was that by doing a phasedown in 2011 they would need just 3 more years and it would go away.

In 2014 I was in a hearing in the House of Representatives, and I asked those individuals: How much more time do you need for a phasedown and phaseout of the production tax credit? The same person said to me: If I just had 4 more years, we could phase this out. I am concerned, and I believe right now in 2019 this body will have lobbyists come into it and say: If we just have a few more years of the PTC extension, we could make it just fine. I would argue they are doing very well as an industry—and I am glad they are. Let's make it clear the PTC ends in 2020 and does not return.

With that, I yield back my time.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from New Mexico.

Mr. UDALL. Mr. President, I ask unanimous consent to speak in morning business for no more than 7 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS MATTHEW MCCLINTOCK

Mr. UDALL. Mr. President, I rise with sorrow and regret to pay tribute to SFC Matthew McClintock. Sergeant McClintock was a native of my home State of New Mexico. He died on January 5 in Helmand Province, Afghanistan, from injuries sustained from small arms fire. He was only 30 years old.

In answering the call to serve—a call he answered fearlessly multiple times—Sergeant McClintock’s brief time on this Earth ended far too soon. It is difficult to imagine the grief his family and friends are feeling, but I just want to say to them that the memory of this American hero among those whose lives he touched, among those whose lives he tried to protect, and in a nation’s gratitude, his memory will always be with us.

Sergeant McClintock served in Iraq and Afghanistan. He joined the Army in 2006 as an infantryman and was assigned to the First Calvary Division in Iraq. He began Army Special Forces training in 2009 and was assigned to the First Special Forces Group. He was deployed to Afghanistan in 2012. He left Active Duty in 2014 and was later assigned to Alpha Company, First Battalion, 19th Special Forces Group of the Washington Army National Guard and was again deployed with his unit to Afghanistan in July of last year. That is the official record, but it does not begin to tell us the day-to-day risks, hardships, and challenges Sergeant McClintock and his fellow soldiers encountered and the remarkable bravery and determination they gave in return.

Our Nation has the finest military on Earth because of the dedication and true grit of Americans like Matthew McClintock. Words cannot take away the pain of those who grieve for Sergeant McClintock. Words cannot fully express the gratitude our Nation owes to this valiant soldier. We can only remember and always remember the sacrifice that SFC Matthew McClintock made in service to our country.

We should not forget or take for granted that our men and women in uniform continue to defend our Nation every day. They put their own safety at risk to protect the safety of others. They stand watch in faraway lands always at the ready.

Today we remember and we grieve that some of them, like Sergeant McClintock, tragically do not come home. His watch is over, but his fellow soldiers and his family now stand in his place.

President Kennedy said that “stories of past courage . . . can teach, they can offer hope, they can provide inspiration. But, they cannot supply courage itself. For this, each man must look into his own soul.”

In the face of great danger and great risk to himself, Matthew McClintock went where his country sent him, time and again, and he served with honor and distinction. I am inspired by his courage and the heroic actions of others like him.

MG Bret Daugherty, the commander of the National Guard, spoke for all of us when he said:

Staff Sergeant McClintock was one of the best of the best. He was a Green Beret who sacrificed time away from his loved ones to train for and dangerous missions. This is a tough loss . . . and a harsh reminder that ensuring freedom is not free.

Sergeant McClintock leaves behind a wife, Alexandra, and a young son, Declan. I hope they will find some comfort now in the years ahead in Sergeant McClintock’s great heart and great courage. He was truly a hero. He loved his country, and he made the ultimate sacrifice defending it.

To his family, please know that we honor Sergeant McClintock’s service, we remember his sacrifice, and we mourn your loss. 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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows: A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2963, in the nature of a substitute.

Murkowski (for Cassidy/Markay) amendment No. 2964 (to amendment No. 2963), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2964), to modify a provision relating to bulk-power system reliability impact statements.

BUILDING CONSENSUS

Mr. CORNYN. Mr. President, yesterday the Speaker of the House and the majority leader met at the White House with President Obama. This meeting was the first time that these three leaders sat down together to discuss the Nation’s business since the beginning of the new year and to look for some opportunities to advance bipartisan priorities during President Obama’s final year in office.

This Senator knows that some might view such a meeting with skepticism and say: What incentive do people have to actually work together when they come from such polar opposite points of view politically and ideologically? But this Senator believes there is an opportunity to build on some of our success that we had in the Senate last year.

While many eyes are focused on Iowa, New Hampshire, South Carolina, and Nevada, I want to assure my constituents and anybody else who happens to be listening, that we actually have been trying to get the people’s work done here in the U.S. Congress. Some people might not want to hear that, some might not believe it when they hear it, but I would hope that fair-minded people might look at the evidence and say: Yes, there is actually some important work being done.

In the process, in 2015, we actually— I know this sounds improbable—reduced the role of the Federal Government in education and sent more of
that responsibility back where it belongs to parents, teachers, and local school districts in the States. We reformed Medicare, which provides important health services to our seniors.

I find it provided for the longer-term stability of our Nation’s infrastructure. We passed the first multi-year Transportation bill. I think, in 10 years, after having made about 33 different temporary patches, which is a terribly inefficient way to do business. Where I come from in Texas, since we are a fast growing State—and I expect most States feel the same way—providing for transportation infrastructure is important. It is important to our air quality, to commerce, to our economy, and to public safety.

We also did something that this Senator is proud of: the first Federal effort to provide meaningful support to victims of human trafficking, a bill that passed 99 to 0 in the U.S. Senate. One does not get more bipartisan and consensus-building than that.

The way these measures happened, as well as the other work we have done, is by Republicans and Democrats working together. We are stuck with each other whether or not we are a Democrat or a Republican. We can’t get things done by ourselves. Democrats can’t get things done by themselves. The laws can’t be passed under our constitutional framework unless both Houses of Congress pass legislation and it is actually signed by the President. We have to work together if we are going to make progress.

A lot of the credit for last year’s production in the Senate should be laid at the feet of the majority leader, Senator McConnell, who said that after years of dysfunction where we were stuck in gridlock and nothing seemed to happen—he said: We are going to return to the regular functioning of the Senate. We are going to have more bipartisan legislation and it is actually signed by the President. We have to work together if we are going to make progress.

In 2015, so we could talk about the substance, but I think those numbers tell part of the story.

So I am glad there is open communication between our Congressional leaders and the President. I hope we can continue to get things done, because, again, no matter whether you are a conservative or a liberal, whether you are a Republican or a Democrat, we actually are not going to be able to get things done unless we find a way to build consensus. That is the way legislation is passed.

We have more work to do this year. So we need to keep our focus not on what is happening in Presidential primaries but on our job here in Congress and continue to try to work in a bipartisan way and deliver for our bosses, namely, the American people.

The bipartisan energy bill we are working on now is a good start to 2016. I congratulate Senator Murkowski, the chair of the energy committee, and ranking member, Senator Cantwell, the ranking member, for getting the bill this far. I think it is the way it ought to be done. I think part of what demonstrates to me the wisdom of Senator Murkowski in handling this particular bill is that some of the more controversial issues, such as lifting the ban on shipping oil exports, were handled separately and dealt with at the end of last year rather than in this bill.

This bill does represent one with broad bipartisan support. Coming from an energy State, as the Presiding Officer does, I understand the importance of energy to our economy. We produce more of it, we use it more efficiently, and, hopefully, it benefits consumers in the process. This bill will update our energy policies so that they reflect the enormous transformation we have observed in our energy sector. I have said it before, and I will say it again: I chuckle to myself when I heard people in the past talking about “peak oil,” thinking that that was the end of the oil patch. People said: Well, we have discovered all of the oil there is, and there is no more, So we are now going to be in a period of perpetual decline. We might as well get ready for that.

But thanks to the innovation in the energy sector with things like fracking—which has been around for 70 years but which some people have just discovered, it seems—along with horizontal drilling, what we have seen is this shale oil and gas revolution, which has been a boon not only to our country and particularly in places such as Texas, North Dakota, and the like.

Now, because of the glut, literally, of oil being produced, natural gas prices are much lower, which actually benefits consumers. People have looked at the price of a gallon of gas lately, you have seen that gasoline is pretty cheap relative to historic levels.

Another important issue beyond energy that I think we need to deal with this year is to get back to a regular appropriations process. We saw at the end of last year—because our friends across the aisle blocked voting on appropriations bills, including funding for our military, which I just found to be incredible and really disgraceful, frankly—that we found ourselves in a position where in order to fund the functions of government, we had to do an Omnibus appropriations bill.

We have said before that you might call it an “ominous” appropriations bill. It is an ugly process. It is a terrible way to do business because what it does is it empowers a handful of leaders to negotiate something of the Senate ought to be involved in through the regular process, through voting bills through the Appropriations subcommittees, through the Appropriations Committee, through the floor, where we have transparency in the process and where any Senator who has a good idea can come to the floor and offer an amendment.

That is the way it ought to be done. We need to restore that sort of regular order this year so that each of the 12 appropriations bills that fund our government—these were handled separately and dealt with at the end of last year rather than in this bill.

So now we look to the President’s budget, which will be sent over here in short order. We will take up that matter up through the Budget Committee, and we will look at the appropriations bills, which will come up through the Appropriations Committee and then here on the Senate floor and then matched up with the House bill before it is sent to the President. Again, this is legislation 101, paying basic stuff.

But unfortunately, the Senate and the Congress have not been operating as they should. That is something that we would like to change. So last year, all 12 appropriations bills were sent out of their respective committees—the first time since 2009 that has happened. But, again, because of the blocking of the legislation, we ended up in a bad situation at the end of the year, where the only thing we could do was pass an Omnibus appropriations bill.

We need to restore that sort of regular order, through the Appropriations Committee, through the floor, where we have transparency in the process and where any Senator who has a good idea can come to the floor and offer an amendment.

That is the way our democracy is supposed to work. Passing massive stopgap funding bills is not doing the best for the people we represent. It can be avoided, but it is going to take a little bit of cooperation. But I have to think that whether you are in the majority or in the minority, Senators like to work in a Senate that actually functions according to regular order, because, as the Presiding Officer
knows, even being in the majority does not mean we have a chance to vote on amendments to legislation. Indeed, for a period of time, his predecessor did not even have a chance to vote on an amendment—a rollcall vote on an amendment—nevertheless being in the majority party at the time. That is not the way this body is supposed to function. That is not doing our best to serve the interests of the people we represent. So we have a choice to make. I hope we choose the higher ground; I don’t fail to act in the face of such a massive and important global threat. Therefore, we have a responsibility to work together to take this on. Our children, our children’s children, may they not look back and say: What happened? Why did our parents and grandparents fail to act in the face of such a massive and important global threat?

Our “WE THE PEOPLE” DEMOCRACY

Mr. President, I am now shifting to my regular “We the People” speech, a series of speeches in which I try to raise issues that go to the heart of the framing of our Constitution and the vision of creating a republic that has a government responsive to the concerns of citizens throughout our Nation. Our Founders started the Constitution with three powerful words, “We the People.” They wrote them in a font 10 times the size of the balance of the Constitution as if to say: This is what it is all about. This is our goal, as President Lincoln summarized, a “government of the people, by the people, for the people.”

It was not the plan of our Founders in writing the Constitution to have a government designed to serve the ruling elites. It was not the design of our Constitution to serve the titans of industry and commerce. It was not the intention of our Founders to build a government to serve the best off, the richest in our society—quite the contrary. So I am rising periodically to address issues related to this vision, this beautiful Revolution, the American Revolution, that sought to have a form of government that served the people, not the elite.

This week I am using my speech to reflect on the anniversaries of our Supreme Court decisions, two decisions which have driven a stake through the heart of our “We the People” democracy. One ruling, Buckley v. Valeo, marked its 40th anniversary last Saturday on January 30, and Citizens United marked its 6th anniversary on January 21. These two decisions have forever altered the vision of our government. They have turned our government on its head. They have changed it from “We the People” to “We the Titans.” It is my hope that visitors will rally together in this country, that Senators and House Members will rally together to defend the Constitution that they are sworn to uphold that was not a “We the Titans” Constitution, it was a “We the People” Constitution.

Central to the promise of “We the People” is the right to participate in an equal footing, to contribute one’s opinions and insights on elections and issues.

President Jefferson called this the mother principle. He summarized it as follows: “For let it be agreed that a government is republican in proportion...
as every member composing it has its equal voice in the direction of its concerns . . . by representatives chosen by himself, and responsible to him." Let me emphasize again, "republican in proportion as every member composing it has its equal voice in the direction.

The decisions of Buckley and Citizens United are a direct assault on this fundamental understanding that to have a "We the People" republic, you have to have citizens participate in a roughly equal fashion.

These two decisions bulldozed the "We the People" pillar on which our government is founded.

President Lincoln echoed Jefferson's equal voice principle. He said: "Allow all the governed an equal voice in the government, and that, and that only is self-government."

Is there anyone in this Chamber who believes that today all the governed have an equal voice in the government? I am sure no one among our 100 Senators would contend that principle—so eloquently laid out by President Jefferson, so resoundingly echoed by President Lincoln, so deeply embedded in the founding words of our Constitution—"We the People." It is not the case. Cause Buckley v. Valeo found that individuals could spend unlimited sums to influence issues and the outcomes of election. That decision and Citizens United destroyed the notion that all citizens have an equal voice in the government. I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. MURPHY. Mr. President, I come to the floor to talk about two topics that often make this body and sometimes my side of the aisle uncomfortable. I want to talk about the fight that is on across the world—or particular—the Middle East for the soul of Islam and how it matters to the United States—and I want to talk about our relationship with Saudi Arabia and the connection to the former issue.

We frequently hear this criticism of President Obama that he doesn't have a strategy to defeat ISIS. I fundamentally don't believe that is true. He does have a strategy, and it is largely working when you look at the metrics on the ground. You see that ISIS's territory in Iraq and Syria has been reduced. The problem is that was perhaps more hopeless than your own, is now going to get free housing and meals, religious instruction, the promise of a job when he is out of school. We try to retake territory. We try to take out top terrorist leaders. We clamp down on sources of financing. These are necessary and important measures to combat a serious threat to the United States, but they don't address the underlying decisions that lead to radicalism. Addressing those issues is the only way to ensure that the next iteration of ISIS—whomever it is, whatever it is, wherever it is—doesn't just simply follow in the wake of the current players.

So my argument is that one of the reasons no one has a particularly credible long-term strategy is that it would involve engaging in some very uncomfortable truths about the nature of the fight. I want to talk about the situation in northwest Pakistan and ask my colleagues to imagine that you are a parent. You are illiterate, you are poor, and you are getting poorer by the day. Unemployment in your village is sky high. Inflation is robbing you of any wealth you may have. Your crop yields have been miserable, but one day you get a visit that changes your perspective. A cleric from a nearby conservative mosque offers you a different path. He tells you that your poverty is not your fault but simply a punishment handed down to you by God, to submit your only son to Islam. Luckily, there is a way to get right to God, to submit your only son to Islam.

It gets even better. This cleric is the leader of your local mosque. He is the imam. He is the religious leader of your village. He is the person that makes all major decisions in your village. He is the person that changes your perspective. A cleric.

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and again, you see him changing. Then one day it is over. He is not the little boy you once knew. He is a teenager. And he is announcing to you that the only way to show true faith with Islam is to fight for it against the infidels who are trying to pollute the Muslim faith or the Muslims who are trying to destroy it. He tells you that he is going off to Afghanistan, Syria, or Iraq with some fellow students and that you shouldn’t worry about him because God is on his side.

You start asking questions to find out what happened in the school and you start to learn. You discover the textbooks he read that taught him a brand of Islam greatly influenced by something called Wahhabism, a strand of Islam based on the earliest form of religion practiced under the first four caliphs. It holds that any deviation from Islamic originalism is heresy. In school, your son was therefore taught an ideology of hate toward the unbelievers. Christians, Judaism, Hindus, but also Shiites, Sufis, and Sunni Muslims who don’t follow the Wahhabi doctrine. He is told that the crusades never end; that aid organizations, schools, and government offices are just modern weapons of the West’s conflict against his faith; and that it is a religious obligation to do “battle” against the infidels.

I tell my colleagues this story because some version of it plays out hundreds of times every day in far-flung places, from Pakistan to Kosovo, Nigeria to Indonesia, the teaching of an intolerant version of Islam to hundreds of millions of young people.

Think about this: In 1996 there were 2,446 of these madrasas in Pakistan; today there are 24,000. These schools are multiplying all over the globe. Yet, don’t get me wrong, these schools, by and large, aren’t directly teaching violence. They aren’t the minor leagues and large, aren’t directly teaching violence. They don’t get me wrong, these schools, by and large, aren’t directly teaching violence. They aren’t the minor leagues and large, aren’t directly teaching violence.

I don’t mean to suggest that Wahhabism is the only sect of Islam that can be perverted into violence. Iran’s Shia clerics are also using religion to export violence as well. But it is important to note that the vicious terrorist groups whom Americans know by name are Sunni in derivation and greatly influenced by Wahhabi Salafism.

Of course, the real rub is that we have known this for a very long time. Secretaries of State, ambassadors, diplomats, and four-star generals have all complained over and over again about it. Yet we do very little to stop this long, slow spread of intolerance. We don’t address it because to do so would give purchase to this unforgivable argument that all Muslims are radicals or terrorists. So many Republicans don’t want to go any deeper into the conversation than just simply labeling the ultraconservatives, frankly, aren’t that much better. The leaders of my party often do back flips to avoid using these kinds of terms, but, of course, that forestalls any conversation about the fight within Islam for the soul of the religion.

It is a disservice to this debate to simply brand every Muslim as a threat to the West, but it is also a disservice to refuse to acknowledge that although ISIS has perverted Islam to a degree to make it, the seeds of this perversion are rooted in a much more mainstream version of that faith that derives in substantial part from the teachings of Wahhabism.

Leaders of both parties need to avoid the extreme side and enter into a real conversation about how America can help the moderate voices within Islam win out over those who would sow the seeds of extremism. Let me give an example. Last fall, I visited the Hedayah Center in Abu Dhabi, a U.S.-based initiative to counterprogram against extremist messaging. When I pressed the center’s leadership on the need to confront Wahhabi teaching and the mainstream roots of extremism, they blanched. They said it was out of their lane. They were focused on the branches of extremism, not the trunk. But, of course, by then it is probably too late.

America, frankly, doesn’t have the moral authority or weight to tip the scales in this ideological contest against the ultraconservative Islam and less tolerant Islam. Muslim communities and Muslim nations need to be leading this fight. But America—and most notably, sometimes the leaders of my party—also can’t afford to shut its eyes to the struggle that is playing out in real time.

SAUDI ARABIA

That brings me to the second uncomfortable truth, and I present it to you in a quote from Farah Pandith, who was President Bush’s representative to Muslim Communities. In a moment of candor, she commented that in her travel to 80 different countries in her official position, she said, “In each place I visited, the Wahhabi influence was an insidious presence.”

The second uncomfortable truth is that for all the positive aspects of our alliance with Saudi Arabia, there is another side to that country than the one that faces us in our bilateral relationship. And it is a side we can no longer afford to ignore as our fight against Islamic extremism becomes more focused and more complicated.

First, let me acknowledge that there are a lot of good aspects in our relationship with Saudi Arabia. I don’t agree with cynics who say our relationship is just an alliance to facilitate the exchange of oil for cash and cash for oil. Our common bond was forged in the Cold War when American and Saudi leaders found common ground in the fight against communism. The unofficial detente today between Sunni nations and Israel is a product, in part, of the Saudi-led diplomacy. There have been many high-profile examples of deep U.S.-Saudi cooperation in the fight against Al Qaeda and ISIS. More generally, our partnership with Saudi Arabia—the most powerful and the richest country in the Arab world—serves as an important bridge to the Islamic community. It is a direct rebuttal of this terrorist ideology that asserts that we seek a war with Islam.

Rightfully, we engage in daily castigations of Iran for sponsoring terrorism throughout the region. Yet, why does Saudi Arabia largely get off the hook from direct public criticism from political leaders simply because they are a few degrees separated from the terrorists who are inspired by the ideology? Their money helps to spread the word. Why do we say virtually nothing about the human rights abuses inside Saudi Arabia, fueled by this conservative religious movement, when we so easily call out other countries for similar outrageous behavior? Is there a difference? The answer is no.

Second, we need to have a reckoning with the Saudis about the effect of their growing proxy war with Iran. There is more than enough blame to be spread around when it comes to this 13-year-old conflict. But increasingly, we just can’t afford to ignore the more problematic aspects of Saudi policies. The political alliance between the House of Saud and the conservative Wahhabi clerics is as old as the nation, and this old order has resulted in billions of dollars funneled to and through the Wahhabi movement. Those 24,000 religious schools in Pakistan—thousands of them are funded with money that originates in Saudi Arabia. So are mosques in Brussels, Jakarta, and Paris. According to some estimates, since the 1960s the Saudis have funneled over $100 billion into funding schools and mosques all over the world, with the mission of spreading an ultraconservative and intolerant version of Islam. As a point of comparison, researchers suggest that the Soviet Union spent about $7 billion—a fraction of that—during the entire period of 1920 to 1991. Less well-funded governments and other straws of Islam just can’t keep up with the tsunami of money behind this export of intolerance.

Rightfully, we engage in daily castigations of Iran for sponsoring terrorism throughout the region. Yet, why does Saudi Arabia largely get off the hook from direct public criticism from political leaders simply because they are a few degrees separated from the terrorists who are inspired by the ideology? Their money helps to spread the word. Why do we say virtually nothing about the human rights abuses inside Saudi Arabia, fueled by this conservative religious movement, when we so easily call out other countries for similar outrageous behavior?
But in the wake of the Iran nuclear agreement, there are many in Congress who would have the United States double down in our support for the Saudi side of this fight in places such as Yemen and Syria simply because Saudi Arabia is our named friend and Iran is our named enemy. But the majority view—that Saudi Arabia doesn’t work like that anymore, and there is growing evidence that our support for Saudi-led military campaigns in places such as Yemen are prolonging humanitarian misery and, frankly, aiding extremist groups.

Ninety billion dollars in U.S. arms sales money has gone to Saudi Arabia during the Obama administration to help them carry out a campaign in Yemen against the Iranian-backed Houthis. Our government says its top priority in Yemen is defeating AQAP, which is arguably Al Qaeda’s deadliest franchise, but this ongoing chaos has created a security vacuum in Yemen in which AQAP can thrive and even expand. The Houthis could displace the Saudi-led campaign since the Saudi campaign began. Al Qaeda has expanded in Yemen and ISIL has gained a new territorial and recruitment foothold. To make matters worse, Saudi Arabia and some of its GCC partners focused more on this fight against Iran in Yemen that they have dramatically scaled back or in some cases totally ended their military efforts against ISIS. Under these circumstances, how does military support for Saudi Arabia help us in our fight against extremism if that is our No. 1 goal?

Here are my recommendations. The United States should get serious about this. We should suspend supporting Saudi Arabia’s military campaign in Yemen, at the very least until we get assurances that this campaign does not distract from the fight against ISIS and Al Qaeda or until we make some progress on the Saudi export of Wahhabism throughout the region and throughout the world. And Congress shouldn’t sign off on any more military sales to Saudi Arabia unless similar assurances are granted.

If we are serious about constructing a winning, long-term strategy against ISIS and Al Qaeda, our bickering has to extend beyond the day to day, the here and now, the fight in just Syria and Iraq. We need to admit that there is a fight on for the future of Islam, and while we can’t have a dispositive influence on that fight, we also can’t just sit on the sidelines. Both parties here need to acknowledge this reality, and the United States needs to lead by example by ending our effective acquiescence to the Saudi export of intolerant Islam.

We need to be careful about not blindly backing our friend’s plays in conflicts that simply create more instability, more political insecurity, and more political insecurity vacuums which ISIS and other extremist groups are so focused on, such as what is going on in Yemen today.

We need to work with the Saudis and other partners to defeat ISIS militarily, but at the same time, we need to work together to address the root causes of extremism. Saudi Arabia’s counter-radicalization programs and new anti-terrorism initiative are good steps that show Saudi leaders recognize some of these problems, but they need to take more action. If we are to be tolerant of religious and political ideologies, refusing to incentivize destabilizing proxy wars—these are the elements of a long-term anti-extremism strategy, and we should pursue this strategy even if it on occasion makes us uncomfortable.

I yield the floor.

The PRESIDING OFFICER (Mr. Sasse). The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to be allowed to speak as in morning business.

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

IRAN

Mr. BLUNT. Mr. President, today I want to talk about the President’s recent dealings with Iran and the serious questions the administration’s actions have raised.

Let me begin by saying first of all that I welcome—as do all Americans—who have been thrilled by the release of the three American hostages who were wrongfully detained in Iran. We are all glad to see the return of Pastor Saeed Abedini, Jason Rezaian, and Amir Hekmati. That they have been freed and that they have been returned does not mean everything is fine. Our prayers—my prayers and the prayers of so many Americans—remain with those families and with the family of Robert Levinson, a former FBI employee about whom we have not been given the kind of information we need to have. If he is alive, we should demand his release. If he is not alive, we should demand and find out what happened to Robert Levinson.

In return for these three hostages being released, the United States released seven Iranians or Iranian Americans who had been convicted of transferring technology, which included nuclear dual-use technology, to Iran. The administration also agreed to take 14 Iranians off the Interpol arrest list as part of this effort to get Americans unfairly held back. If clearing the way for 21 convicted or indicted enemies of the United States wasn’t enough, then the United States, in my view, also agreed to pay a ransom. In everybody’s view, they paid that $1.7 billion at the time of the swap. The administration I guess, would want us to believe it is just another coincidence that the day after the American hostages were released, the United States released seven Iranians or Iranian Americans who had been convicted of transferring technology. But in the wake of the Iran nuclear agreement that it shouldn’t be finalized in any way until all of these hostages were returned. In fairness, I didn’t think that this bilateral agreement was going to happen, but it seems that the administration has come to that conclusion.

The timing of the swap and the announcement of the breakthrough in the settlement—this had been at the World Court for 33 years, and we are supposed to believe that it is just another coincidence in the Obama State Department. Not only did they want to further humiliate the United States, but they simply wanted money.

Under this settlement at The Hague, the United States will be paying Iran—and has already paid Iran—$1.7 billion. This is supposedly $400 million in principal stemming back to a former military sale before the fall of the Shah of Iran and then $1.3 billion in interest—$400 million in principal, and $1.3 billion in interest.

The timing of the swap and the announcement of the breakthrough in the settlement—this had been at the World Court for 33 years, and we are supposed to believe that it is just another coincidence in the Obama State Department.

Peeling back the details of this settlement is even more troubling because the money had already been spent. This was Iranian money from a foreign military sale that had been held in escrow and has already paid Iran—$1.7 billion. The fund was originally placed in that trust fund, but then it was spent.

Why was it spent? It was spent because the Congress in 2000 passed legislation that the President signed that directed the Secretary of the Treasury to use that money to compensate victims of Iranian terrorism. In cases like Flatow vs. Iran and four other related cases, Iranian terror victims all received compensation from this fund, effectively wiping out the balance of the fund. The trust fund that the administration is referring to has already been spent.

How do you give money back that has already been spent? You can’t give money back that has already been spent. I suppose you can take taxpayer dollars, which is what happened here, suggest that somehow this was money of the Iranians all the time and give those taxpayer dollars to Iran in return for their own general said, the release of the people he called the American spies.

Did the administration essentially agree to ransom to get these Americans released? It certainly appears so.

I think you and I and every Member of the Senate should continue pressing the administration for answers. If they want to spend taxpayer money, there may be some legal way they can do that, but there is really no legal way they can say they are getting money back that the Congress already told them to do something else with, and they did.

Whether it had something to do with the nuclear talks or not, I don’t know how significant that is. I submitted an amendment when we were debating the Iran agreement that it shouldn’t be finalized in any way until all of these hostages were returned. In fairness, I didn’t think that this bilateral agreement was going to happen, but it seems that the administration has come to that conclusion.
In addition to that money we have now given to Iran, the Iranian agreement allows somewhere between $100 million and $150 million held by countries all over the world since the late 1970s to be returned to Iran. Just last week Senator Murphy pointed out that some of this money will “end up in the hands of the [Iranian Revolutionary Guard Corps] or other entities, some of which are labeled terrorists.”

Well, of course that is where that money goes. I got up to make an argument made during the Iranian agreement that there are so many needs in Iran that they are going to spend this on other more worthwhile things. But no matter how many needs there were in Iran, Iran is, by the administration’s own determination, the No. 1 state sponsor of terrorism in the world. Of course when you give them money back, they are going to use that money for what they are already using their money for. They are just going to have over $100 billion more at their disposal.

The world’s largest state sponsor of terrorism—whether it is backing Palestinian terrorists in Gaza or supporting Hezbollah’s attacks against Israel from Lebanon, the regime will now have more resources to do that with. Iran, of course, has made no secret of its nuclear ambitions nor of its willingness to flout the treaty obligations in order to achieve those ambitions. It recently launched two ballistic missile tests in the past 3 months. It is a direct violation of the U.N. resolution which prohibits them from engaging in activities related to ballistic missiles capable of carrying a nuclear warhead, but they have done it twice in the last 90 days. Even Members of the President’s own party who have supported the Iran agreement have criticized the administration’s lack of response to these violations.

What is the world to think? What are the American people to think when we are transferring money at the time we get American hostages back, when we are allowing missiles to be launched near the U.S.S. Harry Truman, when we are allowing ballistic missile tests to occur, and acting as if we have made some great breakthrough with Iran?

The recent detention of U.S. sailors in Iran is another example of how little we have gained in this Iranian policy agreement. The administration has gone out of its way to accommodate the demands of this regime that is hostile and sponsors terrorists. Enough is enough. It is time that the Congress stand up, and I urge my colleagues in the Senate to utilize every tool at our disposal to hold the Iranian regime accountable.

One important step will be to secure Iranian assets owed to victims of terrorism who had been awarded judgments by our courts and other courts. Why would we give money to Iran when there are Americans who are victims of terrorism that courts have said have a right to that money? They found Iran liable for sponsoring fatal attacks against American citizens, including the 1983 bombing of the U.S. Embassy and the Marine Barracks in Beirut, Lebanon, and the 1986 bombing of the Khobar Towers in Khobar, Saudi Arabia.

According to the Congressional Research Service, about $43.5 billion in unpaid judgments from Iran to Americans are due. Iran should not receive any sanctions relief until those claims have been paid. We ought to look at how we can secure Iranian assets to provide some measure of justice for victims of these terrorist activities. That should include assets held by foreign countries, foreign companies, and countries who do business in the United States.

The idea that the Iranian regime is now our partner is dangerously naive and one that undermines our global leadership. It confuses our friends, and it emboldens our enemies. I urge the administration to reverse this regime and start putting the interests of the American people and our allies first. I urge the Congress to continue to look at this recent exchange of money for hostages.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise today in support of the effort by Senator PERDUE to amend S. 2012 for Federal response to the ongoing crisis in Flint, MI. We know about the lead in the water supply, the fact that it was known, and the fact that many children today have suffered the consequences. It is incumbent that the Federal Government be a partner in finding a way to correct that circumstance as soon as possible.

I come to the floor urging our colleagues to find a way that we can move forward to help the families in Flint, MI. I congratulate my colleagues, Senator STabenow and Senator Peters, for their leadership.

I hope we won’t lose sight of the big picture, and that is that this is happening in cities and towns across America. In Michigan, it is not only Flint but parts of Grand Rapids, Jackson, Detroit, Saginaw, Muskegon, Holland, and several other cities that have high levels of lead through children, and their schools. Sebring, OH, just this week closed schools for 3 days because of lead in their tap water. In Toledo, officials have long treated the water with phosphates to prevent leading of lead. Eleven cities and two counties in New Jersey had higher percentages of children with elevated lead levels than Flint, MI, State lawmakers and advocates groups said on Monday of this week. Here in the Nation’s capital, in Washington DC, the early part of the last decade lead leached into the water of possibly 42,000 children.

Let me talk about my State of Maryland. In the city of Baltimore, high lead levels in schools prompted officials to turn off drinking fountains and pass out bottled water instead in every school in Baltimore City. They are not hooked up to the fountains because it is not safe. Across the State of Maryland, 1970 and 2- year olds. In the entire State will be tested for lead that is 175,000 children—because they are at risk.

This is a national problem. In Flint, MI, it is estimated it cost about $800 million for remedial costs alone. That is about two-thirds of what we currently appropriate every year for drinking water infrastructure in the entire country. The amount we appropriate is woefully inadequate.

According to the EPA’s most recent estimates, more than $655 billion may have been needed to repair and replace drinking water and wastewater infrastructure nationwide over the next 20 years. This comes out to over $32 billion per year every year for the next 20 years. This is a crisis that we need to address and act on. That is one of which are labeled terrorists.”

I yield the floor.
this country. It has had nearly unani-
mous support in our committee.

As I said, there is not nearly enough
money in these revolving loan funds
to keep up to date the drinking and
wastewater infrastructure in this coun-
try, even if the cities could pay back
the loans. This list goes on and on. This
list is not limited to Flint. These de-
graphic and fiscal physical charac-
teristics are similar to so many, many
cities of every size in the United
States, in almost every State.

None of these things that have gone
wrong in Flint are more distressing
than the possibility that children may
have suffered irreversible damage in
developing brains from the expo-
sure to lead. Exposure to even a low
level of lead can profoundly affect a
child’s behavior, growth rates, and—
perhaps most worrying—their intel-
ligence over time. Higher levels of lead
in a child’s blood can lead to severe dis-
abilities, eye-hand coordination prob-
lems, hyperactivity toward viol-
ence. Younger children and fetuses
are especially vulnerable to even small
exposures to lead—whether it be in
tap water, lead paint, soil still left
from the days of leaded gasoline, and
lead in children’s toys and jewelry. The
list goes on and on. There is not
just one source of lead, and I under-
stand that, but when we turn on the
faucets, we do not expect to have water
that contains lead.

Further, it is impossible to gauge
how much a specific child will be affected
because the developmental impacts of
lead poisoning can take years to be-
come apparent. So you might have
been poisoned 5 years ago, and the ef-
fects will take longer before it becomes
apparent in the classroom or the com-

community. In fact, the health effects are
so severe, our Nation’s health experts
have declared there is no safe level of
lead in a child’s blood—period, the end,
zero.

I also want to highlight a quote from
an article in the New York Times on
January 29 of this year.

Emails released by the office of (Michigan)
Gov. Rick Snyder last week referred to a
resident who said she was told by a state
nurse in January 2015, regarding her son’s
elevated blood lead level, “It is just a few IQ
points. . . . It is not the end of the world.”

There has to be a greater sense of ur-

gency in this country. We know every
child, if they work hard, should have an
opportunity in this country. We
shouldn't take away that opportunity
by diminishing their ability to achieve
their objectives.

Dr. Hanna-Attisha, the doctor pri-
marily responsible for bringing this
issue in Flint to light, and others have
studied lead poisoning and have sharply
different views of lead exposure for
which there is no cure. Dr. Hanna-
Attisha said: “If you were going to put
something in a population to keep them
from dying, you would say, let’s generations to come, it
would be lead.”

This is devastating to the individual
and devastating to our country’s po-

tential. The work of the institutions in
the State of Maryland to combat lead
exposure is exemplary. Baltimore’s Co-
alition to End Childhood Lead Poi-
soning is a nonprofit organization dedi-
cated to services and advocacy on be-
half of families affected by lead poi-
soning. The coalition has been described as
a grassroots effort by Maryland parents
who saw a problem in their community
and sought innovative solutions. The
coalition has grown nationally, found-
ing the Green & Healthy Homes Initia-
tive to be a holistic approach for safer
and greener living spaces for
American families. The coalition has
dozens of local partners, including
Johns Hopkins Bloomberg School of
Public Health and the University of
Maryland School of Law. Together, I
am proud to say, these Maryland insti-
tutions are paving the way to combat
lead poisoning and researching innova-
tive legal solutions to a tragic prob-
lem, but we cannot rely on the non-
profits to fix this problem for us. The
stakes are too high. The solution is
too costly. We have a duty to these
children to make sure their drinking
water is safe. Make no mistake, mas-

sive lead poisoning of an entire city’s
children from any source robs our
Nation of an entire generation of
great minds—minds which are core to
the futures of these most vulnerable

communities.

I urge my colleagues in the Senate to
not only act responsibly with regard to
 Flint, but to consider that today
with the bill that is on the floor—but
to recommit ourselves to find a path
forward to provide safe drinking water
not just for one city but for all Amer-

ican cities and all the people of this
Nation.

With that, I yield the floor.

The PRESIDING OFFICER. The Sen-
amor from Florida.

Mr. NELSON. Mr. President, I have
raced to the Senate floor simply because it
has come to my attention that there are
some Senators who are utilizing this
Energy bill, which is for a very valued
purpose, a purpose of energy efficiency.
Some Senators are utilizing this legis-
lation for their own purpose by pro-
posing amendments that will ulti-
mately threaten the environmental in-
tegrity off of Florida’s gulf coast and
will threaten the military and its
ability to maintain the largest training
to the United States but for the world.

I want to refer to a map of the Gulf
of Mexico and show you everything.
Here is the tip of Florida. This is Pen-
sacola, Naples, Tampa, and down here
are the Florida Keys and Key West. Ev-

eything in yellow in the Gulf of Mex-
ico—and this is the law—is off-limits to
drilling until 2022. It happens to be
a bipartisan law that was passed back in
2006. It was cosponsored by my then-
fellow Senator from Florida, a Repub-
l
can friend. Sen. Mel Martinez. And the two of us
made this a law? The drilling is over
here, everything to the west. The first
question is: Where is the oil? Mother

Nature decided to have the sediments
go down the Mississippi River for mil-

lions of years where it compacted into
the Earth’s crust and became oil. The
oil deposits are off of Louisiana, Texas,
Alaska, and there is a little bit off of
Mississippi. There really isn’t much oil
out here.

In addition, why did we want this
area kept from drilling? Take a look at
that. That is a marsh in Louisiana
gulf oil spills place several years ago. We
certainly don’t want this in Florida. You will notice
that there are not many beaches off
Louisiana, Mississippi, and Alabama.

But what do you think Florida is known for? It is known for its pristine beaches all the way from the Perdido
River, which is along the Florida-Ala-
bama line and goes down the coast to
Naples. This area not only includes the
Keys, but it goes up the east coast of
Florida and up to Long Key. Florida has
more coastline than any other State, save
for Alaska, and Alaska doesn’t have a
lot of beaches.

People not only visit Florida because
of Mickey Mouse, but they visit Flor-
ida in large part because of our beach-
es. The Gulf oil spill over here, it drifted to the east and got as far as Pensacola. A little bit more oil
reached Destin, and there were just a
couple of tar balls on Panama City’s beach.

When Americans saw those white, sug-
ary sand beaches black from oil, they
assumed that had happened to the en-
tire coast of Florida, and as a result
people didn’t visit for one whole sea-

son.

So what happened to Florida’s econ-
omy? What happened to the dry clean-
ers, restaurants, and hotels that are all

too happy to welcome their guests and
visitors who didn’t come? You get the
picture of what happened to our econ-
omy.

I am speaking about this as the Sen-
mor from Florida, but now let me
 speak as the Senator who is the sec-
ond-ranking Democrat on the Armed
Services Committee. This area is
known as the military mission line.

Everything east of that line—indeed,
almost all of the Gulf of Mexico—is the
largest training and testing area for
the U.S. military in the world. Why do
you think the training for the F-22 is
at Tyndall Air Force Base in Panama
City? Why do you think the training
for the F-35 Joint Strike Fighter, both
foreign pilots as well as our own, is at
Eglin Air Force Base? It is because
they have this area. Why is the U.S.
Air Force training, testing, and evalu-
ing headquarters at Fort Walton,
Eglin Air Force Base? Because they
have 300 miles here where they can test
some of our most sophisticated weap-
ons.

If you talk to any admiral or general,
you will tell you that you cannot have
oil-related activities when they are
testing some of their most sophisti-
cated weapons. This is a national asset,
and it is key to our national defense. So for all of those reasons, Senator Martinez and I put in law that this is off-limits up until the year 2022, but now comes the Energy bill, with its sneaky amendments giving additional revenue to these Gulf States and the upper States on the Atlantic seaboard. It gives those States a financial incentive to get a cut of the oil revenue. What do you think that is going to do to the government of the State of Florida? It’s an exuberant question. What are we doing out here as well as to have drilling off the east coast of Florida?

When I was a young Congressman, I faced two Secretaries of the Interior who were absolutely intent that they would put NASSRL on the east coast of the United States from Cape Hatteras, NC, all the way south to Fort Pierce, FL, and the only way back then—in the early and mid-1980s—we were able to get that stopped, which this young Congressman and I and in doing was to explain to you that you can’t have oil rigs off of Cape Canaveral, where we are dropping the first stages of all of our military rockets that are so essential for us so that we have assured access in order to protect ourselves with all of those assets.

Of course, in the early 1980s, I could talk about what was going to happen for the 135 flights of the space shuttle. You can’t do these kinds of activities where the first stages—the solid rocket boosters on the space shuttle—are going to be landing by parachutes in the ocean because you are going to threaten the launch facilities for the U.S. military as we well as NASA in the oil-related activities out there.

So, too, in another 2 years we will be launching humans again on American rockets, some of whose first stages will still be crashing into the Atlantic and whose activities will be sending people waiting to launch almost every month, and those first stages splash down into the Atlantic. Yet an amendment that is suspected to be offered by a Senator is going to give incentive in the future, I believe, to order to protect ourselves with all of those assets.

Ever since this Senator was a young Congressman. I have been carrying this battle. This Senator supports oil drilling. This Senator supports it wherever it is environmentally sound, including fracking in shale rock, because look what it has done for us. But there are times when there is a lie. But in this case there is not going to be a lie. In the first place, because there is not any oil, in the second place because it would wreak the economy of Florida with our tourism. So the Surgeon General, because he is aware of the damage. But what have we done about this?

Mr. TOOMEY. Mr. President, I rise to discuss amendment No. 3016. This is an amendment that would discriminate the corn ethanol mandate from the fuel standards that we have.

I wish to thank my cosponsors on this amendment Senate FEINSTEIN from California and Senator FLAKE from Arizona. This is a bipartisan amendment. I think this is a really important issue.

What this amendment does is it eliminates the corn component of the renewable fuel standard. The renewable fuel standard, as my colleagues know, was created in 2007, and this is a Federal mandate that forces drivers to burn 36 billion gallons of biofuels, the vast majority of it derived from corn, in our vehicles, in our cars. It is on the order of 100 billion gallons of corn ethanol, and because this mandate establishes specific and increasing quantities of ethanol that has to be burned in our cars, when total gasoline consumption stays flat or declines, then it becomes an increasing percentage that we are all forced to buy.

Let me be clear about one thing. The amendment I am addressing, amendment No. 3016, eliminates the corn portion of the renewable fuel standard mandate, and that is 80 percent by volume. The optimal policy is to get rid of this whole thing. It was a mistake in the first place, and I don’t want to have to live with it. It is now abundantly clear that ethanol is harmful to our air quality. It would be foolish to begin with. It is now abundantly clear that ethanol is harmful to our air quality. It is a bad policy and we should get rid of the whole thing. But I understand we don’t have as broad an interest in getting rid of the whole thing as the interest we have in getting rid of at least the corn component. And since that is, after all, 80 percent, this would be significant progress.

There is probably not an enormous universe of things on which I have agreed with Vice President Al Gore over the years, but he got this right. Vice President Gore has acknowledged that ethanol was a mistake in the first place.

It was created, as I say, with all good intentions. It was thought that by forcing people to make ethanol mostly from corn and burn it in our cars, we would reduce air pollution. It was thought that it would reduce costs for families. It was thought that it might even be good for the economy. All three are completely wrong. Factually, that is not the case. The mandate has failed to achieve any of these goals. Instead, in fact, it increases air pollution, it increases costs for families, and it is harmful to our economy.

Let me make the first one, because the real motivation for this was to do something to improve the environment. That is the impetus in the first place—was that somehow we would reduce air pollution if we were burning ethanol derived from corn rather than gasoline. Well, unfortunately, it hasn’t worked out that way. That isn’t just my opinion. There is plenty of documentation.

In 2009, Stanford University predicted: “Vehicles running on ethanol will generate higher concentrations of ozone than those using gasoline, especially in the winter . . .”

In 2011, the National Academy of Sciences observed: “Projected air-quality effects from ethanol fuel would be significantly worse than those from gasoline.” That is the National Academy of Sciences.

In 2014, Northwestern University researchers did a little research on the real world. They went down to Sao Paulo, Brazil, where they had recently required an increase in the use of ethanol, and what did they find? A corresponding, significant increase in ground-level ozone, which we all know is a harmful pollutant at the ground level and causes smog and other health problems.

So there is no dispute about this. There is no question about this. Ethanol is harmful to our air quality and our environment.

The Environmental Working Group agrees. The Environmental Working Group, a group of environmentalists, have said: “The rapid expansion of corn ethanol production has increased greenhouse gas emissions, worsened air and water pollution, and driven up the price of food and feed.”

I know that many of my colleagues are very concerned about carbon emissions. So separate and apart from ozone, CO₂ that is being released into the atmosphere is a concern for a lot of people. Studies show that ethanol creates more carbon dioxide emission than gasoline. It is just a fact.

The Clean Air Task Force estimates that the carbon emissions from corn ethanol, over the next 30 years at current projected consumption rates, would exceed 1.4 billion tons, which is 300 million tons more than if we used gasoline instead of the ethanol.

So there really isn’t any debate that I am aware of anymore about this. Air quality is better if we are using ethanol than when we are. But there are other impacts of this mandate. One is the higher cost on families.

The fact is that ethanol is more expensive to make per unit of energy than gasoline. So we need to spend more for our cars to go the same distance. The New York Times reported that ethanol increased costs to gasoline buyers by billions of dollars in 2013. The Wall Street Journal estimated that in 2013 and the RFS mandate—this mandate that we burn ethanol in our gas—raised the cost of gas by an average of anywhere from $1.28 to $2.30 per year for the average family.

So let’s be very clear. This mandate is costing America families several hundred dollars a year of their disposable income because they are having to spend to buy the more expensive fuel to move their vehicles.

It is not just the direct effect of having to pay more when we gas up our cars. These ethanol mandates take a huge segment of our corn production off the market and they drive up the price of corn. Again, this isn’t just me
saying so. In 2008, USDA Secretary Ed Schafer and Department of Energy Secretary Samuel Bodman acknowledged that ethanol increases the food price. Their estimate is just under 1 percent per year.

In 2012 a study by economist Thomas Elam observed that ethanol increases food costs for the average family of four by just over $2,000 per year. So the increased food cost is actually multiples of the increased gasoline costs when we fill up our tanks, and families are badly hurt.

Of course, the food cost goes up not only because of the direct effect of higher corn—and many of us consume corn directly—but corn is the principal feed for all livestock. So the price of meat and poultry is very much correlated to the cost of the feed, and we make that feed much more expensive than it needs to be because of the ethanol mandate.

There is another way in which this mandate is harmful to consumers and to families, and that is that it increases engine maintenance costs. The EPA acknowledges that ethanol is harmful to engines. They say: "Unlike other fuel components, ethanol is corrosive and highly water soluble.” Gasoline that is not dissolving in ethanol is not. So gasoline doesn’t have this physical property; it doesn’t damage engines. But ethanol does. The moisture that is dissolved in ethanol is corrosive.

In fact, the EPA warns that fuel blends containing as little as 15-percent ethanol—which, by the way, this year there will be gas stations selling gasoline that is 15-percent ethanol—should not be used in any motorcycle, schoolbus, transit bus, delivery truck, boat, ATV, lawnmower or older automobile because of the damage that we know the ethanol will do to these engines.

AAA warns that raising ethanol content just 10 percent, which is where we are—will damage 95 percent of the cars that are on the road today. How can this possibly be good for a family to be systematically degrading the engines in their vehicles?

There are other ways in which this is damaging to our economy. I mentioned that part of the reason that food prices for families are higher as a result of the ethanol mandate is because corn is such an important source of food for livestock. Well, in fact, the Federal Reserve and the USDA estimate that the ethanol mandate alone has contributed to a 20- to 30-percent increase in corn prices, and that has had a terrible impact on livestock operations and the dairy industry.

It is also bad for American refineries. There are 137 oil refineries that operate in 28 States and employ thousands of people with good family-sustaining jobs, but because the oil refiner has to either blend in ethanol with the gasoline or they have to go out and pay a fine—a penalty, essentially—if they don’t, it diminishes jobs in the refining sector. Again, this isn’t just my opinion. I got a letter from the Philadelphia AFL-CIO business manager Pat Gillespie, and I will quote from the letter because he lays it out very clearly. He says:

Our resurrected refinery in Trainer, Pennsylvania—one again needs your intervention. The impact of the dramatic spike in costs of the RIN credits—the system by which EPA enforces the ethanol mandate—from four cents to one dollar per gallon will cause a tremendous depression in . . . (our refinery’s) bottom line. . . . Of course at the Building Trades, we need them to have the economic vitality to bring about the construction and projects that our Members depend on. And the steel workers, of course, need economic vitality so they can maintain and expand their jobs with the refinery. . . . We need your help with this matter.

I completely agree. This is disastrous policy. Just to summarize, corn ethanol—ethanol generally but corn ethanol in particular. It is bad for the environment, it increases air pollution, it raises costs for families to drive their vehicles and to put food on the table, and it costs us jobs. It is bad for the economy. Let’s end this practice. It was well-intentioned at the time, but now it is clear it is doing harm, not doing good.

I will close on one other point. We in Congress, in Washington, should not be forcing consumers and consumers to subsidize certain industries at the expense of others. That is what is going on here. The magnitude of the consumption of ethanol is entirely driven by the mandate Congress has required the EPA to impose. That is why this is happening.

We use the power of the government to force consumers to pay more than they need to pay to drive their car and to buy their food. This makes no sense at all.

It seems to this Senator that a big part of what we are hearing on both sides of the aisle in this very unusual and raucous Presidential election cycle is voters who are disgusted with Washington. They don’t trust Washington. They don’t have a very high opinion of Congress. Part of it is because they are convinced that Congress goes around doling out special favors for special industries, special groups, and the political interests that want what they want. They are right, and this is an egregious example of that. It is a clear example where the taxpayer and consumer get stuck with the bill so as to benefit a select preferred industry that has a lot of political clout. It is outrageous. The American people are right to be angry and tired of this.

Mr. President, we should end the renewable fuel standard entirely. As I say, it started with good intentions, but the evidence is in and there is no mystery anymore: This policy is bad for the environment, bad for families, bad for budgets, and bad for our economy. There is no reason we should be continuing this, and I urge my colleagues to support this and any other effort to completely eliminate the renewable fuel standard, and if we can’t do that, at least take the 80 percent out that is comprised of the corn component. I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a document titled “Just the FACTS” at the conclusion of my remarks.

Mr. President, the problem of gun violence is real, but too many of the proposed responses to this problem would not only represent unwise policy but would also violate a fundamental constitutional right—individual right to keep and bear arms.

What does this mean to you and to me as Americans? It means that the right to bear arms falls into the same category as our other most closely held individual rights: the right of free speech, the right of freedom of religion, and the right of due process of law. Basically, what I am saying is that one cannot separate out any one of the Bill of Rights or any of the other constitutional rights that come under the 14th Amendment, as an example. You can’t separate the right to bear arms from those because, and this is not emphasized enough, the Second Amendment, the right to bear arms, is an individual, fundamental constitutional right.

Maybe a lot of us believed that over decades, but it has been only within the last 5 to 8 years and in a couple of decisions that the Supreme Court has made that entirely clear, that it is an individual, fundamental constitutional right.

With that firm foundation, I want to straighten out some of the rampant misinformation that is used to advocate for stricter gun control. Correcting these myths is essential so that the issue can be properly deliberated and properly addressed. Unfortunately, many of these myths were reiterated over the past 2 weeks during prime time, nationwide Presidential media appearances.

First, let’s debunk the quote “gun show loophole.” Were you to click on your TV, pick up a newspaper, or read certain mailers, you would be left with the impression that if you buy a firearm at a gun show, you are not subject to a background check. In fact, all gun show transactions—such as those that take place at the quorum call be rescinded.

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

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The gun, a background check is performed. Assuming the purchaser passes the background check, he or she may obtain physical possession of that firearm.

In addition, an individual cannot lawfully purchase a firearm on the Internet without a background check. Federal firearms laws such as straw purchasing, attempted purchases by prohibited individuals, and the attempted sale of illegal firearms are subject to a background check. Internet purchasers require a background check.

The one exception where a firearm can be lawfully purchased using the Internet without a background check is when two individuals living in the same State establish the terms of a purchase over the Internet and then meet in person to transfer the firearm. If the firearm is a rifle or a shotgun, a resident may use the U.S. Postal Service to mail the firearm intrastate to another individual, but he may not do so if the item being purchased is a handgun. A handgun can only be mailed intrastate by law enforcement officers monitor and intervene in suspected, unlawful firearm sales such as straw purchasing, attempted purchases by prohibited individuals, and the attempted sale of illegal firearms.

As the Washington Times reported last Wednesday, law enforcement arrests at gun shows hit new highs last year. I recently attended a gun show in Iowa, and there was a robust law enforcement presence. So I want to go on to another point beyond the supposed gun show loophole that I just showed isn’t much of a loophole.

The second point is that we have been told by President Obama, as recently as a couple of weeks ago, that firearms purchased on the Internet don’t require a background check. I have seen media reports to that same effect. Once again, this is a blatant inaccuracy and that is an inaccuracy that needs to be corrected. So that is why I am here.

An individual cannot purchase a firearm directly over the Internet. A gun purchaser can pay for a firearm over the Internet, but, if purchased from a firearms dealer, the firearm must then be sent to a brick-and-mortar location. When the purchaser picks up the gun, a background check is performed. Assuming the purchaser passes the background check, he or she may obtain physical possession of that firearm.

In addition, an individual cannot lawfully purchase a firearm on the Internet without a background check. Any interstate sale of a firearm—even between two individuals online—must go through a gun store which, after charging a fee and running a background check on the purchaser, provides the purchaser with the firearm that he or she purchased from another individual on the Internet.

These are two clear instances where Internet purchasers require a background check.

The Obama administration chose to focus its criminal justice resources elsewhere rather than cracking down on illegal gun sales. Federal firearms prosecutions are down at least 25 percent under this President.

In addition, he suspended successful programs specifically designed to thwart firearms offenses. Unfortunately, as has so often been the case with the Obama administration, the rhetoric just does not match the action. As I have repeatedly called for, we need greater enforcement of the existing law, which simply has not happened under this administration.

A fourth point, to set the record straight on the President’s statements, is that the Obama administration has not from both sides of the aisle and even from publications that regularly support increased gun control—such as the LA Times, for example—we have once again heard the President call for tying America’s fundamental Second Amendment rights to the terrorist no-fly list. As we all know in this body, the no-fly list is actually multiple lists generated in secret and controlled by the executive branch bureaucrats. The no-fly list is intended to thwart suspected terrorists who have obtained a flight. Flying to the constitutional right like the Second Amendment is. So the people who are put on these lists are not given the chance to challenge their inclusion on those lists. However, it is blatantly unconstitutional to deny a fundamental constitutional right without any type of due process such as notice and the opportunity to be heard.

The fact that the President continues to refer to the use of that it relates to a fundamental right calls into question his repeated assurances that he fully supports the Second Amendment.

Given unprecedented Executive actions regarding sanctuary cities and a refusal to enforce laws as enacted by this body, we should not be surprised at those statements. But let me state unequivocally that using a secret document—which by its nature and purpose will often be overinclusive or contain errors as a basis for denying Americans their Second Amendment right—is clearly unconstitutional.

The fifth point against the President’s position is that on multiple occasions the Obama administration has condemned semiautomatic weapons. So let’s get it straight right here and now. As any gun owner knows, a semiautomatic firearm is simply a gun that shoots one round with each pull of the trigger. This encompasses the type of shotgun most often used for duck hunting and the type of rifle often used for target shooting. A semiautomatic firearm does not equate to the fabled assault weapon and, of course, it is not a machine gun. We should be concerned when this administration makes proposals on guns that fail to reflect knowledge of even elementary elements of their operation.

I have additional myths that need to be dispelled that I will submit—and I have had permission from the Presiding Officer to submit that—but I want to be mindful of other people’s times, and I now wish to respond directly to one of President Obama’s challenges.

So let’s talk for a moment about bipartisan efforts regarding gun control. Senator Durbin of Illinois, the second-ranking Democrat in leadership, and I are working on drafting a bill on which we hope we can reach agreement and introduce shortly, which prohibits all aliens—with the exception of permanent legal permanent residents and those who fall under a sporting exception—from acquiring firearms. In addition, our bill re-establishes residency requirements for those noncitizens attempting to purchase a firearm.

The bipartisan legislation we hope we can agree to introduce would close real and actual loopholes, such as those that currently permit refugees or asylees or those from visa-waiver countries to acquire firearms.

I look forward to the opportunity to work on this issue in a bipartisan manner. But if we are going to deliberate in a manner that leads to the misconception and avoid erroneous rhetoric that seems to be dominating the news out there with all the
false positions and false interpretations of the law, which I have discussed in a few minutes with my colleagues.

So I am going to end where I started. The Second Amendment right to bear arms is a fundamental right, and any legislative or executive action under any President must start and finish with the recognition of the fact that the Second Amendment is as important as other amendments to the Constitution of the United States.

I yield the Floor.

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

JUST THE FACTS

The President’s Executive Actions on Firearms and From a gun dealer.

Myth #1: Firearm purchases at gun shows do not require a background check due to the “gun show loophole.”

Facts: When the President and others refer to the “gun show loophole,” they imply that there are not backgrounds being done at gun shows. As a result, much of the public has been misinformed and are led to believe that individuals who purchase firearms at gun shows are not subject to a background check.

In reality, there is no “gun show loophole.” If an individual wants to purchase a firearm at a “gun show,” he must attend a firework event that typically makes up the majority of vendors at gun shows, the individual must fill out the requisite federal firearms paperwork and undergo a National Instant Criminal Background Check System (“NICS”) background check. The only firearm that are being purchased at gun shows without a background check are those being bought and sold between individuals, peer-to-peer, as opposed to buying a firearm from a firearm retailer.

Under current law, an individual is permitted to occasionally sell part, or all, of their personal firearms collection, which typically makes up the majority of vendors at gun shows, the individual must fill out the requisite federal firearms paperwork and undergo a National Instant Criminal Background Check System (“NICS”) background check. The only firearm that are being purchased at gun shows without a background check are those being bought and sold between individuals, peer-to-peer, as opposed to buying a firearm from a firearm retailer. These private sales are different from selling a personal hunting rifle to the owner’s niece or nephew down the road. It is a private sale and no background paper work is required. The gun is private property and the sale is made like a sale of the family’s good silver. The one difference is that the locus of a gun sale is being made privately.

Myth #2: Under current law, an individual is permitted to occasionally sell part, or all, of their personal firearms collection, these private sales are different from selling a personal hunting rifle to the owner’s niece or nephew down the road. It is a private sale and no background paperwork is required. The gun is private property and the sale is made like a sale of the family’s good silver. The one difference is that the locus of a gun sale is being made privately.

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Myth #3: Myths: Individuals who purchase firearms on the internet are not subject to background checks.

Facts: An individual cannot purchase a firearm directly from a seller over the internet and have that firearm shipped to them directly. An individual can pay for the firearm over the internet at websites and online auctions. The firearm, however, must be picked up from a federal firearms licensee (“FFL”) such as a gun store. In many cases, this is the brick and mortar store associated with the website where the gun purchase was made. Once at the retail store, the internet purchaser must then fill out the requisite forms, including ATF Form 4473, which initiates the NICS background check process. Thus, an internet purchase of a firearm from a firearm retailer does not avoid background checks.

Myth #4: Individuals, from the same state, are able to purchase firearms at a gun show.

Facts: Individuals, from the same state, are able to purchase firearms at a gun show and undergo a National Instant Criminal Background Check System (“NICS”) background check. Under current law, an individual is permitted to occasionally sell part, or all, of their personal firearms collection, which typically makes up the majority of vendors at gun shows, the individual must fill out the requisite federal firearms paperwork and undergo a National Instant Criminal Background Check System (“NICS”) background check. The only firearm that are being purchased at gun shows without a background check are those being bought and sold between individuals, peer-to-peer, as opposed to buying a firearm from a firearm retailer. These private sales are different from selling a personal hunting rifle to the owner’s niece or nephew down the road. It is a private sale and no background paperwork is required. The gun is private property and the sale is made like a sale of the family’s good silver. The one difference is that the locus of a gun sale is being made privately.

Myth #5: The Obama Administration has made firearms enforcement a priority.

Facts: The Obama Administration has used its limited criminal enforcement resources to focus on compliance for convicted and imprisoned felons, the investigation of police departments, and on civil rights cases. The latter two categories represent important work, but the Department of Justice has determined by the U.S. Supreme Court to be a federal judicial right. This puts the right to bear arms in our most closely guarded rights similar to the right to free speech and freedom of religion. It is unconstitutional to deprive American citizens of their Second Amendment right without notice and an opportunity to be heard.

Myth #6: Gun show laws lack any law enforcement presence and are a free-for-all for felons and other prohibited individuals to obtain firearms.

Facts: Local, state, and federal law enforcement are often present both in uniform and/or cover-
The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Ms. COLLINS. Mr. President, I am pleased to join some of my colleagues today to speak about the key role wood and biomass may play in helping us meet our Nation's renewable energy needs.

Last night an amendment that several of us offered was adopted by a voice vote. I thank the sponsors of that amendment who have joined with me—Senator KLOBUCHAR, Senator KING, Senator KUNOTTE, Senator FRANKEN, Senator DAINES, Senator CRAPO, and Senator RISCH—all of whom worked hard to craft this important amendment.

There has been a great deal of misinformation, regrettably, circulated about the amendment, which I hope we will be able to clarify through a colloquy on the floor today. I know the lead co-sponsor of the amendment, Senator KLOBUCHAR, would like to speak on it and has an engagement, so I am going to yield to her before giving my remarks. I thank her for her leadership.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator COLLINS for her leadership and for her illuminating the rest of the Senate. Maybe not everyone has as many trees as we do, and biomass. I appreciate what she has done.

I was proud to cosponsor this bill and be one of the leads on it, with Senator KING. This amendment moves us forward in really recognizing the full benefits of the use of forest biomass as a homegrown energy solution. I also thank Senator CANTWELL and Senator MURKOWSKI for their work on this Energy bill and the inclusion of this amendment—an amendment that encourages interagency coordination to establish consistent policies relating to forest biomass energy.

We have often talked about how we don’t want to have just one source of energy, whether hydro, nuclear—you name it. So we want to recognize the importance of this forest biomass energy and talk a little bit about it today.

I sent letters to the EPA and have spoken with administration officials, urging them to adopt a clear biomass accounting framework that is simple to understand and implement. Without clear policies that recognize the carbon benefits—and I will say that again: the carbon benefits—of forest biomass, private investment throughout the biomass supply chain will dry up and the positive momentum we have built toward a more renewable energy future will be lost.

Supporting homegrown energy is an important part in an “all of the above” energy strategy. Biomass energy is driving energy innovation in many rural communities. The forest industry in my State and those who work in that industry are already playing a significant role in the biomass energy economy. There is always room to do more.

I appreciate the discussions between my colleagues yesterday on the language of this amendment and am pleased—including Senator BOXER’s help and others—found a solution that moves us forward. I know there is interest in continuing these conversations, and I look forward to doing so.

I thank Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Minnesota for her leadership.

I, too, want to thank the two floor managers of this bill, the chairman, Senator MURKOWSKI, and her partner, Senator CANTWELL, for working so closely with us.

The fact is that biomass energy is a sustainable, responsible, renewable, and economically significant energy source. Many States, including mine, are already relying on biomass to help meet their renewable energy goals. Renewable biomass produces the benefits of establishing jobs, boosting economic growth, and helping us to meet our Nation’s energy needs. Our amendment supports this carbon-neutral energy source as an essential part of our Nation’s energy future.

The amendment, which was adopted last night, is very straightforward. It simply requires the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency to jointly ensure that Federal policy relating to forest bioenergy is consistent and not contradictory and that the full benefits of forest biomass for energy, conservation, and responsible forest management are recognized.

It concerns me greatly that some have suggested that our amendment would somehow result in substantial damage to our forests and the environment. Nothing could be further from the truth. Forests in the United States are among the best managed and climate science has consistently and clearly documented the carbon benefits of using forest biomass for energy production. Moreover, healthy markets for biomass and forest products actually help conserve forest land and keep our working forests in this country.

Our amendment also echoes the principles outlined in a June 2015 bipartisan letter that was led by Senator MERKLEY and myself and was signed by 46 Members from both sides of the aisle. Our letter stated: Our constituents employed in the biomass supply chain deserve federal policy that recognizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

In response to our letter, the administration noted that DOE and USDA work together to ensure that biomass energy plays a role in America’s clean energy future. That is precisely the importance of our amendment, to make sure that happens.

The carbon neutrality of biomass harvested from sustainably managed forests has been recognized repeatedly by numerous studies, agencies, institutions, and rules around the world.

Biomass energy plays a role in our Nation’s renewable energy future. We urge you to ensure that biomass energy plays a role in America’s clean energy future.

As forests grow, carbon dioxide is removed from the atmosphere through photosynthesis. This carbon dioxide is converted into organic carbon and stored in woody biomass. Trees release oxygen and decay, or are combusted. As the biomass releases carbon as carbon dioxide, the carbon cycle is completed. The carbon in biomass will return to the atmosphere regardless of whether it is burned for energy, allowed to biodegrade, or lost in a forest fire.

In November of 2014, 100 nationally recognized forest scientists, representing 80 universities, wrote to the EPA stating the long-term carbon benefits of forest bioenergy. This group weighed a comprehensive synthesis of the best peer-reviewed science and affirmed the carbon benefits of biomass.

A literature review of forest carbon science that appeared in the November 2014 “Journal of Forestry” confirms that “wood products and energy resources derived from forests have the potential to play an important and ongoing role in mitigating greenhouse gas (GHG) emissions.”

Yet we are facing inconsistent policies for the use of clean, renewable energy solutions, including biomass, should be clear and simple and reflect these principles.

We should not have Federal agencies with inconsistent policies when it comes to such an important issue as biomass. I want to thank the sponsors and cosponsors of my bill, my amendment, as well as the chairman and the ranking member of the Energy Committee for their cooperation in getting the amendment adopted last night.

I would like to yield to my colleague from Maine Senator KING, who made this a tripartisan amendment when we offered it.
The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, as usual, my senior colleague from Maine has outlined this issue exceptionally well and covered the important points. I wish to add and amplify a few.

The first thing I would say is that I yield to no person in this body in terms of their commitment to the environment, their commitment to ending our dependence upon fossil fuel, and our facing the challenge of climate change. This biomass discussion is a way of helping with that problem rather than hindering it. The important term in all of this discussion is the word “fossil.”

The issue we are facing now with climate change and with increased CO₂ in the atmosphere is because we are releasing CO₂. We are releasing carbon that has been trapped in the Earth’s crust for millions of years, and we are adding to the carbon budget of the atmosphere.

Biomass is carbon that is already here. It is already in the environment. It is simply being calculated, and there is no net addition of carbon to the atmosphere because of the use of biomass. I have been in the renewable energy business now for more than 30 years and have worked in hydro, biomass, energy conservation on a large scale and wind power. So I have some background in this. A biomass plant typically burns fuel that would not otherwise enter into the economic stream of timber. It is often bark, mill waste, ends of logs, branches—the kind of thing that otherwise lies on the forest floor, dies and decays and releases carbon. There is no net addition of carbon.

To be intellectually honest, you have to say that burning it releases that carbon so much sooner than it would otherwise be released, but in the overall term we are talking about a renewable resource.

In Maine and I suspect around the country—I know in Maine—there are substantially more trees in the forest today than there were 150 years ago because of the number of farms that have been returned to their natural state of forestry. That has given us an opportunity to develop an energy source that is a lot more sustainable and supportive of the environment than the other fossil fuel elements we have seen that have contributed to the CO₂ problem in this country.

I think this is a commonsense amendment. It basically tries to get my senior colleague for bringing this bill forward.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank my friend and colleague from Maine. He has enormous expertise in the area of renewable energy, and I very much appreciate his adding his expertise to this debate.

Before I yield the floor, I ask unamended consent to have printed in the RECORD a letter dated June 30, 2015, and signed by 46 Senators, on this very issue, that was addressed to the Administrator of the EPA, the Secretary of Energy, and the Secretary of Agriculture.

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

UNITED STATES SENATE, Washington, DC, June 30, 2015.

Hon. GINA MCCARTHY, Administrator, Environmental Protection Agency, Washington, DC.

Hon. DR. ERNEST MONIZ, Secretary, U.S. Department of Energy, Washington, DC.

Hon. TOM VILSACK, Secretary, U.S. Department of Agriculture, Washington, DC.

Dear Administrator McCarthy, Secretary Moniz, and Secretary Vilsack: We write to support biomass energy as a sustainable, responsible, renewable, and economically significant energy source. Federal policies across all departments and agencies must remove any uncertainties and contradictions through a clear, unambiguous message that forest bioenergy is part of the nation’s energy future.

Many states are counting on renewable biomass to meet their energy goals, and we support renewable biomass to create jobs and economic growth while meeting our nation’s energy needs. Biomass at large scale can sequester carbon, and it is flexible, abundant, and competitive. It can be grown sustainably.

Federal policies that add unnecessary costs and complexity will discourage rather than encourage investment in working forests, harvesting operations, bioenergy, wood products, and paper manufacturing. Unclear or contradictory signals from federal agencies could discourage biomass utilization as an energy solution.

The carbon neutrality of forest biomass has been recognized repeatedly by numerous studies, agencies, institutions, legislation, and rules around the world, and there has been no dispute about the carbon neutrality of biomass derived from residuals of forest products manufacturing and agriculture. Our constituents employed in the biomass supply chain deserve a federal policy that recognizes the clear benefits of forest bioenergy.

We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

Sincerely,

Susan M. Collins; Jeff Merkley; Kelly Ayotte; Roy Blunt; John Boozman; Cory Gardner; Lindsay Graham; Johnny Isakson; Ron Johnson; David Perdue; Amy Klobuchar; Joe Manchin, III; Barbara A. Mikulski; Dianne Feinstein; Patty Murray; Bill Nelson; Jeanne Shaheen; Debbie Stabenow; Portman; James E. Risch; Jeff Sessions; John Thune; Thom Tillis; David Vitter; Jon Tester; Mark R. Warner; Tim Scott; Richard C. Shelby; Patrick J. Toomey; Roger Wicker.

The PRESIDING OFFICER. Mr. President, I yield the floor.

Ms. COLLINS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am delighted to join the two Senators from Maine—Senator Collins and Senator Angus King—in this dialogue, as well as Senator Klobuchar. I believe a few other Senators may join us.

Senator Collins has been a great leader in advancing the debate or the conversation recognizing the carbon benefits of biomass, and of course Senator King’s State is so much like Oregon. If you fold the map of the United States in the middle and put east and west on top of each other, Oregon and Maine end up closely associated. We have similar coastlines. We have shellfish industries. We have timber industries. We have salmon runs. We have similar initiatives systems and our largest cities are named Portland.

I know that when I had the pleasure to visit Maine—and I went there with my wife and children to visit friends from many walks of our two lives, my wife’s life and my life—we went from town to town visiting these friends who moved to Maine. We picked up a newspaper and we felt just right at home in Oregon. The same initiatives were being done at that time in the State as we had on the front page back home.

This issue of biomass is close to our hearts in the forests of the Northeast and in the forests of the Northwest. When I first came to the Senate and the conversation was going forward about renewable energy, Senator Dorgan from North Dakota—now retired—said that his home State was the Saudi Arabia of wind energy. I heard Senator Reid from Nevada say Nevada is the Saudi Arabia of solar power. There was a county commissioner from Douglas County—the county I was born in—which has the largest concentration of Douglas fir trees, its enormous biomass area—who referred to how Douglas County can be the Saudi Arabia of biomass energy. I thought, with all these Saudi Arabians in the United States, why are we still importing oil from Saudi Arabia? But indeed these efforts to move away from fossil fuels to a clean energy economy should include solar, should include wind, and should include biomass.
When I came to the Senate, I undertook the project of helping the Environmental Protection Agency recognize that you have to look at the life cycle. You can’t simply look at the moment of combustion. You can’t compare a burned-in-forest biomass or oil in an oil furnace and say that is equivalent to wood being burned in a biomass furnace because, indeed, as you take that biomass, that wood, you are engaged in a life cycle that is bringing more carbon out of the Earth and adding it to the cycle of ground. Our colleague, ANGUS KING from Maine, was referring to that difference earlier in his comments.

It has been an effort to make sure our government takes account of this significant contribution of forest biomass. In the Northwest, the biomass is the potential for a win-win as a renewable energy. On private lands a growing demand for electricity from wood residues, and we are counting on them to finish this.

I also want to say that cross-laminated timber is a particularly important “good” use of biomass. Building with wood uses less carbon than concrete, and CLT explicitly stores carbon, which in terms of our carbon balance is better than simply burning it.

We agree that some biomass is clearly “carbon neutral” and some biomass is not “carbon neutral.” A study by the National Council for Air and Stream Improvement showed that mills using biomass residuals avoid 181 million tons of CO₂ emissions, which is equivalent to removing 35 million cars from the road.

When we modified the amendment yesterday, we did so to make clear that the direction to the agencies was to establish biomass energy policies that are carbon neutral. Regrowing trees to replace those cut to produce energy is “carbon neutral.”

But clear-cutting forests and burning them in power plants can lead to increases in atmospheric carbon levels for decades—especially when owners then sell their cut forests for housing developments, this is clearly not “carbon neutral.” The trees need to grow back and the forest to stay working in order to replace the carbon taken. That is why we specified the amendment, prior to voting on it, to ensure we are encouraging forest owners to keep their lands in forests.

Senator MARKEY is another leading voice in our carbon conversation, and I am looking forward to hearing his remarks.

Mr. MARKEY. Mr. President, I want to thank Senator CANTWELL for her tireless work on this Energy bill and for her help in improving the biomass amendment that the Senate adopted last night.

Biomass energy is already contributing to the U.S. energy mix in ways that help reduce carbon pollution that causes global warming.

There are great examples of electricity generation from wood residues like at the Port Drum Army installation in New York and the Gainesville Renewable Energy Center in Florida. Both of these projects have included efforts to ensure that their biomass material promotes land stewardship and responsible forestry practices. Projects like these are generating biomass electricity, jobs, and economic value in their local communities.
These are the type of projects that we need to encourage to meet the climate change challenge. But not all biomass energy is created equal. I understand the amendment’s intent to support biomass energy that is determined to be carbon neutral.

I appreciate the modifications made to the amendment to ensure that U.S. bioenergy policy is not encouraging conversion of forest lands to non-forest uses. This protection is important to acknowledge. It is also important to acknowledge that the timeframe for any climate benefits from biomass energy can vary. In many instances that timeframe can be very long—on the order of 50 to 100 years. Some practices like clear-cutting forests and burning whole trees for energy should never be considered carbon neutral.

That is why it is critical to incorporate lessons about how forests and their interaction with the global carbon cycle into policies governing biomass energy. EPA has a scientific advisory board working on this issue of bioenergy carbon accounting right now. They will have a meeting in April to hear from stakeholders about their experience in using biomass to reduce carbon pollution. The results of the advisory board’s work will be crucial to inform policy and agency actions.

It is important to have agencies working together on cross-cutting issues like this one. But efforts to make policies more consistent across Federal agencies shouldn’t interfere with individual agency’s statutory responsibilities. The amendment should not be interpreted as enabling one agency to block another agency’s rulemaking or guidance.

I want to thank Senators COLLINS, KLOBUCHAR, KING, and the other co-sponsors of the amendment for working with other concerned Senators like myself on modifications to improve the amendment. I look forward to continuing working with them to ensure that the United States has a smart, sustainable, and scientifically backed policy for biomass energy.

Mr. LEAHY. Mr. President, the U.S. Senate is currently considering sweeping legislation to modernize the Nation’s energy sector. Despite its laudable goals, this amendment for working with other concerned Senators like myself on modifications to improve the amendment. I look forward to continuing working with them to ensure that the United States has a smart, sustainable, and scientifically backed policy for biomass energy.

Mr. LEAHY. Mr. President, the U.S. Senate is currently considering sweeping legislation to modernize the Nation’s energy sector. Despite its laudable goals, this amendment for working with other concerned Senators like myself on modifications to improve the amendment. I look forward to continuing working with them to ensure that the United States has a smart, sustainable, and scientifically backed policy for biomass energy.

Vermonters and Americans are tired of seeing giant corporations getting away with damages for their misconduct, there is nothing “ordinary” about this at all. It is simply wrong. It offends our most basic notions of justice and fair play. Punitive damage awards are designed to punish wrongdoers for the reprehensible harm that they cause and to deter would-be bad actors from repeating similar mistakes. Today a company can write off billions in punitive damages in the courts for 14 years, it successfully brought down to $500 million. Then, adding insult to injury, Exxon used the Federal Tax Code to write off its punitive damages as nothing more than an “ordinary” business expense.

In 1994, a jury awarded $5 billion in punitive damages against Exxon for the Valdez spill in Alaska. This oil spill devastated an entire region, the livelihoods of its people, and a way of life. After Exxon paid white-shoe law firms to fight these damages in the courts for 14 years, it successfully brought them down to $500 million. Then, adding insult to injury, Exxon used the Federal Tax Code to write off its punitive damages as nothing more than an “ordinary” business expense.

In 2010, the Deepwater Horizon drilling rig exploded, and 11 Americans were killed in the worst oil spill in American history. That same year, an explosion in the Upper Big Branch Mine in West Virginia claimed the lives of 29 workers. If forced to pay punitive damages for their misconduct, these companies could also write off that expense.

The Obama administration has requested eliminating this tax deduction in its budget proposals. Our very Joint Committee on Taxation has estimated that closing this loophole would save taxpayers more than $400 million over 10 years. If we don’t change the law, our deficit will grow by nearly half a billion dollars because we allowed taxpayers to subsidize the worst corporate actors. By failing to act, we are sending the message that pillaging our environment is an encouraged, tax-deductible behavior. This amendment makes fiscal sense, and it is common sense.

Vermonters and Americans are tired of seeing giant corporations getting special treatment under the law—and paying for their reckless mistakes. It should shock the conscience to know that current law compels taxpayers to effectively subsidize the malfeasance of the worst corporate actors. My amendment would change this unacceptable status quo. I urge Senators to support my amendment.

Mr. LEAHY. Mr. President, I wish to speak on my amendment No. 3197, to increase the protection of our critical infrastructure in the electric sector from a debilitating cyber attack. I am pleased to have Senators MIKULSKI and HINCKLEY join me as co-sponsors.

Critical infrastructure refers to entities that are vital to the safety, health, and economic well-being of the American people, such as the major utilities that run the Nation’s electric grid, the national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the $14 trillion in payments made each day are securely routed through the banking system.

The underlying bill includes several provisions that I support to improve the cyber posture of the U.S. electric grid. These include giving the Secretary of Energy new authority to take actions to protect the grid in the event of an emergency and establishing new programs to reduce vulnerabilities and improve collaboration among the Department of Energy, national labs, and private industry.

The underlying bill, however, makes no distinction between the vast majority of local or regional utilities and the very few entities that are so key to the electric grid that they could debilitate the U.S. economy and our way of life if they were attacked.

The Department of Homeland Security has identified the critical infrastructure entities at greatest risk of resulting in catastrophic harm if they were the targets of a successful cyber attack.

While the entire list includes fewer than 65 entities across all sectors of the economy, it warrants our special attention because there is ample evidence, both classified and unclassified, that demonstrates the threat facing critical infrastructure, including our energy sector.

Indeed, the committee report accompanying this bill notes that one-third of reported cyber attacks involve the energy sector.

The amendment I have filed to this energy policy bill would only affect those entities on the list that are already subject to the oversight of the Federal Energy Regulatory Commission, known as FERC.

Our amendment would require FERC to identify and propose actions that would reduce, to the greatest extent practicable, the likelihood that a cyber attack on one of these entities would result in catastrophic harm.

By “catastrophic harm,” the Department of Homeland Security means a single cyber attack that would likely result in 2,500 deaths, $50 billion in economic damage, or a severe degradation of our national security. In other words, if one of these entities upon which we depend each day were attacked, the results would be devastating.

The Director of National Intelligence, Jim Clapper, has testified that the greatest threat facing our country is in cyber space and that the number one cyber threat concerning him is an attack on our Nation’s critical infrastructure.

His assessment is backed up by several intrusions into the industrial controls of critical infrastructure. Since
2009, the Wall Street Journal has published reports regarding efforts by foreign adversaries, such as China, Russia, and Iran, to leave behind software on American critical infrastructure and to disrupt U.S. banks through cyber intrusions.

Multiple natural gas pipeline companies were the target of a sophisticated cyber intrusion campaign beginning in December 2011, and Saudi Arabia’s oil company, Aramco, was subjected to a destructive cyber attack in 2012.

In 2009, a study initially not fully understood, 700,000 Ukrainians lost power in December due to an attack that Ukrainian authorities and many journalists have ascribed to Russian hackers.

In a hearing of the Intelligence Committee last summer, I asked Admiral Rogers, the Director of the National Security Agency, which is responsible for cyber space, how prepared our country was for a cyber attack against our critical infrastructure. He replied that we are at a “5 or 6.”

Last month, the Deputy Director of the NSA, Richard Ledgett, was asked during a CNN interview if foreign actors already have the capability of shutting down our U.S. infrastructure, such as the financial sector, energy, transportation, and air traffic control. His response? “Absolutely.”

When it comes to cyber security, ignorance is not bliss. The amendment we have filed would take the common sense approach of requiring the Federal agency responsible for the cyber security of the electric grid to collaborate with the entities that matter most and to propose actions that can reduce the risk of a catastrophic attack that could cause thousands of deaths, a devastating blow to our economy or national defense, or all of these terrible consequences.

Congress has previously missed opportunities to improve our Nation’s cyber preparedness before a “cyber 9/11” eventually occurs. We should not repeat that mistake.

I urge my colleagues to support this vital, bipartisan amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would be remiss if I didn’t rise during this debate on energy to address the administration’s continuing efforts to wear down our country’s mining industry as the Senate considers reform of our Nation’s energy infrastructure, the importance of coal to America’s energy portfolio simply cannot be understated, and unfortunately neither can this administration’s deliberate attempts to use Executive efforts to put the coal industry out of business.

This administration has made no secret of its disdain for fossil fuels and has unleashed a series of policies intended to subtly and reliably, affordable, traditional energy sources, such as oil and natural gas, in favor of valuable but more expensive and less reliable new options.

We have a lot of wind in Wyoming. In fact, the first wind turbines were put in and the rotors blew off until they discovered they couldn’t turn them into the wind at 80 miles an hour. But even though we have a lot of wind—I guess Wyoming could be called the Saudi Arabia of solar, coal, oil, natural gas, and uranium—we have found that sometimes the wind doesn’t blow, and we have found that sometimes the Sun doesn’t shine and sometimes the wind doesn’t blow when the Sun isn’t shining, and so we have a problem unless you have alternate fuels.

Coal is at the center of that regulatory battle. The war on coal is not only an affront to coal producers in my home State of Wyoming but to energy consumers across America. Let me explain how the administration’s war on coal affects Americans across the country with this chart.

According to the Energy Information Administration, 39 percent of the electricity that comes from coal was generated by coal in 2014. The only other energy source that comes close to coal for energy production is natural gas, at 27 percent. We need to ask ourselves: If we allow the administration to kill the coal industry, what energy source is going to take its place and provide our constituents with the energy they need? It is actually the only stockpilable resource we have.

This issue hits close to home for me because almost 28 percent of the country’s coal is produced in my home State of Wyoming. Actually, 40 percent is produced in my home county of Campbell County, WY. According to the National Mining Association, coal supports more than 27,000 jobs in my State. Now, 27,000 probably doesn’t sound like a lot in California, Washington, DC, New York, or even Texas, but that is 9 percent of our State’s workforce. Nine percent of our workforce is paid by the workers who mine the coal, but if we eliminate their jobs, we lose the tax money that is generated by coal in 2014. The only other energy source that comes close to coal for energy production is natural gas, at 27 percent. We need to ask ourselves: If we allow the administration to kill the coal industry, what energy source is going to take its place and provide our constituents with the energy they need? It is actually the only stockpilable resource we have.

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The BLM laid the foundation for this farce last summer when it staged a series of listening sessions. I went to the session in Gillette, WY, and based on the administration’s recent announcement, I don’t think the BLM was listening very closely. If they were, they would have realized that American taxpayers are already receiving a fair return on coal resources.

One gentleman, who told the BLM his story, moved to Wyoming to be a coal miner, but his business was die about his job. He was worried that the job that has allowed him to raise three children will no longer exist if the BLM raises royalty rates.

The owner of a small business not directly related to the coal industry told her story. She was worried about the ripple effect raising royalty rates would have on Campbell County and the State of Wyoming. As a mom, she also told the BLM about the direct support coal companies provide her community, special services, community events, and youth activities. She didn’t want to see her kids lose that support.

The benefits she referenced are a reflection of the two billion tax dollars paid by the coal industry, paid right now to try to figure out how to make up for the lost revenue just from last year. They are making drastic budget cuts which we wouldn’t even consider here at the Federal Government even though the State of Wyoming is in better financial shape than the Federal Government.

I mentioned the Gillette woman who is the owner of a small business that is not directly related to the coal industry. She said her business is down by 60 percent. That is almost two-thirds less revenue than what she would have had, which means, of course, that it affects some other jobs in the community. So there is a huge ripple effect to all of this.

Despite these and dozens of similar stories, the administration announced that they need to shut down Federal coal leases and conduct a study to determine if taxpayers are getting a fair return. Washington DC lawmakers are going through a process right now to try to figure out a way to make up for the lost revenue just from last year. They are making drastic budget cuts which we wouldn’t even consider here at the Federal Government even though the State of Wyoming is in better financial shape than the Federal Government.

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However, it is part of the energy mix, it affects the other energy prices as well. As we debate energy policy reforms in the coming days, it isn’t just the fate of coal that should concern us. Interior’s Federal coal leasing review is an example of regulatory actions aimed at driving fossil fuel industries out of business. The administration has also proposed a new methane flaring rule aimed at discouraging oil and gas leasing on Federal lands.

This rule is part of the administration’s plan to change very closely. If they were, they would have realized that American taxpayers are already receiving a fair return on coal resources.

Mr. MANCHIN. Mr. President, I rise today to tell of the millions of Americans impacted by prescription drug abuse, particularly those in my home State of West Virginia, where 600 lives are lost every year to opioids. I believe the FDA must start taking prescription drug abuse seriously, and that will not happen without a cultural change in the agency.

The President Officer and I are talking on this issue in the drug prevention caucus and addressing how opioids have affected the people of West Virginia, and the effect the epidemic has had on all of America. We have seen too many examples of the FDA standing in the way of efforts to address opioid addiction. If you look at this chart, you can see the rise in deaths over the last 15 years and what it has done to our country and our States. It is unbelievable and unacceptable. We have been able to face and cure every other epidemic in the last 50 years. We are, in this one out of sight and out of mind. The FDA delayed for years before finally agreeing to reschedule hydrocodone. My first 3 years in the House were consumed by getting the EPA to come around on this important step. Since the change went into effect, we have seen a number of prescriptions for combination hydrocodone products, such as Vicodin and Lortab, fall by 22 percent. That is over 1 billion pills not being put onto the market. All this would have happened if the FDA had taken the proper steps to address this crisis for which we have to make the changes that need to be made. That is all I have said: Give us someone who is passionate about the change. The change must come from the top of the FDA.

We need a cultural overhaul of the FDA. When we have the FDA fighting the CDC—the CDC is making recommendations for new guidelines of how doctors are prescribing. We are going to have to make sure that we protect the public, and the FDA is really taking the position that, no, what pharmaceuticals are putting out is something that we need as a product. It is a business plan. I am sorry, I cannot accept that, and I truly believe there needs to be a cultural change, and that starts at the top.

Over the past week my office has been absolutely flooded with stories from West Virginians who want their voices to be heard. And, as I said, we need to make this real, and it will not be unless I can bring to my colleagues the real-life stories of the tragedies that people are enduring because of the pharmaceutical companies.

These letters have come from children who have seen their parents die from an overdose; grandparents who have been forced to raise their grandchildren when their kids went to jail; rehab, and the social workers and religious leaders who have seen their communities devastated by prescription drug abuse. These people need help...
from the FDA. They count on this reg-

ulatory committee—the Federal Drug

Administration—to do what should be
done to protect millions of Americans
across the United States, as well as
those who have been affected.

I am going to read a story and basi-
cally outline my personal life to my
colleagues—an opportunity to see what
happens in a daily situation in an abu-
sive scenario. The first story I wish to
read comes from a West Virginian by
the name of Haley. Haley lives in Prince-
williams County, which is in the eastern
part, and she is a teacher in Beck-
ley, WV. She is married and has a baby
who is about to turn 1. This is Haley’s
story:

Prescription drug addiction destroyed my
childhood. Thanks to prescription drug
abuse, I grew up much too quickly and still
have trust issues today. My mom’s one true
love was Xanax and I will always come in
second or after that, no matter what.

When I was in fifth grade, my mom went to
rehab for two hours away from me. My parents
are divorced and my step dad worked on the
road, so my grandparents visited me. We
visited my mom on the weekends and I
didn’t really understand why she was there.
None of it made any sense to me and I just
wanted my mom. One day, we were making
a phone call stating that she had checked her-
self out and we had no idea where she was for
about 24 hours. This wasn’t the first time my
mom had virtually tried rehab and it would not be her last.

There were times when I would get home
from school and have no idea where my
mother was. I would go to bed crying and
I would have to drive around and search for her. We
would eventually find her passed out at one of
her “friends” houses.

There is one particular memory that traum-
atzed me and is forever engrained in my
memory. I was 10 years old when we found
my mom. She was too high to even walk on
her own. My 70-year-old grandmother and I
did to virtually carry her to the car. When
she got home, I took her shoes off so I could
put her in bed. She was so high on pills that
I had to put her in bed. I was 10 years old
and I had to put her in bed. I was terrified to
think about what happened to my mom.

I yield the floor to my good friend
from Nevada.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss the bill before us.

Energy and mineral development has been an anchor of the economy of Nevada, even before it joined the Union. The discovery of the Comstock Lode transformed the State as miners rushed in and boom towns like Virginia City and Austin were born.

Today we are a worldwide leader in min-
er production while being at the fore-
front of national efforts to implement a 21st century “all of the above” en-
ergy strategy. The Silver State pro-
duces over 80 percent of the gold and
silver mined domestically. Mining contributes more than 13,500 jobs in Nevada alone, adding $6.4 billion for our State’s gross do-

mestic product annually.

Nevada’s renewable energy resources are among the best our Nation has to offer, with over 2,300 megawatts of renew-
able energy projects have come online, roughly enough electricity to power 4.6 million homes. In total, more than 23 percent of the State’s total electricity generation comes from renew-
ables.

Our State is not only leading the way on clean energy production, it is a hot bed for the research and development on energy efficiency and other alter-
native technologies that are critical to over-
coming our own energy needs and the de-
velopment of its battery gigafactory at the Tahoe Reno Industrial Center and Faraday Future’s recent announce-
ment to build its automotive manufac-
turing facility in North Las Vegas en-
sure that our State will be at the fore-
front of energy storage technologies and
electric vehicles for years to come.

Energy is not only one of Nevada’s but, overall, one of our Nation’s greatest
assets. But Congress has not en-
tacted comprehensive energy legislation in a decade, so we need to take Fed-
eral policies to reflect the energy and
natural resource challenges of the 21st
century.
I commend the majority leader and the chairman of the Energy and Natural Resources Committee who have made energy policy modernization a focus for the 114th Congress. In our first week, we advanced the Keystone XL Pipeline legislation and energy efficiency and conservation. In the final days of 2015, we enacted a tax deal which included important policies I fought for and which facilitated renewable energy production while lifting the crude oil export ban. And this week we are focusing on a bipartisan Energy Policy Modernization Act.

I appreciate the hard work of the bill managers, Energy and Natural Resources Committee Chairman MURKOWSKI and Ranking Member CANTWELL, who have put the time in to bring this proposal to the Senate floor. My colleagues all have a wide range of ideas on energy and environmental policy, and often these debates can become bitterly partisan. So both Senators should be commended for approving a bill out of the Energy and Natural Resources Committee by a bipartisan vote of 18 to 4.

In the congressional process, I worked with both Senators to incorporate a couple of my stand-alone bills focused on streamlining mine permitting and the exploration of geothermal resources, the Public Land Job Creation Act, S. 113, and the Geothermal Exploration Opportunities Act, S. 562, into this legislation. I am proud of the effort to redefine some of these burdensome regulations. One has already passed the Senate, and I hope the others will be included as well.

I have put forth two bipartisan proposals with my colleague from Rhode Island, Senator JACK REED, focused on renewable energy and energy storage. The second, which passed the Senate by voice vote on Monday night, enhances the Department of Energy’s ability to use existing research dollars to develop state of the art technology that can make our electricity grid electric, benefitting the reliability and efficiency of the overall system. Our first amendment simply adds energy storage systems to a list of strategies that States should consider in an effort to promote energy conservation and use of clean energy. The second, which passed the Senate by voice vote on Monday night, enhances the Department of Energy’s ability to use existing research dollars to develop state of the art technology that can make our electricity grid electric, benefitting the reliability and efficiency of the overall system. Our first amendment simply adds energy storage systems to a list of strategies that States should consider in an effort to promote energy conservation and use of clean energy.

Our amendment does just that. It streamlines and improves the permitting process for geothermal, wind, and solar energy on Federal lands so that the West can continue to lead the Nation in clean energy production.

To advance this amendment, Senator HENSCHEN and I had to drop one of the important components of the proposal—provisions that would repurpose revenues generated by these projects to ensure our local communities benefit and to support conservation projects that increase outdoor recreation activities such as hunting, fishing, and hiking.

In the West, where Federal lands are not taxable and outdoor recreation is an important part of our way of life, these provisions would have been critical. I hope we can find a path forward for this concept in the near future.

While recent developments on battery storage, renewable energy production, and alternative fuel vehicles is exciting, I am proud of my colleagues that without a domestic supply of critical minerals like gold, silver, copper, and lithium, they all would not be possible. Far too often we take for granted that we need these important resources to manufacture those technologies and devices that are now part of our everyday lives, such as our smartphones, our computers, and our tablets.

I have worked with Chairman MURKOWSKI and others on comprehensive mining legislation over the past few years, and I believe it is key to our economy and our Nation’s security that those policies are part of this comprehensive package. I appreciate that our American Mineral Security Act is one of the titles of the bill that is now before the Senate.

One of the biggest issues facing domestic mining—not just mining but all natural resource development—is overly burdensome regulation. For our Nation is truly going to capitalize on our domestic production potential, we need to rein in the Environmental Protection Agency.

Outside of the IRS, the two Federal agencies that draw the most ire from my constituents are the EPA and the BLM. Under this administration, the EPA is continuing down a path of destroying the balance between appropriate environmental oversight and overreaching regulations that lead to unwarranted delay. This is why I put forth an amendment that would block the EPA from finalizing one of their biggest attacks on domestic resources production, a rule to impose new financial assurance fees.

If implemented, these requirements would further de-incentivize capital investment in the domestic mining industry. New Federal requirements would interfere with duplicative financial assurance programs already in place at both the State and Federal level.

The EPA has made it clear that their push on hard rock mining is the first of its plans to develop a barrage of new financial assurance regulations on natural resources development. I have also teamed up with my friend and colleague, Environment and Public Works Committee Chairman Jim INHOFFEN and Ranking Member CANTWELL for working with me on my American Mineral Security Act amendment. This amendment mirrors a bill that I introduced in the first weeks of this Congress and was adopted by voice vote as part of the House Energy bill—the North American Energy Security and Infrastructure Act. The EPA often ignores longstanding statutes that require them to improve their own regulatory coordination, planning, and review. Simply put, my amendment asks the EPA to abide by its own rules. Without oversight, the EPA has the authority to issue unprecedented regulations that could wreak havoc on our energy policy and prices. Energy costs seep into every aspect of American life, and it is past time we stopped the EPA in its tracks.

Again, I want to thank Leader MCCONNELL. I want to thank Chairman MURKOWSKI and Ranking Member CANTWELL for working with me on my comprehensive amendment. I hope we can take up these amendments and have them included in the final version of the bill, which I am confident will pass the Senate. These commonsense initiatives will go a long way toward ensuring an affordable, secure, and reliable energy supply for our country.

Mr. President, thank you, and I yield the floor.

I suggest the absence of a quorum.

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

Mr. CARDIN. Mr. President, I take this time as the ranking Democrat on the Senate Foreign Relations Committee to bring to the attention of my colleagues the number of nominees in important foreign policy areas that have been acted on by the Senate Foreign Relations Committee but have not been acted on by the floor of the Senate.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CARDIN. 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. CARDIN. Mr. President, I take this time as the ranking Democrat on the Senate Foreign Relations Committee to bring to the attention of my colleagues the number of nominees in important foreign policy areas that have been acted on by the Senate Foreign Relations Committee but have not been acted on by the floor of the Senate.
There are currently 15 nominees that have been recommended favorably by the Senate Foreign Relations Committee, and in most of these cases, they were unanimous votes in the Committee. I am confident to say that in each of these cases there has been no question of the qualifications of the individuals to fill these particular positions. We are talking about senior members of the State Department diplomatic team. We are talking about Ambassadors in countries around the world. We are talking about people who have extremely important positions with regard to our national security. These positions are critically important to our country, and they have remained vacant in some cases for over a year. It has been a long period of time that we have not acted on these nominations.

The reason we have not acted on these nominations, quite frankly, is because there is a Member in the Senate, or more accurately, the Member of the Senate, who has put what is known as a hold on these nominations. What that means is that a Senator has indicated that he or she is going to object to the consideration of the nomination on the floor. A lot of times it is done in an attempt to get a little bit of attention on an issue, and it is my understanding that in each of these cases, these holds have nothing to do with the qualifications of the person for the position to be filled, but it is to give the Member an opportunity to help on other issues or to raise other concerns.

Here is the problem. In some cases these holds have been in place for over a year. In some cases we are talking about several months that a position has gone unfilled because of the hold.

How can we overcome that? We can overcome that by a Senator releasing the hold, allowing a nomination to come to the floor for a vote. In many cases, it will be by unanimous consent, since there has been no objection raised, and we can move forward with the nomination.

Quite frankly, it is the majority leader—the Republican leader—who controls the agenda of the floor of the Senate. The majority leader can move to executive session, file a cloture motion, and if 60 Members of the Senate want to move forward with the nomination—and I expect that in each one of these cases we are probably talking about almost unanimous votes in the Senate for these nominations—we would pass a cloture motion. After the hours have passed, we would have an up-or-down vote on the nomination.

If the majority leader were to announce that we would have a cloture vote on a Thursday or Friday and we would stay in over a weekend in order to finish a nomination, which is typically the case here, we would get it resolved before we left for the weekend. As you know, we are completing our work on a Thursday. There is plenty of opportunity to take up nominations. We have extensive periods of time that we are in Senate work periods. There are plenty of opportunities for us to take up nominations on the floor for votes. All we need to do is say: Look, by this date certain, if we don’t have your answers, we are going to a cloture vote. It would certainly move a lot of these nominations.

This Senator thinks it is unacceptable that 15 of our positions right now are going unfilled because of holds by Members of Congress. I think we have a responsibility to act. I am talking about OPEC. I am talking about the IMF. I am talking about Ambassadors to the Bahamas, Trinidad and Tobago, Mexico, Norway, and Sweden. I am talking about the U.S. representative to the IAEA. I am talking about the Under Secretary of State. I am talking about Ambassadors to Luxembourg and Burma. There is a whole list of nominations that have gone unfilled.

What does this mean for our country? Well, if you don’t have the Under Secretary of State for Political Affairs—that is the No. 4 person in the State Department. That is the person directly responsible for all the regional bureaus—for Europe, the Middle East, Central America, and our role in the Western Hemisphere, for Africa. We don’t have the principal person in the State Department confirmed for those regional concerns. That is a national security risk by not having a confirmed person for Under Secretary.

My colleagues are quick to be critical if they don’t believe the administration is responding quickly enough to certain concerns. For us not to respond for months on critical positions, to me, is compromising our national security.

But it goes beyond that. In bilateral relationships with countries, the fact that they don’t have a confirmed ambassador speaks volumes to that country’s beliefs on how important we think that relationship is.

So if we are talking about a U.S. businessperson from South Carolina or Maryland who is trying to do business in Trinidad and Tobago and there is no confirmed ambassador, that person is at a disadvantage by not having a confirmed ambassador in that situation. If we are talking about a family member who is trying to deal with a family issue in Norway and we don’t have a confirmed ambassador, that person is making it more difficult for us to be able to represent our constituents because our No. 1 person, our head of mission, has not been confirmed. So it affects our ability to strengthen bilateral relations, it affects our national security, and it is absolutely vital.

I want to make one thing clear. It is an honor to serve on the Senate Foreign Relations Committee, and it is an honor to be the ranking Democrat. Senator Corker, the chairman of that committee, and I work very closely together. I am proud of the record of the Senate Foreign Relations Committee under Senator Corker’s leadership. We have reported out these nominations in a timely manner. We have gathered information about the person’s qualifications. We have questioned the person. We have gone through the confirmation process to make sure this body carries out its constitutional responsibilities. And we have acted on these nominations. We take our work very seriously, but we do it in a timely way. We act in a timely way. Senator Corker was responsible for these nominations getting out of the committee promptly, but Senator CORKER has to the Senate. That person can’t take on the responsibility.

Now it is the responsibility of the Senate. That is why I call upon my colleagues who have made objections to withdraw those objections. They have been there for months. Let’s move forward. If they don’t, I would ask that the majority leader give us time for a cloture vote or at least announce a cloture vote. If we did that, I would think these nominations would comfortably move forward.

Some of my colleagues are on the floor, and they are going to talk about specific nominees. I will yield to them shortly, but if I might, I am going to raise 2 of the 15 today. I will do others at other points, but I am going to talk about two of the nominees and I could talk about a lot more.

I want to talk about Tom Shannon for Under Secretary of State for Political Affairs. I want to tell the American people more about the qualifications of Ambassador Tom Shannon and the important post for which he has been nominated.

The Under Secretary for Political Affairs is the State Department’s fourth-ranking official, responsible for the management of the six regional bureaus of the Department as well as the Bureau of International Organization Affairs. This is a tremendously important leadership post on key national security issues.

Ambassador Tom Shannon, a career member of the diplomatic corps—he is a career diplomat, serving under both Democratic and Republican administrations—is held in universal respect and esteem by his colleagues and has been nominated to this position. He is strongly supported by both Democrats and Republicans on the Foreign Relations Committee.

I have twice spoken on the floor to applaud members of the Committee for Ambassador Shannon, and I am proud to again ask for his confirmation because few diplomats have served our Nation under both Republican and Democratic administrations with as much integrity and ability as Ambassador Shannon.

In his current role as Counselor with the Department, he provides the Secretary with his insight and advice on a wide range of issues. His previous service is formidable. He was our Ambassador to Brazil, was Assistant Secretary of State and Senior Director on the National Security Council staff for Western Hemisphere Affairs, and also
served in challenging posts in Venezuela and South Africa, among others. He is a career diplomat, giving his life to the Foreign Service. As I said, he has served different Presidents for over 30 years. He should be confirmed today.

Mr. Shannon has been waiting on the floor of the Senate for confirmation for 125 days.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 375, which is Thomas A. Shannon, Jr.; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. Mr. President, let me now bring to the Chair's attention John Estrada to be our Ambassador to Trinidad and Tobago. John Estrada has been waiting for confirmation on floor of the Senate for 217 days.

The PRESIDING OFFICER. The discharge of Trinidad and Tobago in the Caribbean has been used as a way station for drug smugglers who are shipping their products to the United States, which has caused steadily increasing violence and drug activity. We all talk about the War on Drugs. We need a confirmed ambassador if we are going to have all hands on deck in our campaign to keep America safe. In 2015, the State Department gave the island nation the crime rating of "critical."

While such virtues are their own reward, we need an American of impeccable standing who commands wide respect both here and in the United States and in Trinidad and Tobago itself to effectively represent our interests there. We need a confirmed ambassador if we are going to have all hands on deck in our campaign to keep America safe. In 2015, the State Department gave the island nation the crime rating of "critical."

John Estrada has been waiting for confirmation for 217 days.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

I ask unanimous consent that the Senate proceed to vote without intervening action or debate on the following nominations:

- Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

I ask unanimous consent that the Senate proceed to vote without intervening action or debate on the following nominations:

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The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

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The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

I ask unanimous consent that the Senate proceed to vote without intervening action or debate on the following nominations:

- Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

I ask unanimous consent that the Senate proceed to vote without intervening action or debate on the following nominations:

- Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

I ask unanimous consent that the Senate proceed to vote without intervening action or debate on the following nominations:

- Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of the Senate. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.
The PRESIDING OFFICER. Is there objection?  

Ms. KLOBUCHAR. I note that Senator Lee, as I assume he did with the other objections, was making this objection on behalf of Senator Cruz and that, secondly, that was the Ambassador to Norway whom I asked consent for. 

I now ask unanimous consent for the Ambassador to Sweden. I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?  

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Is there objection?  

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.
The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. I believe we will now hear from Senator FRANKEN, my colleague from the State of Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, that is too bad. There is no one else in this body who believes that Sam Heins shouldn’t be Ambassador to Norway or that we shouldn’t be sending an ambassador to Norway, and/or that Azita Raji wouldn’t be perfect to be Ambassador to Sweden. This is really a shame. It is another sad moment, frankly. Let me talk a little bit about Sam Heins. Sam is from Minnesota, home of more Norwegian Americans than any other State. I think we have more Swedish Americans, as well, than any other State. Norwegian Americans, as well, than any other State. Norway is an important ally, as Senator KLOBUCHAR so eloquently pointed out.

Mr. President, at this time I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Brian James Egan to be Legal Advisor of the Department of State, and Samuel Heins, Jr., to be Ambassador to Norway. In 1914, Norway, a NATO ally, scrambled their F–16 fighters 74 times to intercept Russian warplanes. They are there on the frontlines helping to fight Russian aggression. Where are we in the Senate? We can’t even confirm the Ambassador to Norway because we have one person in this body who doesn’t care enough about the national security of this country to be here to vote on this/these nominations. That is unacceptable.

I also want to talk about two other nominees whose qualifications are unquestioned. Yet they remain unconfirmed. Brian Egan is the President’s nominee to be a principal advisor to the State Department and the Secretary of State on all legal issues, domestic and international. This role includes assisting in the formulation and implementation of the foreign policy of the United States and promoting the development of laws and institutions as elements of those policies. It is something that is very important, especially as we look at some of the countries that are being threatened now by Russian aggression—Ukraine, Georgia, and Moldova.

Mr. Egan’s qualifications to hold this position are clear. He began his career as a civil servant and government lawyer in the office of Secretary of State Condoleezza Rice. He subsequently worked for the National Security Council, and as a Deputy Assistant to the President. He was nominated more than a year ago—364 days to be exact. He was unanimously approved by the Senate Foreign Relations Committee in June. Yet he is still in this “hold” position because of one or two individuals in this body for reasons unrelated to his qualifications.

Mr. President, at this time I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 204, Brian James Egan to be Legal Advisor of the Department of State; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. (Mr. TOOMEY.) Is there objection? There is no objection, at the request of the Senator from Texas, I object.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.
The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, that is disappointing. Again, it is unfortunate that somebody who has served so honorably in both Republican and Democratic administrations is being up for reasons totally unrelated to his qualifications and to the job he would do at the Department of State.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

I know that many Republicans in this body are as outraged as we are about the holdup. I hope they will act with us to move these nominees. One of those people is still being held up, this time by the Banking Committee, which has refused to schedule a vote on the nomination of Adam Szubin to be the Treasury Department’s Under Secretary for Terrorism and Financial Crimes. This position leads to policy, enforcement, regulatory, and intelligence functions of the Treasury Department forward. Disrupting the lines of financial support to international terrorist organizations, proliferators of weapons of mass destruction, narcotics traffickers, and other actors who pose a threat to our national security or foreign policy. This position is critical, as we look at legislation that we are talking about taking up next week with respect to sanctions on North Korea, with respect to continued sanctions on Iran, on Russia, China, and to terrorists who are out there. Mr. Szubin is extremely well qualified for this position. He has served in both Republican and Democratic administrations.

He was nominated 294 days ago. Yet even Banking Committee Chairman Shelby called Szubin “eminently qualified” during his September confirmation hearing. The fact that the committee has not held a vote and the Senate has not confirmed him lessens his ability to influence our allies and to undermine our enemies around the world, which is what we want to happen. If we are worried about our ability to enforce sanctions, if we are worried about the national security of this country and one of the weapons that we have to use to protect this country, then we ought to be confirming Adam Szubin.

It is very disappointing that my Republican colleagues continue to object and delayidentifying forward-looking and forward-thinking candidates, such as Mr. Szubin. He is the right man for the job. The Senate will continue to hold these nominations because it is unacceptable that someone who has served so well should be held up in this way.

The PRESIDING OFFICER. Objection is heard.

Mr. LEE. Mr. President, on behalf of the senior Senator from Alabama, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, it is very disappointing that the objection has been made, this time on behalf of the Senator from Alabama, who is here, so it is disappointing that he is not on the floor to talk about what his objections to Adam Szubin are. I believe that refusing to confirm Mr. Szubin is a profound disservice not only to these Americans who have sacrificed to serve this country but to the national security of the United States.

I call on the majority leader to schedule promptly the nominees and other pending national security nominees to let the Senate do its job at a time when the world is facing national security challenges on a number of fronts. When nations are looking to the United States for leadership, we cannot afford to sideline ourselves by failing to confirm these important nominees.

I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

FLINT, MICHIGAN, WATER CRISIS

Mr. PETERS. Mr. President, I rise today to urge my colleagues on both sides of the aisle to come together as we bring about a straightforward path for forward to help the people and the children living in the city of Flint, MI. Nearly 2 years ago, an unelected emergency manager appointed by Michigan’s Governor changed the city of Flint’s water source to the Flint River in an attempt to save money while the city prepared to transition to a new regional water authority.

After switching away from clean water sourced from the Detroit Water Authority, Flint residents began to receive water contaminated with Flint River water, long known to be contaminated and potentially very corrosive. The result of the State government’s actions was and continues to be absolutely catastrophic. Flint families were exposed to lead and other toxins that will have lasting effects for generations. The ultimate cost of this misguided, dangerous decision will not be known for decades but we will have a chance to begin to make it right.

Last week, Senator Stabenow and I introduced an amendment that would, one, provide water infrastructure funding for Flint; two, create a Center of Excellence to address the long-term public health ramifications exposure; three, forgive Flint’s outstanding loans that were used for water infrastructure that has now been damaged by the State’s actions; and four, require the EPA to directly notify consumers instead of going through State and local regulators if their drinking water is contaminated with lead.

We have spent the last week working with Senator Murkowski and Senator Cantwell to find common ground and to work together to find relief to the people of Flint as we consider this bipartisan energy legislation.

Throughout the United States history, when a natural or manmade disaster strikes, the Federal Government has stepped in to help those in need. Hurricanes, superstorms, earthquakes, floods, and terrorism have caused ruin and destruction—those types of activities or incidents across the nation have received Federal assistance as communities come together to rebuild.

While the cause of this crisis and the ultimate responsibility to fix it lies with the State Government, we need to bring resources from all levels of government to bear to address the unprecedented emergency that we face. This is why I urge my colleagues to work together to make a down payment on the years of rebuilding and healing that Flint needs.

I was in Flint earlier this week, and while volunteering with the Red Cross to deliver bottled water from house to house, I heard directly from impacted residents. Months after the public became aware of the depth of this crisis, families still have questions: Can I use my shower? When will the water be safe? Will the pipes ever get replaced? How long before we can make a down payment on the years of rebuilding and healing that Flint needs.

Mr. Peters, this is not a Republican or a Democratic issue. Clean water is, quite simply, a basic human right. Let’s together show the American people that when a crisis hits any city in this country, we will stand with them.
America is a great country, and it is great because at times of difficulty, we all stand together as one people.

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

The PRESIDING OFFICER. The clerks will call the roll.

The 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.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. HATCH. Mr. President, later today, at around 5:30 p.m. DC time, U.S. Trade Representative Michael Froman and representatives from 11 other countries will meet at a ceremony to sign the Trans-Pacific Partnership, or TPP, Agreement. It is no secret that the TPP Agreement has the potential to do a lot of good for our country.

Taken as a whole, the 12 countries involved in this agreement had a combined GDP of $28.1 trillion in 2012, nearly 40 percent of the world’s total economy. In that same year, our goods and services exports to TPP countries supported nearly 4 million jobs here in the United States.

According to the International Monetary Fund, the world economy will grow by more than $20 trillion over the next 5 years and nearly half of that growth will be in Asia. This agreement, if done right, will give the United States a distinct advantage in setting standards for trade in this dynamic and strategically vital part of the world.

It is also no secret that many stakeholders and Members of Congress, including myself, have some doubts as to whether the agreement meets the high standards necessary to gain congressional approval. I have expressed those concerns many times here on the floor and elsewhere. I won’t go into any more detail about them today. Instead, I want to talk about what will happen after the agreement is signed.

Even though there is a signing ceremony in New Zealand today, that is not the end of the process for TPP in the United States. In fact, in many ways, we are really just beginning.

In the coming months, we will have ample opportunity to debate the merits of each provision of this agreement and to consider how it will impact workers and job creators in our country and how it will affect the health of our economy.

Today I will focus on the process by which Congress will consider and debate this agreement. I want to do so in part because I believe it is important that our people—including Members of Congress, the administration’s stakeholders, and the media—have a full understanding of how this is going to work. If done right, a trade agreement is concluded or signed, the pun- dits, commentators, and lobbyists in this town immediately jump to one question: When will Congress vote on it? I get asked that question almost every day. While I have offered my own opinions and occasional speculation about when would be the best time to have the vote, the fact of the matter is we don’t know when the vote will take place and no one else does either.

As we all know, last year Congress passed and the President signed legislative renewal of the trade promotion authority, or TPA, and setting out a series of timelines for Congress to consider and eventually vote on signed trade agreements. While I am quite sure that interested parties and observers have already poured over the text of the TPA statute to add up all the statutory timelines and have tried to calculate the exact date when Congress will vote on the agreement, that exercise is unlikely to yield an accurate result. Let me take a few minutes today to explain why that is the case.

Under the TPA process, there are a number of milestones, checkpoints, and associated timelines that begin at the outset of the negotiations before any agreement is reached. With regard to TPP, we have gone through several of those already. President Obama has determined—despite some concerns expressed by a number of sources—to take the next step in the process and sign the agreement.

Under the TPA statute, once an agreement is signed, the President has 60 days to provide Congress with a description of changes to U.S. law that he believes would allow him to enter into the deal. That is one of the more specific deadlines in the law. That 60 days is a maximum time period imposed on the administration, not on Congress.

Assuming the agreement does in fact get signed today, that information must arrive no later than April 3. On top of that, the statute requires the International Trade Commission—or ITC—to compile and submit a report on the like-kind economic effects of the signed trade agreement. That report must be completed within 105 days—another specific deadline of the signing date. For a deal signed today, that deadline is May 18.

So far I have just talked about dead- lines or maximum time periods for compiling and submitting specific doc- uments and materials, but once again those maximum timelines are imposed on the administration, not on Congress. The ITC and the President’s description of legislative changes and the ITC’s economic analysis, the administration is required to provide to Congress the final text of the agreement and a detailed plan on how they intend to administer it. The exact date and timing by which the ad- ministration has to submit the final text of the agreement is not set out in the statute. Under established prac- tices, the timing of that submission, like the timing of the ITC report, is determined after the agreement is reached. The ITC, the President’s report, and the agreement itself are generally determined after close collaboration and consultation with leaders in Congress.

However, the TPA statute is clear that the final text of the agreement and the detailed administrative plan must be provided to Congress at least— and those two words are very important—at least 30 days before formally submitting legislation to implement the agreement.

This is one of the more important timelines in the statute, and it notably provides a floor, not a ceiling. It sets a minimum timeframe to ensure Con- gress has at least—there are those two words again—30 days to review all nec- essary information and documents before the implementing legislation is formally submitted to Congress.

I would like to point out that this minimum 30-day window is a new requirement. We included this requirement for the first time in the most re- cent TPA statute to provide increased transparency and ensure adequate consi- deration and debate in Congress. There are many additional steps that take place once the President has submitted the required information and before the implementing bill is formally submitted, and those steps each take time.

First, Congress, in consultation with the administration, has to develop a draft implementing bill for the agree- ment. Then the committees of jurisdiction will hold hearings to examine both the agreement and the draft legis- lation. Following these hearings, another very important step occurs: the inform- al working groups in Finance and House Ways and Means Commit- tees. Most people call this process “the mock conference.” The mock conference—which once again occurs before the President formally submits the trade agreement to Congress—is similar to any other committee markup. The committee reviews the draft legis- lation and has votes on amendments, if any are offered. If the Finance and Ways and Means Committees end up with different versions of the draft im- plementing bill, they can proceed to a mock conference to work out the de- tails and reconcile any differences.

The mock conference process is well estab- lished in practice and is an essential part of Congress’s consideration of any trade agreement. It is the best way for Congress to provide direct input—com- plete with vote tallies and on-the- record debates—to the President to demonstrate whether the imple- menting bill meets the criteria set out in the TPA statute and whether there is enough support in Congress for the agreement to pass.

After those steps are taken, a final implementing bill may be introduced in the House and Senate. Only after the final implementing bill is introduced is Congress under any kind of deadline to vote on the agreement. The votes must take place within 90 session days. You will notice the word “session.” Of course, in this case, I am using the word “session” literally. The vote doesn’t have to occur within 90 cal- endar days. It must take place within 90 session days, and only Congress can
decide when it is and is not going to be in session. Long story short, no one should be under any illusions that because the TPP is being signed today, an up-or-down vote on the agreement is imminent or that our oversight responsibilities are at an end.

If history has taught us anything, it is that this process can, and often does, take a very long time to complete. In fact, it is not an exaggeration or even all that remarkable to say that it can take years to get an agreement through Congress, after it is signed. Historically speaking, the shortest period of time we have seen between the signing of an agreement and the introduction of the implementing legislation, which once again triggers a statutory deadline for a vote in Congress, is 30 days. That was with our bilateral trade agreement with Morocco. Needless to say, that agreement is an outlier and quite frankly it isn’t a useful model for passing an agreement as massive as the TPP.

Other trade agreements, like our agreements with South Korea, Colombia, and Panama, took more than 4 years to see an implementing bill introduced in Congress, and that was 4 years from the date the agreement was signed, which is what is happening today with the TPP, and the time the clock started ticking for a vote in the Senate. Our trade agreement with Peru took 533 days or about a year and a half. Our trade agreement with Bahrain took just over a year. All of these, while significant in their own right, were bilateral agreements and paled in comparison to the size and scope of the Trans-Pacific Partnership.

The closest parallels to the Trans-Pacific Partnership we have in our history—and they are not really that close at all—are the North American Free Trade Agreement, or NAFTA, and the Dominican Republic-Central AmericaDR-CAFTA, both of which took more than 10 months. Once again, that wasn’t 10 months between the signing day and the vote. That was 10 months between the day the agreement was signed and the introduction of the implementing bill, which triggered a required 60-day timeline for a vote in Congress.

Of course, none of these timelines for previous trade agreements are all that illustrative because the TPP is nothing like those agreements. By any objective measure, the TPP is a historic trade agreement without a comparable precedent. Its approval would be a significant achievement. That is all the more reason to ensure it gets a full and fair consideration in Congress, however long that process takes. All of us—on both sides of the aisle, on both sides of the Capitol, and on both ends of Pennsylvania Avenue—should be careful when we talk about timelines and deadlines for votes.

I am quite certain the President wants to get a strong TPP agreement passed as soon as possible. I personally share that goal, but Congress has a history of taking the time necessary to consider and pass trade agreements, and the process set out under TPA demands that we do so. Despite a number of claims to the contrary, Congress does not rubberstamp trade agreements, and we will not do so in this instance. Congress cannot and will not cede the process. With an agreement of this significance, we must be more vigilant, more deliberative, and more accountable than ever before. We need to take the necessary time to carefully review the agreement and engage in a meaningful dialogue with the administration.

If that occurs and if the administration is prepared to engage with our TPP partners to address new concerns, I am confident the TPP agreement can be successfully approved by Congress. That may take more time than some would like, but the process of achieving favorable outcomes in international trade is a marathon, not a sprint. There are no shortcuts. To get this done, we have to do the work and lay a strong foundation in Congress.

As I have said many times, the TPP is an extremely important agreement, and we need to get it done, but given that importance, we need to focus more on getting it right than getting it done fast.

Mr. President, millions of Americans depend on coal energy to heat their homes, power their electronics, and keep their businesses running. Coal is an indispensable part of America’s energy portfolio. It accounts for nearly one-third of U.S. energy production and generates half of all our electricity today. Quite literally, coal keeps the lights on, but the Obama administration’s war on coal could pull the plug on an industry essential to our energy needs.

America’s coal miners have no greater antagonist than their own President. Ever since President Obama took office, he has been the bane of the coal industry. Mr. President, your administration has not just undermined coal producers, subjecting them to onerous, job-destroying regulations that threaten our economic future. The administration’s recently announced decision to halt coal leasing on Federal lands is just the latest assault in a calculated campaign to cripple the coal industry.

The President’s moratorium on new coal leases undermines our ability to produce one of the least expensive and most reliable fuel sources at our disposal. The long-term consequences of this rule will be disastrous not only for coal companies and all of their employees but for any industry that depends on coal for its energy needs.

Beyond the economic costs of this extraordinary action, consider the human toll. The U.S. coal industry directly employs more than 130,000 people. These individuals are more than a mere statistic. They are real people with mortgages, car payments, and children to feed. They are honest men and women who work very hard and who will be affected by the moratorium.

Sadly, the President’s moratorium puts their jobs in danger. As the junior Senator from Wyoming observed, the administration’s action effectively hands a pink slip to thousands of hard-working individuals across the Mountain West who work in coal production. As Members of the legislative branch, we have a constitutional duty to check Executive overreach. With the amendment I have introduced, we have the opportunity to rein in the President’s actions and protect hard-working American families from overly burdensome Federal regulations.

My amendment respects the authority of Congress in this matter by prohibiting the Secretary of the Interior from halting coal leases on Federal land without congressional approval. It also requires the Secretary to begin leasing Federal assets immediately pursuant to the Mineral Leasing Act of 1920.

If the President wishes to enforce a moratorium on coal leasing, she must first provide a reasonable justification for doing so. To that end, my amendment requires the Secretary to submit to Congress a study demonstrating that a moratorium would not result in a loss of revenue to the Treasury. The study must also examine the potential economic impacts of a moratorium on jobs and industry. Once the House and Senate have had the opportunity to review this study in full, the Department of the Interior may suspend coal leases on Federal lands if and only if Congress approves the action.

Mr. President, my amendment not only protects middle-class Americans from harmful government regulations, it also rightly restrains the President and his abuse of Executive power by restoring authority to the duly-elected Members of Congress, not unelected bureaucracies. I strongly urge my colleagues to support this amendment as we continue consideration of the legislation at hand.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, I want to talk again about the complete disaster, the catastrophe that has befallen a community in Michigan called Flint, MI, through no fault of their own.

We assume that when we turn on the faucet, we can make coffee, take a shower, make breakfast, take care of our children or our grandchildren, and that we are going to have safe, clean water. That has been a basic right in America. If you own a business, a restaurant, you assume you are going to be able to turn on the water and make the food and serve your customers. If you are a barber, you can turn on the
faucet and clean water comes out. That is basic in our country.

For 100,000 people in Flint, MI, the dignity of being able to turn on a fa-
cuet and have clean water has been ripped away. It started 20 months ago. They said that water did not look right. They were told the water was safe. Finally, we are told it was not safe. People told them that somehow this brown water that smelled was safe—clearly not.

We now know that about 9,000 chil-
dren under the age of 6 have been ex-
posed in some cases to astronomical lead levels. There was one story about a home that was tested where the lead levels were higher than a nuclear waste dump. How would you feel if that were your house and somebody told you your children had been exposed to that? I can only imagine. I know how I would feel.

A little while ago I met with some pastors from Flint who are here desper-
ately trying to get beyond this. They don’t want partisan games; they don’t want political fighting; they just want some help. They said: We are not interested in the back-and-forth of all this; we just want clean water, and we want to be able to provide good nutrition for these children who are already impacted.

The scary thing about this lead is that it stays in your body forever. I am learning more about lead than I ever wanted to know, and one of the things we know is that it does not go away. There is no magic pill. It is nutrition, so you have to give them more iron and milk and calcium and vitamins. There is a whole range of things I am working on now. I am grateful for the support from the Department of Agriculture to help us do that.

We have too many children—if any-
one saw Time magazine—we have chil-
dren with rashes, babies, people losing their hair. I met with pastors, and after I had met with another group of citizens from Flint: moms who are try-
ing to figure out a way to avoid mixing this water with their baby formula. I had been told by the Michigan State department of WIC that they were giving ready-to-feed formula, and I just met with a group of moms who said that was not true.

We are talking about children whose brains are being developed and right now whose futures are being snatched away. They didn’t cause it. Their moms didn’t cause it. Their dads didn’t cause it. Others caused it, and we can debate who that is. I am happy to have that discussion. Right now I just want to help those people.

I want people to see the people of Flint. They have not been seen or heard on this issue for almost 2 years. The folks who were supposed to care, who were supposed to see them, didn’t. We have a chance to say to them: We see you. We hear you. We know that you are America. We know that if there is a catastrophe in Flint, to have the same sense of urgency, of support that we give to other things, such as a fer-
tilizer explosion in West Texas, where we brought in millions of dollars, or hurricanes in Texas and South Caro-
olina—emergency spending, I understand. We all know that something can happen beyond the control of citizens, and there are procedures and reasons. I don’t buy it for a second. I don’t buy it for a second.

When we want to help Americans, we help Americans. That is what we do. It is our job to do those things.

Of the things I now find such an insult, such a slap in the face—I don’t know if this means that folks aren’t—we are still trying to work this out. Mr. President, and I am hopeful that we will so there can be an energy bill. But now there is an amendment that has been filed to pay for helping Flint by taking dollars away from new development of technologies for auto-
mobiles—something Senator Peters and I have been champions of. Back in the Energy and Commerce Committee we got a provision in, when we raised CAFE standards, to support companies to cre-
ate that new technology here in Amer-
ica so the jobs wouldn’t go overseas, they would be here. It is work that has a real direct impact.

Flint is the home of the automobile industry. Flint, MI, is where much of this started, where the middle class started, where the auto industry started. General Motors is still there, although they won’t use the water because it corrodes their auto parts. So they won’t use the water.

But now we are hearing in an amend-
ment for the people of Flint: Well, you aren’t going to get the water. You can either drink the water or have safe water, or you can have a job.

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ment for the people of Flint: Well, you aren’t going to get the water. You can either drink the water or have safe water, or you can have a job.

Senators, we are people that like to get results. We are not into demagoguing about this. Lord knows it is ripe for it. We want to do something that will help the people who need help.
So we are going to continue to do that. We are going to continue to work to try to do that. We are not going to stop, and we are not going to support moving forward until we have something that is a reasonable way that we can all the people of Flint that we have done something to help them.

At this point in time, I can’t look at this child or his mom in the face—or any other children or parents—and not tell them we did everything humanly possible to be able to make sure we could do it quickly as possible to stop using bottled water and be able to actually give their kids a bath, cook for them, and have the dignity of what every one of us has—the gift of clean water, which is a basic in the United States, or should be.

So we are meeting, and we are doing everything we can. We have agreed to cut in half the original request we have asked for. We have agreed to a structure proposed by the Republican majority. We have said we are going to be flexible here, but we are not willing to walk away from Flint. We will not walk away from Flint. Too many people in the State of Michigan have done that for too long, and we are not going to do that. We are going to continue to do everything we can to fix this problem.

If clean water in America is not a basic human right, I don’t know what it is. I hope in the end we are going to be able to stand up and say in a bipartisan basis that what all we are asking for—that we actually do something to fix this problem.

I see that face and the face of other children every night before I go to bed. Every morning when I get up I think about what is happening this morning, what is happening tonight, what is happening tomorrow in Flint. We are going to do everything we can to make sure other people remember and are willing to step up and treat them with the dignity and respect they deserve as American citizens.

Thank you, Mr. President.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. WYDEN. 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. WYDEN. Mr. President, I come to the floor today to talk about the Energy bill and, particularly, a very important and missing part of the Energy bill. But before I turn to that subject, I want to particularly note, with our colleague Senator STABENOW on the floor this afternoon, that I think she is doing extraordinary work on behalf of Flint and the people of Flint. I commend her and also her colleague Senator PETERS for trying to tackle this issue.

It seems almost unconscionable that in this age, when there is all this information and technology at our fingertips, a community is put at risk the way Flint has been put at risk. The idea that innocent children would suffer this way is why it is so important that we move now to address this issue. This is urgent.

There are questions we deal with in the Senate that if we take another few months or a half a year even, Western civilization isn’t going to exactly change. But the challenge and the importance of what Michigan has said is what we know about youngsters—and particularly brain development—if we don’t get there early and we don’t get there quickly, we play catchup ball for years and years to come. Everything we know about neurological development.

My friend knows that my wife and I are parents of small kids. We are so lucky they are healthy and have what a lot of youngsters in Flint aren’t going to have. This is the kinds of problems that my colleague has brought to light here.

I saw one report in the news—it is almost beyond comprehension—that a State nurse told a Flint patient—‘It’s not a few days it is not the end of the world.’ The idea that a health professional—who I guess has been in a number of the national publications—just highlights how important it is that this Congress move, and move now.

My colleague and Senator PETERS, who is also doing a terrific job on this, have indicated there are some procedural and constitutional questions for the Finance Committee which my colleague serves so well. I want her to know I am with her and the people of Flint every step of the way—not just this week and this month. This is going to be a challenge that is going to go on for some time, but I want to appreciate what my colleague is doing. I am with her every step of the way.

Mr. President, I turn now to the Energy bill before us. I also want to commend the chair, Senator MURkowski, and the ranking member, Senator CANTWELL, who have put together a bipartisan bill in the Energy Committee, which is something I know something about because I was the chair of the committee. I think my chairmanship began and ended before we had the opportunity to work more directly with the Presiding Officer, the Senator from Colorado. I look forward to working with him in the committee and very much appreciate our colleagues putting together this important package.

If there is one backdrop to this debate, it is the extraordinary challenge of climate change. In order to meet that challenge and beat back the threat of damage that has climate scientists ringing such loud alarm bells, there are going to have to be some serious changes in energy policy. The legislation in this bipartisan bill moves in that direction, the details of which I intend to get into in a minute.

I do want to first discuss a part of this bill that frankly is missing. It is missing to this debate. This is because the reality is the heart of America’s energy policy is in the Federal Tax Code. The last big energy tax proposal to become law passed in 2008. According to the National Oceanic and Atmospheric Administration, 5 of the 7 hottest years in recorded history have come since then. On the books today is an outdated, clumsy patchwork of energy tax incentives that in my view is anti-innovation and nothing short of a confusing, incomprehensible policy that does our country a disservice at a time when we have these great challenges.

There are 47 different energy tax breaks, and they cost about $125 billion each decade. Some industries—the oil and gas industry in particular—have some certainty about their taxes with permanent provisions. The fact is, renewable energy sources don’t have that certainty. Some technologies get a lot of attention. Others get none. It is a disjointed system that has far outlasted its sell-by date, and it is ripe for simplification.

The amendment Senators CANTWELL, BENNET, and I submitted replaces this tax quilt of wasteful tax subsidies, or what is a basic in the United States, or should be.

The amendment is all about harnessing the market-based power of the private economy to reward clean energy, promote new technologies, and to be ready for the climate change. My view is this Congress ought to be doing everything it can to fight the steady creep toward a hotter climate. When we have legislions
of scientists lining up to warn the American people about the dangers of climate change, and when we have policymakers, business leaders, and investors worldwide saying that clean energy is the 21st century gold rush, this is a bold energy policy transformation. The proposal with Senators BERNSTEIN and CANTWELL ought to become law.

This may not happen in the context of the Energy Policy Modernization Act. I think we will understand the rules of the Senate, but I am very much looking forward to working with my colleagues to build support for this proposal in the days ahead. In my view the lack of tax provisions in this legislation is unfortunate. They ought to be in there. Tax policy is right at the heart of energy policy, but it certainly doesn’t undermine my support for a great deal of what is in the overall package. That includes several provisions I authored and my colleagues and I on this committee include.

One focuses on geothermal energy. It is a proposal that is all about bringing the public and private sectors together to figure out where geothermal has the most potential in getting the projects underway. Another proposal in the package is the Marine and Hydrokinetic Renewable Energy Act, which says that with the right investments and innovations, our oceans, rivers, and lakes ought to be able to power new homes and contribute to the low-carbon economy. Note those words because we talk a lot in the Energy Committee about these issues. My view is there is an awful lot of bipartisan support for a lower carbon economy in this country, particularly one that grows jobs in the private sector, and this legislation does that.

In addition to promoting low-carbon sources of energy, the legislation will help communities be significantly more energy efficient. It will spur the development of a smarter electric grid that cuts waste, stores energy, and helps consumers save money on their utility bill. Finally, it will permanently reauthorize the Land and Water Conservation Fund, and that is my view is a win-win for the rural communities of my State and rural communities across this country. The Land and Water Conservation Fund brings more jobs and more recreation dollars to areas that need an economic boost, and it ensures that future generations of Americans are going to be able to enjoy our treasures for years and years to come.

I noted my concern about help for the city of Flint. I think it is so important that in the days and months ahead, when we come back to talk about important public health legislation—because that is really what this is, a public health crisis—I hope what we will say is we made a start, we made a meaningful start, we made an important step, but also importantly to just delay moving ahead to address these enormous concerns that the families and the children of Flint are dealing with this evening. We have to ensure that this Congress takes action on this public health crisis quickly. I am committed to working with colleagues on both sides of the aisle, and as a member of both the Finance Committee and the Energy Committee I will do whatever it takes to make it happen. I think we need to make this bill bipartisan and bicameral as quickly as possible.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, the Senate is still at work crafting a package of energy legislation that can earn the support of a broad majority and potentially become this body’s first comprehensive energy efficiency legislation since 2007.

This is my 12th weekly call to arms to wake up to the duty we owe our constituents and future generations of Americans, not only to unleash the clean energy solutions that will propel our economy forward but also to stave off the devastating effects of carbon pollution.

I commend Energy Committee Chairwoman MURKOWSKI and her ranking member Senator CANTWELL for bringing us a bipartisan bill that builds upon some of the best ideas of the energy efficiency legislation championed not long ago by Senators SHAHEEN and PORTMAN. According to a report assessing the emissions reductions related to Shaheen-Portman done by the American Council for an Energy-Efficient Economy, the cumulative savings of these provisions would reach around $100 billion over the years 2014 to 2030, along with a reduction of about 650 million metric tons of carbon dioxide emissions over that 15-year period.

While these are welcomed reductions, they are a fraction of what we expect just from the clean energy tax credit extensions that were included in the end-of-year omnibus. Those 5-year incentives for wind and solar will yield cumulative savings of about 5 billion metric tons of CO2. And even then, we are still far from what we need to do to stem our flood of carbon pollution into the atmosphere and oceans.

Last year, the ranking member of the Energy and Natural Resources Committee, Senator CANTWELL, offered an ambitious legislative vision for growing our clean energy economy while tackling the growing climate crisis. Her Energy bill outlines achievable reductions in carbon pollution. It would repeal oil subsidies and level the playing field for clean energy. Estimated carbon reductions under her plan would be 34 percent below 2005 levels by 2025, which would help us achieve our international climate commitment. Our goals in the legislation now before us should be just as ambitious.

Of course, the big polluters always shout that any steps to reduce emissions will invariably hobble the economy. They say that this while they are sitting on an effective subsidy every year, just in the United States, of $700 billion, according to the International Monetary Fund. It really takes nerve to complain while sitting on that big of a public subsidy.

In the bill before us, I was glad to add an amendment with the colleague from Idaho, Senator CRAPO, with the bipartisan support of Senators RISCH, BOOKER, HATCH, KIRK, and DURBIN, to strengthen the development of advanced nuclear energy technologies in partnerships between the government and the private sector. The Holy Grail here is advanced reactors that could actually consume spent fuel from conventional reactors and help us draw down our nuclear waste stockpile.

I know that many of my Republican friends have supported commonsense climate action in the past. Senator MCCAIN ran for President on a strong climate change platform. Senator COLLINS coauthored an important cap-and-dividend bill with Senator CANTWELL. Senator KIRK voted for the Waxman-Markey cap-and-trade bill in the House. Senator FLAKE has written an article in support of a carbon tax that reduces income taxes. And there are more. So I hold out some hope, but it is hard.

There is a whole climate denial apparatus that helps manufacture doubt and deny any action. Industry players controlling this machinery use a well-worn playbook—the same tactics employed by the tobacco industry and the lead industry; Deny the scientific findings about the dangers their product causes, question the results of investigations that are now ongoing into what they knew about climate change and when they knew it.
I have also pressed to have the political contributions of these same polluters made transparent to the American people. The Supreme Court’s awful Citizens United decision flung open the floodgates of corporate spending in our elections, giving wealthy corporate interests the ability to clobber even the most serious efforts of grassroots groups to hold them accountable. This was a severe disadvantage in the Republican nomination process,...

The Koch brothers-backed political juggernaut, Americans for Prosperity, has openly promised to punish candidates who support curbs on carbon pollution. The group’s President said if candidates who support curbs on carbon pollution are the “juggernaut, Americans for Prosperity,” their elections and how they govern will remain in the dark about who was trying to influence their elections and how.

My Republican colleagues have refused to shine the light on this spending, so since that amendment failed, Americans will remain in the dark about who was trying to influence their elections and how.

The Koch brothers—backed political juggernaut, Americans for Prosperity, has openly promised to punish candidates who support curbs on carbon pollution. The group’s President said if candidates who support curbs on carbon pollution are the “juggernaut, Americans for Prosperity,” their elections and how they govern will remain in the dark about who was trying to influence their elections and how.

Unfortunately, a large portion of the funding behind this special interest apparatus is simply not traceable. Money is funneled through organizations that exist just to conceal the donor identity. The biggest identity-laundrying shops are Donors Trust and Donors Capital Fund. Indeed, these are by far the biggest sources of funding in the network or web of climate-denial front groups. These twin entities reported $1 million or more in revenues from fossil fuel activities to disclose their funding behind this special interest apparatus. Their efforts are meant to delegitimize the honest, unity-based science that supports curbing carbon emissions and to intimidate officials who would dare question this industry. And, regrettably, it is working.

Since Citizens United let loose the threat of limitless dark money into our elections, a shadow has fallen over the Republican side of this Chamber. There is no longer any honest bipartisan debate about climate change. There is now a single serious effort on the Republican side of the Presidential race.

So, anyway, I have submitted the amendment to require companies with $1 million or more in revenues from fossil fuel activities to disclose their hidden spending on electioneering communications, to bring them out of the dark. The amendment is cosponsored by Senators MARKET, DURBIN, SANDERS, SHAHEEN, BALDWIN, LEAHY, MURPHY, BLUMENTHAL, and MENENDEZ.

Corporate and dark money, and particularly fossil fuel money, is now washing through our elections in what one prominent oil company called a “tsunami of slime.” All my amendment would have done is show the American people who is trying to sway their votes from behind the dark money screen. It is a pretty simple idea: Adopt the solution prescribed by the Supreme Court Justices in the Citizens United decision. Moreover, it is an idea the Republicans have over and over again supported in the past. But now that dark money has become the Republican Party’s life support system, all the opinions have changed.

Well, I believe fossil fuel money is polluting our democracy, just as their carbon emissions are polluting our atmosphere. It ought to be 40 time to shine a light on that dark money. In a nutshell, we have been had by the fossil fuel industry, and it is time to wake up.

Mr. President, if I may change topics for a moment, I’ve been thinking about this morning with a number of students from around the country who came in to share with us their concerns about the growing burden of student loan debt in this country, which I would argue has now reached a point of crisis.

Time and again, we tell young people that the path to the American dream runs through a college campus. Young people get this, and they respond to it. They overwhelmingly want to go to college, and they work hard to get there.

But the cost can be more than many students bargain for, especially once they leave school, with a degree or without, and get hit with student loan payments. Latest data shows that, graduating with more debt than ever before. For the past several years, as springtime rolls around and graduates get ready to cross the stage, we hear reports that average debt loads have increased yet again. Each new class seems to set a new record. The average graduating senior in the class of 2014 held $28,950 in student loan debt. Indeed, over the past decade, student loan debt has quadrupled. Total outstanding student loan debt held by 40 million Americans is now over $1.3 trillion. That makes student loans the second highest type of consumer debt after home mortgages. Student loans are more than both credit card debt and car loans. Rhode Islanders alone owe upward of $3.6 billion. Students who graduate from 4-year colleges and universities in Rhode Island emerge with an average of $31,841 in student loan debt.

I asked my colleagues, most of whom graduated many decades ago, can you imagine starting out in your life that deep in the red? This is the reality for so many Americans today. It is the reality for so many Rhode Islanders I have met with.

Tammy is a childcare provider from Warwick, RI. She spoke at a roundtable discussion Senator REED and I held in Rhode Island to hear firsthand about the challenges they face in repaying student loan debt. Tammy has a master’s degree in child development and early childhood education. The original principal balance on her student loan was $43,530.56. But even with a master’s degree in child development and early childhood education, the pay has not been great. We went through that Wall Street-caused financial crisis and now, 16 years later, her balance has grown to $86,000. Instead of making headway on her debt, she slips further into the red.

Danielle from Narragansett, RI, racked up roughly $60,000 in student loan debt between her undergraduate and master’s degrees from the University of Rhode Island. Now, she says, the burden of that debt has “pushed what decisions her son, Talin, is making about his own college education.” But his loans are a heavy burden on his finances. He works a second job on top of his teaching job to help cover his expenses and pay down his loans. His debt is affecting his life decisions about things like marriage or buying a home. Why should becoming a better teacher mean postponing the dreams of adulthood?

Young people should enter the workforce ready to get their lives started—to earn, to create, to invest. College should be a path to opportunity, not a decades-long sentence of debt and instability, not deferred dreams of starting a family or buying a house.

The average age of the Senate today is just over 60, meaning most Senators were in college about 40 years ago. So we have no idea. Between then and now, the cost of college has increased more than 1,400 percent. According to Bloomberg Business, from 1978, when the records began, through 2012, the costs have increased by twelvefold—1,120 percent. Going to college in the seventies generally didn’t leave students with insurmountable debt. Today it is a fact of life. We must work not just to stop but to reverse these trends.

It is because of this crisis in college affordability that my Democratic colleagues got together to create the Reducing Education Debt Act, or the RED Act. This important bill would do three vital things:

First, it would allow students to refinance their outstanding student debt
Mr. President, I was on the floor last week, and I spoke about a series of two amendments that I was working with Senator HELLER on, and they are all focused on enhancing energy storage. I thank Senator HELLER for his efforts in so many ways, particularly this bi-partisan effort to improve the Energy bill that is before us. Indeed, earlier this week, we were able to pass one of these amendments, No. 2989, that we introduced together to improve coordination of Department of Energy programs in order to maximize the amount of money that goes toward energy storage research and development.

Let me particularly thank Energy and Natural Resources Committee chairperson Lisa Murkowski and ranking member MARIA CANTWELL for their great efforts overall and particularly for their help in getting the Reed-Heller amendment through. They have done an extraordinary job on this legislation.

As I have indicated, we have two amendments. I have also joined Senator HELLER on another amendment. He is the lead author. This amendment would amend the Public Utility Regulatory Policies Act—aka PURPA, as it is known—to require industry and State regulators to consider energy storage when making their energy efficiency plans. By encouraging energy storage usage by public utilities, we will help expand the reach of this needed technology.

There are many technical, financial, and security benefits to energy storage, including: improving grid utilization by storing and moving low-cost power into higher priced markets, thereby reducing the amount we all pay on our utility bills; increasing the value and the amount of renewable energy in the grid, thereby reducing greenhouse gas emissions; and enhancing the security of the grid, thereby ensuring the access to power in an emergency. We are all each day much more cognizant of the threat not just through natural disasters but through particular cyber intrusions which could affect our energy grid. This would be another way in which we could not only protect ourselves but respond more quickly in the case of any of these natural or manmade disasters.

I want to conclude by again thanking my colleague and friend Senator HELLER and urge our colleagues to work with us in a bi-partisan fashion to adopt this amendment.

With that, Mr. President, I thank you. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the following amendment (No. 3278) was agreed to, as follows:

(Purpose: In the nature of a substitute)

1. Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “United States-Jordan Defense Cooperation Act of 2015”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided $3,046,343,000 in assistance to respond to the Syrian humanitarian crisis, of which nearly $467,000,000 has been provided to the Hashemite Kingdom of Jordan.

(2) As of January 25, 2015, according to the United Nations High Commissioner for Refugees, there were 621,908 registered Syrian refugees in Jordan and 83.8 percent of whom lived outside refugee camps.