

CONTINUING RESOLUTION AND  
WRDA

Mr. MCCONNELL. Mr. President, I would like to call everybody's attention to the House vote that just occurred on the continuing resolution and on the WRDA bill. The continuing resolution passed 326 to 96; 208 Republicans voted for it and 33 voted against it. On the Democratic side, 118 Democrats voted for it and only 63 voted against it.

The WRDA bill passed 360 to 61. Republicans voted for it 222 to 17; Democrats voted for it 138 to 44. The House has clearly—with two overwhelming votes—sent us the last two measures that we need to deal with here before we wrap up this Congress and head home for the holidays.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES  
APPROPRIATIONS ACT, 2016

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany H.R. 2028.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 2028) entitled "An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.", with an amendment.

## MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment on H.R. 2028.

## CLOTURE MOTION

Mr. President, I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to Calendar No. 96, H.R. 2028, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roger F. Wicker, Orrin G. Hatch, Johnny Isakson, John Cornyn, Thad Cochran, Mike Crapo, Pat Roberts, Bill Cassidy, John Hoeven, John Barrasso, Thom Tillis, John Boozman, John Thune, Daniel Coats, Marco Rubio, Roy Blunt.

## MOTION TO CONCUR WITH AMENDMENT NO. 5139

Mr. MCCONNELL. Mr. President, I move to concur on the House amendment to the Senate amendment to H.R. 2028, with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amend-

ment to the Senate amendment to H.R. 2028 with an amendment numbered 5139.

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

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

The amendment is as follows:

At the end add the following:

"This act shall be effective 1 day after enactment."

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the motion to concur with the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 5140 TO AMENDMENT NO. 5139

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 5140 to amendment No. 5139.

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

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

The amendment is as follows:

Strike "1 day" and insert "2 days".

## MOTION TO REFER WITH AMENDMENT NO. 5141

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 2028 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 5141.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message to accompany H.R. 2028 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 5141.

The amendment is as follows:

At the end add the following:

"This act shall be effective 3 days after enactment."

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 5142

Mr. MCCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 5142 to the instructions of the motion to refer the House message to accompany H.R. 2028.

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

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

The amendment is as follows:

Strike "3 days" and insert "4 days".

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 5143 TO AMENDMENT NO. 5142

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 5143 to amendment No. 5142.

The amendment is as follows:

Strike "4" and insert "5".

GEORGE P. KAZEN FEDERAL  
BUILDING AND UNITED STATES  
COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany Calendar No. 65, S. 612.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 612) entitled "An Act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the 'George P. Kazen Federal Building and United States Courthouse'." do pass with an amendment.

## MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to S. 612.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to Calendar No. 65, S. 612, an act to designate the Federal building and the United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse."

James M. Inhofe, Roger F. Wicker, Orrin G. Hatch, Johnny Isakson, John Cornyn, Thad Cochran, Mike Crapo, Pat Roberts, Bill Cassidy, John Hoeven, John Barrasso, Thom Tillis, John Boozman, John Thune, Daniel Coats, Marco Rubio, Mitch McConnell.

## MOTION TO CONCUR WITH AMENDMENT NO. 5144

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to S. 612, with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to concur in the House amendment to S. 612 with an amendment numbered 5144.

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

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

The amendment is as follows:

At the end add the following:

"This act shall be effective 1 day after enactment."

Mr. McCONNELL. I ask for the yeas and nays on the motion to concur with the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5145 TO AMENDMENT NO. 5144

Mr. McCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 5145 to amendment No. 5144.

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

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

The amendment is as follows:

Strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 5146

Mr. McCONNELL. Mr. President, I move to refer the House message on S. 612 to the Committee on Environment and Public Works with instructions to report back forthwith with an amendment numbered 5146.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to refer the House message on S. 612 to the Committee on Environment and Public Works with instructions to report back forthwith with an amendment numbered 5146.

The amendment is as follows:

At the end add the following:

"This act shall be effective 3 days after enactment."

Mr. McCONNELL. Mr. President, I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5147

Mr. McCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 5147 to the instructions of the motion to refer the House message to accompany S. 612.

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

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

The amendment is as follows:

Strike "3 days" and insert "4 days".

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5148 TO AMENDMENT NO. 5147

Mr. McCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 5148 to amendment No. 5147.

The amendment is as follows:

Strike "4" and insert "5".

The PRESIDING OFFICER. The Senator from Wyoming.

TRIBUTE TO DAN COATS

Mr. ENZI. Mr. President, as this session of Congress draws to a close, it provides us with an opportunity to acknowledge and express our appreciation to those Members of the Senate who will be retiring in a few weeks. One of those who will be retiring and will be greatly missed is DAN COATS of Indiana. DAN has had an interesting career and through his more than 15 years in the Senate has made a difference.

He has been a reliable vote for the best interests of his home State and the future of the Nation, and he leaves behind a legacy of which he should be very proud. DAN's first years of service in the Congress began in 1981, when he served in the House of Representatives. He was then appointed to the United States Senate when Dan Quayle was elected Vice President.

He served in the Senate from 1989 to 1999, when his self-imposed term-limit pledge brought to an end his first years in the Senate. It was not long thereafter that DAN was again asked to serve, this time as Ambassador to Germany.

He arrived in Germany and took up his service there just before our Nation experienced the tragic event of September 11. Our relationship with our allies took on prime importance after that, and we were fortunate to have DAN abroad to maintain our strong friendship with the German Government and people.

Several years later, the Indiana Senate seat was open again, and DAN took up the challenge to run again to serve the people of his home State in the Senate. The people of Indiana and our Nation, conservatives and people of

faith, have been fortunate to have DAN to rely on. He has been a steady and dependable force for taking better care of our Nation's finances and keeping a close watch on our security.

Last year, after a great deal of prayer and thought and consideration, DAN did announce that he would not be running for another term in the Senate. It was a decision he made once again with the people of his home State in mind. He has always been determined to have the best representatives in place to serve the people of Indiana and address those issues that most concerned him.

With that in mind, DAN announced that he believed "the time has come to pass this demanding job to the next generation of leaders." We will miss DAN. We will miss his background and experience. We will miss his reasonable, appropriate, and well-timed comments and his ability to get results. I look forward to his next challenge or adventure and know he will continue to look out for what is best for our Nation and our people.

DAN has been a great source of strength and support for our party and he will be missed. To you, DAN, Diana and I join in sending our best wishes and our appreciation to you and Marsha. Together, you have been great examples of the importance of public service. The organization you founded, the Foundation for American Renewal, and the Project for American Renewal that you created have helped you to focus on and work toward solutions to many of our problems.

That is also a part of our legacy and why you will continue to receive the recognition you deserve. You have also been a part of a number of community and volunteer organizations. For these and so many more reasons, we thank you and Marsha for devoting so much of your life to making our Nation a better place to live. You certainly achieved that goal and we wish you both the best.

TRIBUTE TO BARBARA MIKULSKI

Mr. President, I also want to take some time today to speak about the senior Senator from Maryland, BARBARA MIKULSKI. In the years to come, Senator MIKULSKI will be known for a lot of things that made her years of service to the people of Maryland quite remarkable. It will always be mentioned that she has been the longest serving woman in the history of the United States Congress.

Although that is important, Senator MIKULSKI did not come to Washington to see how long she could stay. She came here to see how much of a difference she could make. In the end, she served for so many years because of what she was able to do with her time in the House and then in the Senate. The people of Maryland have such a strong affection for Senator MIKULSKI because they always felt like she was one of them. She never lost touch with the people back home.

Her family name was well known to the people in her neighborhood because

her parents ran a grocery store. Every morning they opened their store early so people could stop by to pick up something before they headed off to work.

In that, and so many other ways, her family played an important role in the day-to-day life of their neighborhood and her neighbors never forgot that. When the opportunity came for Senator MIKULSKI to run for a seat in the House representing Baltimore, she didn't hesitate. She took her case to the people and they liked what they heard. She won what was to be the first of a long series of elections, each of which she won easily and impressively.

Senator MIKULSKI has a number of interests, and one of the things I am sure she enjoyed about Congress has been her ability to take up a number of those issues to make a difference in people's lives. In everything she has done, she has always found a way to help the people back home. A key example of that is her fight over "the road." The battle dates back to 1966 when BARBARA was a social worker in Baltimore. The city council proposed building a highway to connect downtown Baltimore to its suburbs, a plan that BARBARA worried would cause Polish Americans, African Americans, and lower income residents to lose their homes. As is her way, BARBARA sprung to action by forming a community group of opposition. The road was blocked. BARBARA wound up on the city council, and the area where the road was supposed to be built is now one of Baltimore's biggest draws.

As far as her work in the Senate goes, one of her many legislative victories that I will long remember is work she did on something that came to be known as Rosa's Law. Rosa was a 9-year-old young lady who was diagnosed with Down syndrome. Her mother was well aware of what a hurtful label things like "mental retardation" and "mentally retarded" were to those who saw them in the Federal laws that were written to help them. BARBARA knew there was only one solution to this problem and that was to eliminate those terms from Federal law.

I was pleased to be able to help in the effort to pass that bill, seeing how much it meant not only to Rosa and her family but to Senator BARBARA MIKULSKI. Our work on that bill will stay with me and will be a reminder of the reason we work so hard to pass legislation and answer the needs of the people back home.

In the end, it is all about making lives better. That is something BARBARA has done every day of her service in Congress. As the longest serving woman in Congress, she has continued to earn the title of "Dean of Senate Women." She has been a mentor and source of good advice to her colleagues who appreciated being able to ask for her opinion and her guidance on their work on the Senate.

She certainly helped me when I was a new Senator and was advocating for

low-income housing in Jackson, one of the rich areas of our State. With her support, we got that done and made sure there was a mix in the community of different occupations and people.

Her reputation has been to not only help the Members of the Senate with whom she has served, it also helped serve to encourage the women of Maryland to get active and involved in the work that must be done to make her home State and our Nation better places to live. In a very real sense, her leadership skills have inspired the next generation of Maryland's leaders.

Now Senator MIKULSKI is leaving the Senate after having made a difference and leaving her mark on the history of Congress. One of the key things she will be remembered for is her tireless support of NIH. I know they will miss her and her commitment to the principles and values that guided her through her career, from her service on the Baltimore City Council to her work in the House of Representatives and then the Senate. She made a difference everywhere she served. For that reason and for many more, she will never be forgotten.

My wife Diana and I join in sending our best wishes to Senator MIKULSKI for her years of service. Now that her Senate adventure has come to an end, she will undoubtedly come up with more challenges to pursue in the years to come. I am hoping these plans might include a followup to her mystery novel that was set in the Senate. We are looking forward to seeing what the next chapter of her life may include.

Good luck to these fellow Senators.

#### TRIBUTE TO HARRY REID

Mr. President, at the end of each Congress, the Senate tradition is to pause for a moment to share our thoughts about those Senators who will be retiring when the final gavel brings the session to a close. One of those senators who will be leaving the Senate is HARRY REID. Senator REID is quite a remarkable individual, and his story should be read and considered by students of government and history—of all ages.

Over the years, I have spent some time with HARRY at prayer breakfasts and listened to his reflections on his life—personally and politically. He has lived a life that few would ever believe to be possible.

HARRY makes for a great example of how to take your life and make the most of it. He was born in a small cabin that offered few of life's comforts, but he didn't complain about it. He took what he was given in life and worked to make things better.

As a young man, he served as the student body president of his high school and drew the notice of his teachers and his boxing coach. He attended Utah State University, and his next stop was George Washington University—my alma mater—where he worked to earn a law degree. To make that possible, HARRY needed a job, and so he worked as a U.S. Capitol Police officer. HARRY

then returned home to Nevada and took up what would be his lifelong ambition, serving the people of his home State.

It wasn't long before HARRY had served in Nevada's State legislature and on the Nevada Gaming Commission. When the opportunity presented itself, he served in the House and then moved on to the Senate.

He didn't win every election, but each disappointment only served to make him more determined to make a difference for the people of his State. His statistics are impressive—more than 30 years in Congress, serving under five Presidents, and being a part of both the minority and majority. And all the time, HARRY has found ways to pursue and support agendas to benefit the people of Nevada.

One of my favorite memories will always be the work HARRY, and I did to enable the LDS Church to purchase a site that has a great deal of historic significance to them. The legislation had already passed the House, but was stuck in the Senate as some concerns were raised. HARRY knew what he needed to do to make it possible for the bill to clear the Senate, and together, we figured out a way to make it happen. Today Martin's Cove is a popular site that draws large crowds every year.

This is one of those moments most of us thought would never happen. It seemed like HARRY REID would always be in the Senate. He has not only left a remarkable record, he also seems to be the last of an era. I have no doubt those who will take up his position in the years to come will do a good job and get results, but they will never do it "like HARRY did." He will forever stand as a unique mix of personality, character, history, and background.

Diana joins in sending our best wishes to HARRY and his wife, Landra. Together they have been quite a team and have accomplished a great deal. We didn't always agree on the issues, but one thing can be said: If you had a tough battle before you and you needed someone by your side who wouldn't give up until the battle was won, HARRY was the kind of guy you would want in the fight. If you were on the other side of an issue, you would always prefer someone like HARRY would not be opposing you.

Thank you for your service, HARRY. You have left an example that will inspire and encourage others in the years to come. Whenever faced with an impossible task, people will remember you and realize that with some creativity, determination and an understanding of the rules of the Senate, much can be done.

#### TRIBUTE TO BARBARA BOXER

Mr. President, at the end of each Congress, the Senate takes a moment to express our appreciation and acknowledge the efforts of those Members who will be retiring in just a few weeks. This year one of our colleagues who will be returning home is Senator BARBARA BOXER.

BARBARA will be leaving us after a career of over 30 years in the House and Senate. During her service, she has impressed all those with whom she has worked with the strength of her views, her courage, and her determination to fight for the things in which she truly believes. Regardless of the circumstances that drew her into each legislative battle, she has always held true to the principles that have guided her in her life.

For BARBARA, her early career work as a stockbroker soon found her heading to California with her husband after he had completed his work in law school. She then got interested in politics and became a strong voice for the political views of the people who resided in the area she now called home. Her constituents liked what they heard from BARBARA—and the way she expressed her views on the issues and proposals she wanted to work on.

Her style of speaking soon became her trademark in Congress. She has a convincing way of presenting her case, and that is one reason why it was always good to be on her side. She calls it speaking “extremely candid and straight from the shoulders, and not to be mealy-mouthed or waffle.” Anyone who has had a chance to come to know her—or to tackle an issue either with her or opposed to her—knows how accurate that description is.

Right after the tragedy of 9/11, I joined BARBARA as ranking member of the subcommittee she chaired regarding terrorism financing. I was proud to join her in that work, and I have appreciated the significant role she has played on a number of highway bills, which are important to both of our home states.

Over the years, there have been some other issues that we could discuss and work on with an eye towards compromise. For each of us, however, there were other issues that were of such importance to our constituents it would have been hard for either of us to move too far from the path that we had been following from our early days in politics.

BARBARA and I both have a strong touch of the West in our hearts that we express every day in everything we do. That is why I was not surprised when she mentioned as she spoke about her retirement that she felt that it was time for her to return home—as she said so well—“to the state I love so much, California.”

BARBARA, Diana joins me in sending our congratulations for your hard work and your dedication to your home State. You have left your mark here in Congress, and I think it is safe to say you will not be forgotten. Thanks again for your willingness to serve and work so hard for what you believe in. You have helped to encourage and inspire the next generation of leaders from your State. In that way and so many others, you have made a difference.

#### TRIBUTE TO MARK KIRK

Mr. President, when the current Congress is brought to a close with the banging of the gavel, several Members will be departing our Senate community. Whatever they will be doing after closing this chapter of their lives, we wish them well and share with them our great appreciation for their willingness to serve and make a difference over the years.

MARK KIRK, one of our current senators from Illinois, has left a mark on the Congress that will not soon be forgotten. He has served with great distinction, and he has made a difference in the Senate.

MARK's time in Washington began when the people of Illinois voted to send him to the House of Representatives. He represented their interests in that Chamber from 2001–2010. In 2010, MARK ran for and won an open Senate seat. When he was sworn in, he brought with him what had earned him the trust and support of the people back home throughout his years in the House—an independent streak and an open mind to everything that drew his interest and captured his attention.

The statistics of the past 6 years bear that out. Whatever came before the Senate gave MARK reason to review each issue considering the best interests of the people of his state. He wasn't always found exclusively on one side of the aisle or the other when it came time to vote.

During his years of service in the Senate, two issues that particularly drew his attention were Iran and the treatment of our Nation's veterans. MARK has been focused on Iran and what our Nation should be doing to ensure that Iran's threat to the Middle East and other nations is minimized. He has been tireless in keeping watch over their potential nuclear program. As chairman of the Appropriations Subcommittee on Military Construction and Veterans Affairs, MARK has focused on ensuring that those veterans who retired from duty with medical issues have received the care they needed to recover and live better, more healthful lives. This was an interest that stemmed from his service in the Navy Reserve from 1989–2013 and is yet another way for MARK to make a difference in the lives of those who had served our nation.

Before I close, I must recognize the challenge MARK overcame by recovering from a stroke during his Senate service. It was a long and difficult road back to the Senate so he could again represent the people of his home State, but MARK persevered. All told, it took him a year before he was strong enough to return to Washington on a permanent basis.

One moment I will always remember is the day he came back to the Senate, walking the steps with Vice President JOE BIDEN and West Virginia Senator JOE MANCHIN. The courage, determination and step by step success MARK made in achieving another difficult

goal could not have been more clear to those of us who watched him climb the stairs.

The stroke that affected him physically also had an impact on his personal outlook on life. When he was able, he wrote of his experience, “I was once a pessimist. I'm not that man anymore. And that change, brought about by misfortune, is the best thing that ever happened to me.”

I have enjoyed the opportunity to come to know MARK over his Washington years, and I wish he were going to stay with us so we could continue to follow his life as he works on his goals, dreams, ambitions, and efforts to keep us safe.

MARK, Diana joins me in sending our best wishes and our appreciation for your willingness to serve. You have a record of which you should be very proud—just as proud as we are of you. You leave having made a difference far beyond your years of service.

#### TRIBUTE TO KELLY AYOTTE

Mr. President, at the end of each Congress, it is a tradition for the Senate to pause for a moment to acknowledge and express our appreciation for the service of each Senator who will not be returning for the next session. One of those we will miss next year will be KELLY AYOTTE of New Hampshire.

During the past 6 years, those of us who had a chance to come to know and work with KELLY have been impressed with her dedication to the people of her home State, her involvement with the issues of concern to them, and her willingness to work with members on both sides of the aisle to find solutions to the problems and concerns of the people of New Hampshire and America.

There were at least three key steps that brought KELLY to the Senate after she earned her law degree from Villanova. First, she spent a year clerking for the New Hampshire Supreme Court. Then she spent the next part of her career in private practice. The third step brought her into the State attorney general's office and then on to serve as New Hampshire's attorney general. When Senator Judd Gregg announced his retirement, KELLY knew the time was right for her to pursue another goal. She decided to run for the Senate.

It wasn't easy, but those who doubted her underestimated KELLY's innate political sense and her ability to reach the people of New Hampshire. In the end she brought about a closely fought but well-earned victory in the primary and a big win in the general election.

KELLY came to Washington in 2010 and started working right away on a number of issues that she knew were a concern to the people back home. She made it clear that she would fight for what was best for the people of her home State and worked hard on national security, veterans issues, health care, and substance abuse. She has also been a tireless advocate and an outstanding partner for me on the Budget Committee.

I am sad to see KELLY leave the Senate at the end of this year, but if her past is any indication of her future, I think she will make good use of her talents, abilities, background, knowledge, and experience in her future endeavors. I hope it is in some part of our government. There is no doubt that we need good people like KELLY to make this a better country for us all.

I have a prediction to make about her future—we haven't seen the last of KELLY AYOTTE. She has a lot more to give, and I think we are all looking forward to seeing it.

KELLY, Diana joins me in sending our best wishes to you and your family, and our appreciation for your willingness to serve New Hampshire and the Nation. There are countless sayings about how politics isn't for anyone but the brave and the resilient. I think your experience, especially this past year, has shown that you are more than tough enough for any career challenge. Good luck in whatever you choose to do next. Clearly, you specialize in making the world a better place and that is a win/win for us all—especially our children and grandchildren.

#### TRIBUTE TO DAVID VITTER

Mr. President, each year at the end of the Congress, it has been a tradition for the Senate to pause for a moment to express our appreciation for the service of those Members who will be retiring. One of those who will be leaving this year is DAVID VITTER.

DAVID will be a loss for my party's membership in the next Congress because he was a hard worker and we could always count on him for his support of our conservative positions. Simply put, he made the most of the terms he served and made an important difference on a number of issues.

Over the years, DAVID would study each bill in Committee and on the floor carefully to determine how those who would fall under its provisions would be affected. He had a good sense of what needed to be strengthened or tweaked to make legislation more effective and less costly. The people of Louisiana and the Nation have had a friend in him, and they greatly appreciated how well he looked out for them.

One issue that drew DAVID's and my attention was Obamacare. We both had a lot of concerns about how it would work and whether or not it would provide the kind of care its supporters promised. That is one of the reasons why I hate to see him leave. We have a lot of work to do on health care, and DAVID would have been someone who could help with the heavy lifting.

DAVID also chaired the Small Business Committee in this Congress and was able to put forward some ideas to preserve jobs and businesses. I have been proud to work with him in that effort.

In short, Senator VITTER has had a remarkable career and has done his best to serve the people of his State and champion the issues that were of importance to them.

Now DAVID has decided to end his Senate career and take on some new challenges. I have no doubt that his skills and his background will lead him down a new path to help the people of Louisiana. I wish him well and look forward to seeing what he will do.

DAVID, Diana joins me in sending our best wishes and our appreciation for your service, as well as that of your family. Together with Wendy, you were able to make a difference that will last for a long time in the Senate and in Louisiana. It is good to know you won't be far away and we can get in touch with you whenever we need your advice.

#### TRIBUTE TO VICE PRESIDENT JOE BIDEN

Mr. President, today I wish to recognize the service of a former colleague and our current Vice President, JOE BIDEN.

JOE was born in Pennsylvania, but moved with his family to Delaware when he was 13. He left Delaware for brief stints at St. Helena School and Syracuse University Law School, but he has always returned to Delaware, including the daily trips he made home during his Senate career and the regular trips he makes home to this day.

Because of his devotion to Delaware, JOE quickly got his start in politics, first on the New Castle County Council and then in the U.S. Senate, where he became the fifth-youngest U.S. Senator in history in 1972. He also has the distinction of being Delaware's longest serving Senator.

I worked with JOE on many different issues during his time in the Senate and served on the Foreign Relations Committee when he was our Chairman. JOE is known as a foreign affairs expert, and he has many reasons to be proud of the work he's done in that area. One of those things that we worked on together was the President's Emergency Plan for AIDS Relief.

I remember being at the 2003 State of the Union speech when President Bush said, "We're going to put \$15 billion into an AIDS effort." That shocked all of us who were there. It was a lot of money. But we worked together to develop a bill that passed the House and Senate unanimously.

JOE managed the floor when we reauthorized that program in 2008, and we worked with Senators Coburn, BURR, and Lugar to develop that reauthorization. At the time, JOE suggested historians will regard PEPFAR as President Bush's "single finest hour," and I tend to agree. A few years ago, I visited the Kasisi Orphanage in Zambia. We were told that before PEPFAR, they had to bury 18 kids a month that died of AIDS, but because of PEPFAR, they got that down to one a month. I know JOE shares my pride in the difference that program is making.

We were all a little sad to see JOE move to the White House in 2009, when he became our 47th Vice President. Lucky for us, he has been able to keep his ties to the Senate in his role as President of this body, and I think he

has been one of our best partners in the administration.

All of us were glad to be able to honor JOE and his son, Beau Biden, by naming the cancer section of 21st Century Cures Act after Beau. I expect JOE will continue to be a voice for ending cancer, and I hope to work with him towards that cause.

JOE, Diana and I send our best to you, Jill and your family. You have served the people of Delaware and the people of the United States with distinction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine

#### SENIORS&SAFE ACT

Ms. COLLINS. Mr. President, at the end of a Congress, we all know how easy it is for just one Senator to block a bill. I rise today to express my great disappointment that we have been unable to overcome objections from just one Senator from the other side of the aisle who is blocking the passage of legislation called the SeniorSafe Act that is designed to help protect our seniors from financial fraud and exploitation. This is a bill I introduced with my colleague, Senator CLAIRE McCASKILL, as a result of extensive hearings and investigations that we have conducted in the Senate Aging Committee. A companion bill passed the House on a voice vote.

Nationally, as many as 5 million seniors may be victims of financial abuse annually. Stopping this tsunami of fraud has been one of the top priorities of the Senate Aging Committee.

In the many hearings we have held on this issue, what we found is that scammers seek to gain the trust and active cooperation of their victims, who are usually older Americans. Without that trust and cooperation, their schemes would fail. Unfortunately, seniors often do not see the red flags that signal that fraud is likely involved in these sophisticated schemes. Sometimes seniors are simply too nice, too trusting. In other sad cases, they may suffer from diminished capacity. But just as often, they miss these flags because the swindlers who prey upon them are extremely crafty and they know how to sound convincing. Any of us who have received these calls at home know how persuasive and persistent these con artists can be.

Whatever the reason, a warning sign that can slip by a victim might trigger a second look by a financial services representative who is trained to spot common scams and who knows enough about a senior's habits to question a transaction that just doesn't look right. In our work on the Senate Aging Committee, we have heard of so many cases where an alert bank teller or credit union employee on the frontlines has stopped a financial fraud in its tracks, saving seniors untold thousands of dollars. In fact, the Government Accountability Office estimates that our seniors lose an astonishing \$2.9 billion a year to this kind of fraud,

and that is probably the tip of the iceberg because many times this fraud is never reported.

I will give an example. Earlier this year, an attorney in the small coastal city of Belfast, ME, was sentenced to 30 months in prison for bilking two older female clients out of nearly half a million dollars over the course of several years. The lawyer's brazen theft was uncovered when a local bank teller noticed that he was writing large checks to himself from his clients' accounts. When confronted by authorities, he offered excuses that the prosecutor later described as "breathtaking." For example, he put one of his clients into a nursing home to recover from a temporary medical condition and then managed to keep her there for 4 years until the theft of her funds came to light. In the meantime, he submitted bills for services, sometimes totaling \$20,000 a month, including charging her \$250 per hour for 6 to 7 hours to check on her house, which was a 1-minute drive from his office.

Financial institutions are in a critical position to check these fraudsters. If properly trained, employees can be the first line of defense. Regrettably, certain laws can inadvertently impede efforts to protect seniors because financial institutions that report suspected fraud can be exposed to lawsuits. Our bill, the SeniorSafe Act, encourages financial institutions to train their employees and shields them from lawsuits for making good-faith, reasonable reports of potential fraud to the proper authorities.

As Jaye Martin, the head of Maine Legal Services for the Elderly, put it in a letter describing her support for the Collins-McCaskill bill, "In a landscape that includes family members who often wish to keep exploitation from coming to light because they are perpetrating the exploitation, the risk of facing potential nuisance or false complaints over privacy violations is all too real."

This is a barrier that must be removed so that financial institutions will act immediately to make a report to the proper authorities upon forming a reasonable belief that exploitation is occurring. These professionals are on the frontlines in the fight against elder financial exploitation and are often the only ones in a position to stop the exploitation before it is too late.

Mr. President, I ask unanimous consent to have printed in the RECORD the full letter from Ms. Martin immediately following my remarks.

Our bipartisan bill is based on the State of Maine's innovative SeniorSafe Program. It has been a collaborative effort by my State's regulators, financial institutions, and legal organizations to educate bank and credit union employees on how to identify and help stop the exploitation of older Mainers. It was pioneered by Maine's securities administrator, Judith Shaw, and it has led to a significant increase in reports of suspected senior financial exploitation and fraud.

The Maine program also serves as a template for model legislation developed for adoption by the North American Securities Administrators Administration, which is known as NASAA. The SeniorSafe Act and this model State legislation are complementary efforts, and I am very pleased that the association of securities administrators has endorsed our bill.

As I mentioned, the House Financial Services Committee approved our companion bill by a vote of 59 to 0 in June, and it passed the House by a voice vote in July. The Senate bill is sponsored by a quarter of the Members of this body, balanced nearly evenly on both sides of the aisle, and has the support of a wide range of stakeholders looking out for the interests of consumers, including the securities administrators whom I have already mentioned, the Conference of State Bank Supervisors, and the National Association of Insurance Commissioners. These are all regulators who are looking out for our consumers.

Mr. President, I ask unanimous consent to have printed in the RECORD these letters of endorsement immediately following my remarks.

Under our bill, liability protections are only provided for good-faith, reasonable reports of suspected fraud.

The legal obstacles facing financial institutions that report this kind of suspected fraud and abuse are not limited to just privacy laws because these institutions have also been threatened with claims such as breach of contract, bad faith, slander, unfair practices, and even harassment. As one compliance officer for one of my community banks put it, without this kind of immunity for good-faith reporting, small community banks will face the "freeze effect" and won't make reports that could help to protect our seniors; thus, "the effectiveness of SeniorSafe will be undercut."

I just cannot believe we cannot clear this commonsense bill for the President's signature when it would help so many seniors avoid becoming the victims of financial fraud and abuse, when it is supported by groups like Maine Legal Services for the Elderly, when it has won the support of national organizations of State securities administrators, State insurance commissioners, State bank regulators, when it would make such a difference.

Sadly, because of the objections of just one Senator on the other side of the aisle, we are stymied. That means we will have to start all over again next year. Much needed help for our seniors—that could help them avoid being swindled out of what GAO estimates is almost \$3 billion a year—will have to wait for another day. I just don't understand it.

I have made many good-faith efforts in this regard, but regrettably, because we are at the end of the session, we don't have the time to go through all of the procedural steps that would be needed to pass this bill, which I am

sure, given its broad bipartisan support, would pass overwhelmingly. I hope the Senator in question will reconsider and allow us to send this important bill to the President for his signature.

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

LEGAL SERVICES FOR THE ELDERLY,  
FREE LEGAL HELP FOR MAINE'S  
SENIORS,

December 5, 2016.

Re SeniorSafe (S. 2216).

Senator SUSAN COLLINS,  
Chair, Senate Special Committee on Aging,  
Dirksen Senate Office Building, Wash-  
ington, DC.

DEAR SENATOR COLLINS: I want to thank you for inviting me to speak with the Senate Special Committee on Aging about the serious problem of financial exploitation of seniors by guardians and others in a position of power. I also want to thank you for your leadership in working to ensure there is training of financial institution employees in reporting elder abuse and an improvement in the timely reporting of financial exploitation when it is suspected through passage of the SeniorSafe Act. I strongly support this legislation that is based upon work done here in Maine.

I served for over two years on the working group that developed Maine's SeniorSafe training program for financial institution managers and employees. It is a voluntary training program. Through that work I came to fully appreciate the very real concerns of the financial industry regarding the consequences of violating, or being perceived as violating, the broad range of state and federal privacy laws that apply to their industry. I also came to appreciate that absent broad immunity for reporting of suspected financial exploitation, privacy regulations would continue to be a barrier to good faith reporting of suspected financial exploitation. In a landscape that includes family members who often wish to keep exploitation from coming to light because they are perpetrating the exploitation, the risk of facing potential nuisance or false complaints over privacy violations is all too real.

This is a barrier that must be removed so that financial institution employees will act immediately to make a report to the proper authorities upon forming a reasonable belief that exploitation is occurring. These professionals are on the front lines in the light against elder financial exploitation and are often the only ones in a position to stop exploitation before it is too late.

I want to add that tying the grant of immunity to required training for not just supervisors, compliance officers, and legal advisors, but to all who come in contact with seniors as a part of their regular duties, will have the direct result of bringing more cases of exploitation to the timely attention of the proper authorities because it will significantly increase the knowledge and awareness in the industry of the red flags for elder abuse. In Maine, where our training program is entirely voluntary and carries no legal status or benefit, we have already seen what a difference training can make.

SeniorSafe is a much needed step in the fight against financial exploitation of seniors and there is no doubt it will make our nation's seniors safer. I thank you again for your leadership in this important area.

Sincerely,

JAYE L. MARTIN,  
Executive Director.



NORTH AMERICAN SECURITIES  
ADMINISTRATORS ASSOCIATION, INC.,  
Washington, DC, October 27, 2015.

*Re the SeniorSafe Act of 2015.*

Senator SUSAN COLLINS,  
Chairman, Senate Special Committee on Aging,  
Dirksen Senate Office Building, Wash-  
ington, DC.

Senator CLAIRE McCASKILL,  
Ranking Member, Senate Special Committee on  
Aging, Dirksen Senate Office Building,  
Washington, DC.

DEAR CHAIRMAN COLLINS AND RANKING  
MEMBER MCCASKILL: On behalf of the North  
American Securities Administrators Asso-  
ciation ("NASAA"), I'm writing to express  
strong support for your work to better pro-  
tect vulnerable adults from financial exploi-  
tation through the introduction of the  
SeniorSafe Act of 2015. Your legislation will  
better protect seniors by increasing the like-  
lihood that financial exploitation targeting  
the elderly will be identified by financial  
services professionals, and by removing bar-  
riers that might otherwise frustrate the re-  
porting of such exploitation to state securi-  
ties regulators and other appropriate govern-  
mental authorities.

Senior financial exploitation is a difficult  
but critical policy challenge. Many in our  
elderly population are vulnerable due to social  
isolation and distance from family, care-  
giver, and other support networks. Indeed,  
evidence suggests that as many as one out of  
every five citizens over the age of 65 has been  
victimized by a financial fraud. To be suc-  
cessful in combating senior financial exploi-  
tation, state and federal policymakers must  
come together to weave a new safety net for  
our elderly, breaking down barriers to iden-  
tify those who are best positioned to identify  
red flags early on and to encourage reporting  
and referrals to appropriate local, county,  
state, and federal agencies, including law en-  
forcement.

As you know, state securities regulators,  
working within the framework of NASAA,  
are in the late-stages of our own concerted  
effort to bolster protections for elderly in-  
vestors at risk of exploitation, including  
through the development of model legisla-  
tion to be enacted by states to promote re-  
porting of suspected exploitation. While the  
approaches contemplated by the recently an-  
nounced NASAA model legislation and the  
SeniorSafe Act differ in some respects, they  
are complementary efforts, both undertaken  
with the shared goal of protecting seniors by  
increasing the detection and reporting of el-  
derly financial exploitation.

The SeniorSafe Act consists of several es-  
sential features. First, to promote and en-  
courage reporting of suspected elderly finan-  
cial exploitation by financial services profes-  
sionals, who are positioned to identify and  
report "red flags" of potential exploitation,  
the bill would incentivize financial services  
employees to report any suspected exploi-  
tation by making them immune from any  
civil or administrative liability arising from  
such a report, provided that they exercised  
due care, and that they make these reports  
in good faith. Second, in order to better as-  
sure that financial services employees have  
the knowledge and training they require to  
identify "red flags" associated with financial  
exploitation, the bill would require that, as a  
condition of receiving immunity, financial  
institutions undertake to train certain per-  
sonnel regarding the identification and re-  
porting of senior financial exploitation as  
soon as practicable, or within one year.  
Under the bill, employees who would be re-  
quired to receive such training as a condi-  
tion of immunity include supervisory per-  
sonnel; employees who come into contact  
with a senior citizen as a regular part of

their duties; and employees who review or  
approve the financial documents, records, or  
transactions of senior citizens as a part of  
their regular duties.

The benefits of the types of reporting that  
the SeniorSafe Act aims to facilitate and en-  
courage are far-reaching. Elderly Americans  
stand to benefit directly from such report-  
ing, because early detection and reporting  
can minimize their financial losses from ex-  
ploitation, and because improved protection  
of their finances ultimately helps preserve  
their financial independence and their per-  
sonal autonomy. Financial institutions  
stand to benefit, as well, through preserva-  
tion of their reputation, increased commu-  
nity recognition, increased employee satis-  
faction, and decreased uninsured losses.

In conclusion, state securities regulators  
congratulate you for introducing the  
SeniorSafe Act of 2015. We share and support  
the goals of this legislation, and look for-  
ward to working closely with you as the leg-  
islation is considered by the Senate.

Sincerely,

JUDITH M. SHAW,  
NASAA President and Maine  
Securities Administrator.

NAIC & THE CENTER FOR  
INSURANCE POLICY AND RESEARCH,  
September 14, 2016.

*Re Senior Safe Act.*

Chairman SUSAN M. COLLINS,  
U.S. Senate Special Committee on Aging, Dir-  
ksen Senate Office Building, Washington,  
DC.

Ranking Member CLAIRE McCASKILL,  
U.S. Senate Special Committee on Aging, Hart  
Senate Office Building, Washington, DC.

DEAR CHAIRMAN COLLINS AND RANKING  
MEMBER MCCASKILL: On behalf of the Na-  
tional Association of Insurance Commis-  
sioners (NAIC), which represents the chief  
insurance regulators from the 50 states, the  
District of Columbia, and five U.S. terri-  
tories, we write to express our support for  
the Senior Safe Act and applaud you for your  
leadership to increase identification and re-  
porting of suspected senior financial exploi-  
tation.

It is estimated that older adults in our  
country lose \$2.9 billion annually from finan-  
cial exploitation, and these losses can result  
in a diminished quality of life for those who  
fall victim to such exploitation. State insur-  
ance regulators share your commitment to  
protecting seniors from financial exploi-  
tation. State and federal officials entrusted  
with the responsibility of protecting con-  
sumers must remain vigilant in their over-  
sight. That is why a key component of the  
NAIC's Retirement Security Initiative is en-  
suring consumers have clarity and trans-  
parency into the insurance products they are  
being offered, that the products are suitable  
for their needs, and that bad actors do not  
undermine efforts to address lifetime income  
and retirement security challenges. We look  
forward to continuing to work with you and  
your committee on these important issues.

Thank you again for your efforts to com-  
bat financial exploitation of seniors.

Sincerely,

JOHN M. HUFF,  
NAIC President, Direc-  
tor, Missouri De-  
partment of Insur-  
ance, Financial In-  
stitutions and Pro-  
fessional Registration.

THEODORE K. NICKEL,  
NAIC President-Elect,  
Commissioner, Wis-  
consin Department of  
Insurance.

JULIE MIX MCPHEAK,  
NAIC Vice President,  
Commissioner, Ten-  
nessee Department  
of Commerce and In-  
surance.

ERIC A. CIOPPA,  
NAIC Secretary-Treas-  
urer, Super-  
intendent, Maine  
Department of Pro-  
fessional and Finan-  
cial Regulation, Bu-  
reau of Insurance.

CONFERENCE OF STATE  
BANK SUPERVISORS,  
April 29, 2016.

Senator SUSAN COLLINS,  
Chairwoman, Senate Special Committee on  
Aging, Dirksen Senate Office Building,  
Washington, DC.

Senator CLAIRE McCASKILL,  
Ranking Member, Senate Special Committee on  
Aging, Dirksen Senate Office Building,  
Washington, DC.

DEAR CHAIRWOMAN COLLINS AND RANKING  
MEMBER MCCASKILL: On behalf of the Con-  
ference of State Bank Supervisors (CSBS), I  
write to express strong support for S. 2216,  
the SeniorSafe Act of 2015. State regulators  
are committed to combatting financial abuse  
of elderly residents and believe that S. 2216  
recognizes the contribution of states while  
empowering institutions to reduce financial  
exploitation of the elderly.

State regulators supervise a diverse credit  
ecosystem, are locally-focused, and have a  
unique insight on the consequences of abu-  
sive practices in their communities. State  
banking regulators supervise approximately  
4,850 state-chartered depository institutions,  
representing over 75% of our nation's banks.  
Additionally, most state banking depart-  
ments regulate a variety of non-bank finan-  
cial services providers, including mortgage  
lenders.

Since the 1980s, several states have enacted  
laws to address the abuse, neglect, and finan-  
cial exploitation of their elderly residents.  
These state laws provide immunity for finan-  
cial service professionals to report abuse in  
good faith, contain penalties for failing to  
report or making false reports of elder abuse,  
and combat power of attorney abuse. S. 2216  
recognizes the important work of states and  
creates a consumer protection floor upon  
which states can build.

Financial services professionals are in a  
position of trust and have a unique window  
into the financial condition of seniors. Their  
expertise and vantage point should be lever-  
aged to forcefully combat the growing epi-  
demic of elder abuse.

The SeniorSafe Act incentivizes financial  
services employees to report any suspected  
exploitation by making them immune from  
any civil or administrative liability arising  
from such a report, provided they exercised  
due care and reported in good faith. Addi-  
tionally, to ensure financial services per-  
sonnel have the requisite expertise, the bill  
requires, as a condition of receiving immu-  
nity, that financial institutions train key  
personnel regarding the identification and  
reporting of senior financial exploitation as  
soon as practicable.

Early detection is key to combatting elder  
financial abuse. Not only can it minimize  
losses, but it may be able to prevent abuses  
from occurring in the first place. Moreover,  
this bill can deepen the involvement of fi-  
nancial institutions in their community, en-  
hance the training of financial services per-  
sonnel, and reduce insured losses.

In sum, CSBS strongly supports S. 2216 and looks forward to working with you as the Senate considers this legislation.

Sincerely,

JOHN W. RYAN,  
President and CEO.

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, Senator LEAHY and I are on the floor for the same issue. I defer to Senator LEAHY if he prefers to go first.

The PRESIDING OFFICER. The Senator from Vermont.

#### EB-5 REGIONAL CENTER PROGRAM

Mr. LEAHY. Mr. President, I have been here on the floor before, joined by Senator GRASSLEY, to share my frustration with the EB-5 Regional Center Program. Senator GRASSLEY and I have been working for years to improve this flawed program that is set to expire tomorrow, but, once again, unfortunately, the congressional leadership on the other side has rejected our bipartisan reforms and the program will be extended in the continuing resolution.

We have done this in a way, as has been pointed out, as a Republican and as a Democrat—two of the most senior Members of this body—who have introduced real reforms, but time and again leadership has caved behind closed doors to narrow corporate interests. I believe that is a serious mistake.

The EB-5 Program I once championed seems like a distant memory. The program was designed to bring jobs to underserved rural and distressed urban communities. For some time, it did just that. Communities in Vermont, like Warren and Vergennes, once used EB-5 to create and save jobs during difficult economic times, but that is EB-5 of yesterday.

Today EB-5 is mired in fraud and abuse. It suffers from obvious and outrageous flaws. It is a magnet for fraud, security violations are rampant, and the incentives Congress created to promote investment and create jobs in rural and high unemployment areas—the sole reason I championed the program—have been rendered obsolete through economic gerrymandering.

Only 3 percent of EB-5 investors now invest in rural areas—3 percent. The distinguished senior Senator from Iowa and I understand what a rural area is, and they are not being served. Less than 10 percent invest in true high unemployment areas. Almost every other EB-5 project uses gerrymandering to qualify as distressed, despite many being located in the most affluent areas of the country. The fact that a luxury hotel in Beverly Hills can use gerrymandering to claim it is located in a distressed community is troubling. Beverly Hills is not rural Iowa or rural Vermont, but the fact that this type of abuse now represents almost 90 percent of the entire EB-5 Program is appalling.

Anyone who maintains that today's EB-5 Program is about creating jobs is either a lobbyist for the real estate in-

dustry or is simply not paying attention. An untold number of the luxury developments that now dominate EB-5 would be pursued even if you did not have EB-5 financing. Financing provided through EB-5 represents a small portion of the capital stack. To claim that EB-5 is responsible for all of these jobs is a farce. EB-5 merely allows developers to replace their conventional financing with dirt cheap capital subsidized by the sale of U.S. visas.

It is not just exploited by wealthy American developers. Chinese developers, and even the Chinese Government itself, are now exploiting the EB-5 subsidy. That is beyond troubling when a foreign government is permitted to earn tens of millions of dollars through the sale of U.S. visas.

The proposal I developed with Senator GRASSLEY would address this. It would require background checks. It would require third-party oversight of funds. It would create protections for defrauded investors. It would ban foreign government ownership of an EB-5 company. It would end gerrymandering and provide modest incentives to direct a small portion of investment to underserved areas—just 15 percent to both rural and urban poor communities—but even this was too much for some developers and some lobbyists.

Gluttonous, shortsighted corporate greed blocked these critical reforms, greed that was given a voice by the U.S. Chamber of Commerce. Unfortunately, the leadership has allowed a couple of powerful developers to exploit this program's flaws to derail critical reforms. I find it shameful that the worst abusers of this program have been given, by some in Congress, veto power over its reform.

I commend Secretary Johnson and his efforts to improve EB-5. I commend his efforts to change the rules to address fraud, inadequate investment levels, and the abuse of development incentives.

I will work with the chairmen of the Senate and House Judiciary Committees and the next Secretary of Homeland Security to get these reforms implemented and enforced, but the EB-5 regional Senate program no longer serves the American people's interests. It certainly does not serve the rural and urban poor communities as Congress intended.

Next year, I will be the vice chairman of the Appropriations Committee, and I will continue to press for broad bipartisan reform. I know Senator GRASSLEY and Senator FEINSTEIN, the incoming ranking member of the Judiciary Committee, will not sit idly by either.

If EB-5 cannot be reformed due to the paralysis of leadership, it is very simple. If it cannot be reformed, then let us end EB-5.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I heard my friend and colleague Senator

LEAHY express his opposition, and opposition that I share, to the EB-5 Regional Center Program. I am here for the same purpose, to express the same opposition to the EB-5 Regional Center Program that was extended without reforms. One year ago, we made similar statements. I could easily read the same statement I gave at that time and it would be just as relevant today. We are very disappointed that reforms were not included in the continuing resolution, which simply extended this very flawed immigration program.

The EB-5 Regional Center Program has been plagued by fraud and abuse. It poses significant national security risks. There are serious allegations that the program may be facilitating terrorist travel, economic espionage, money laundering, and investment fraud. Yet considering all of those things, the continuing resolution before us fails to include much needed reforms.

So after a year, we have yet another missed opportunity. The chairs and ranking members of the House and Senate Judiciary Committees have agreed on a package of reforms. We have worked in a bipartisan and bicameral fashion. We have agreed—all four of us—on every aspect. We instituted compliance measures, we instituted background checks, and we instituted transparency provisions. We made sure rural and distressed urban areas benefited from the program, as Congress already intended and as Senator LEAHY very clearly laid out the problems.

Despite the bipartisan support, not a single one of our recommendations will be implemented. Instead of reforming the program, we will have the status quo. The status quo means the following:

Investments can be spent before business plans are approved.

Regional Center operators can charge excessive fees of foreign nationals in addition to their required investments.

None of the jobs created have to be “direct” or verifiable jobs, but rather they are “indirect” and based on estimates, not knowing for sure if there are jobs created or based upon economic modeling—again, not knowing for sure if jobs are created.

Investment funds are not adequately vetted.

Gifts and loans from anyone are acceptable sources of funds from foreign nationals.

There is no prohibition against foreign governments owning and operating regional centers or projects.

Regional centers can be rented or sold without government oversight or approval.

Regional centers don't have to certify that they comply with securities laws. There is no set of sanctions for any violations—in other words, no recourse for the bad actors.

There are no required background checks on anyone associated with these regional centers. The investment level is lower than Congress ever intended.



Gerrymandering continues, and rural and urban distressed areas then lose out.

Site visits or even audits are not required.

There is no transparency on how funds are spent, who is paid, and what investors are told about the projects they are investing in.

The preferential treatment we have seen in the past is enabled without a strict code of conduct rules.

Those are just some of the things that are wrong.

The four of us on the two committees, in a bicameral and bipartisan way, tried to address awareness and have a process for dialogue leading to reform. My committee held two hearings this year. The House held one. Staff met with very interested stakeholders who asked for and we offered more concessions than we did last year. To top it off, we were ready to provide a 6-year reauthorization. This would have provided long-term stability for investors and regional centers.

But let's talk about why this package was not acceptable to some, most notably, the U.S. Chamber of Commerce, which was the most rigid in not compromising. Here is a list of issues raised by this leading voice of business in opposition to our package.

They want, in effect, one investment level. They don't want any meaningful discount for rural or urban distressed areas. Don't forget that this law was passed 20 years ago to help rural and high-unemployment areas. That is the purpose of it.

They don't want visas set aside for areas that Congress selected as targeted employment areas for fear that investors in affluent areas would have to wait slightly longer for a visa.

They didn't want to incentivize foreign investors to fund manufacturing projects that create long-term, sustainable, and real jobs that this country desperately needs.

They wanted to make it harder for rural areas to qualify at a discount investment level, even though it is common knowledge that small and rural communities have a harder time attracting capital.

They wanted certifications and compliance measures to be delegated to the agency. They did not want Congress to dictate transparencies and reporting requirements.

We must remember that our job is to legislate, not to delegate. Delegating authority to the executive branch on this program would result in more of the same, because even by the departments in charge, there is very little oversight and monitoring now, even if it might be required by law. But not enough of it is required by law. That is why they get away with all this stuff.

The Chamber of Commerce didn't like a provision saying a foreign national had to be 18 years old to invest and obtain a green card through the program. They would like children as young as 14 to be able to make these

major financial decisions and invest up to \$1 million—a 14-year-old, to do that.

They wanted restrictions on where investor funds came from lifted. Our package limited a foreign national from taking out a questionable loan or taking gifts from unknown sources. One way to find out what is wrong is to follow the money. We wanted to be sure that those investing were doing so because they obtained funds lawfully. The U.S. Chamber of Commerce wanted no such restrictions.

They wanted foreign governments and even sovereign wealth funds to own EB-5 projects. They wanted to delay rules saying foreign governments could not own or administer regional centers by requiring bureaucratic rulemaking. Despite the changes we made this year on this very strict provision, they continued to want to water it down in every negotiating session we had.

They didn't want regional centers to have to consult with local officials about EB-5 projects to ensure that economic development efforts were coordinated.

They wanted to do away with a requirement that a foreign investor would have to create at least one direct job before obtaining a green card. Now, here we have a situation where a program was instituted 25 years ago to create jobs—particularly in rural America and high unemployment areas—and they don't even want the investors to show that they are going to create at least one job right now.

Then they used economic modeling to show indirect jobs. Neither the existence of those jobs nor the location of those jobs can truly be verified. When you have the Federal Government setting up a program like this that is supposed to create jobs in rural areas and high unemployment areas, wouldn't you think there ought to be a way of showing that those jobs are actually created?

They raise new concerns about provisions that have been discussed way back since last June, such as requiring regional centers to pay a fee to an enforcement and monitoring fund.

They wanted a 3-day notification of a site visit by the agency to determine if the regional center truly exists. Sure, tell the inspectors you are coming so you can get everything in order before the inspectors get there.

They fought efforts to require transparency of how investor funds were used. Now, this is a major problem of the existing program. Nearly every story of fraud relates to how regional center operators use EB-5 funds for their own personal gain and luxury.

This program is meant to create jobs, not to help individuals in charge of the program have personal gain and, more importantly, even the luxury that might go with that.

But the kicker in all of this is that these business interests insist on more visas and to make those visas even cheaper. They want Congress to increase immigration numbers through

controversial recapture mechanisms or by exempting certain people from the annual cap. The pro-EB-5 groups want more visas for an already faulty program, which makes more money and puts more money in their pockets.

On top of that, they asked us to make the visas cheaper than it is even under current law. I, of course, refused to do that. I refuse to go below the \$1 million level that has been in law since 1990. The demand for visas is there. There is no justification to further cheapen this program and the green cards that come with that program.

We will have 5 months until we are faced with another reauthorization because that is how far this continuing resolution goes. In those 5 months, I expect that proposed rules changing the investment level and stopping gerrymandering will be published by the end of the year by the Obama administration, and I will support those proposed rules. I will be asking the new Trump administration to keep those new regulations and build off them.

In regard to the new administration coming in, they took a very strong position on various immigration issues. In taking that position, I would expect them to consider very closely the fraud and misuse of the EB-5 Program. When this administration sees things wrong with it and they correct those things that are wrong with it through regulation, those are regulations that should be backed up very solidly by the new administration coming in.

Next year, we will have to start over again. So as we heard Senator LEAHY speak about this—and we know his feelings and mine are very similar; I have already referred to the House Judiciary Committee—we will continue to work in a bipartisan and bicameral way to ensure this program.

Now, I want to speak about the new ranking member, Senator FEINSTEIN. I intend to continue this work as closely with her as I did with Ranking Member LEAHY, and Ranking Member LEAHY will still be involved in this process. I want to point out that she is not a fan of this program at all, and she has been very vocal about closing this program down because of all the fault we find with it, whether it is fraud, whether it is misuse of the program, whether it is possible terrorist activity taking advantage of it, or whatever it is for national security reasons—all of those. Some of these have been pointed out by law enforcement agencies at the Federal level.

So I want everybody to know that change is coming. I have always wanted to reform the program, but I am not sure that the industry will ever come around. The leadership of this body and the other body could help by ending this program in a continuing resolution. Let it sunset, and let all these people come to the table with a more compromising point of view to correct everything that is wrong here. But the industry loves the status quo and, of course, they love the billions of dollars

that pour into affluent areas. Consequently, the money is not directed where it was intended to in 1990, when this legislation was passed, which was to rural areas and high unemployment areas.

I am not sure, with the attitude of the industry, that reforms are possible. So just leaning on Senator FEINSTEIN a little bit and considering her point of view, it may be time to do away with the program completely.

I said that same thing a year ago, and I repeat: Maybe we should spend our time, our resources, and our efforts in other programs that benefit the American people as opposed to benefiting the well-healed and the well-connected. Maybe it is time this program goes away.

I yield the floor and thank Senator LEAHY for his speaking on it.

The PRESIDING OFFICER. The Senator from Florida.

#### REMEMBERING JOHN GLENN

Mr. NELSON. Mr. President, it is my sad duty to announce the passing of John Glenn.

John Glenn was one of the original seven astronauts of this country. All of them were characterized as having the right stuff, and if you knew any of them, that was certainly true.

John Glenn was not only a pioneering astronaut and a great Senator, he was a first-class gentleman as well as a devoted husband and father.

He leaves behind Annie, his beloved, who always stood with him as he ventured into the unknown cosmos, and it was unknown because John was the first to go into orbit as an American. He paved the way for all the rest of us.

At his passing, America is in the planning and the developing of the rockets that will take us, a human species, all the way to Mars. John Glenn was the pioneer. He was the one who paved the way.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I was a little bit delayed getting to the floor this afternoon because I was in tears, literally, when I heard the news about John. I think of my last long conversation with him just a few weeks ago. I will speak more on the floor about him later.

I came to the Senate with John Glenn. I enjoyed traveling with him, with the anonymity it gave me when people said: there is Colonel Glenn. It was not Senator Glenn, it was Colonel Glenn, even after having been sworn in. We traveled, he and Annie, Marcelle and I, all over the world, but the time I remember the most was the weekend we spent at our old farmhouse in Vermont because they wanted to see the foliage.

We used a seaplane and went flying around, landing in little ponds; taking off, then landing in another one. We went to a trappers convention where everybody was saying, "It is Colonel

Glenn and some bald guy with him," and that was me, of course. We went there and then flew back to Montpelier where Marcelle and Annie had been traveling around. John landed the plane in a stiff crosswind. Of course, the pontoons did not help. He had to bring it in sideways. I did not worry. It was John Glenn. Then he turned to me with a big wink and said: I have never been so frightened flying anything in my life. I do not think John ever was frightened at anything, but my heart did stop.

I will speak more about him on the floor, and I appreciate my friend from Iowa yielding so I could speak.

John was one of the best people I ever served with. When I speak of what it was like coming here as a brand new Senator, every time I am asked about that, I talk about the fact that I came here and was sworn in with John Glenn.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, it is my understanding that I was going to go next. But my distinguished colleague from West Virginia has important visitors—miners, who help fuel our country. So I ask unanimous consent that after he is recognized, I be recognized immediately thereafter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

#### MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, let me say to my dear friend from New Jersey, I appreciate his support so much. He has been right with me from day one, basically for the working men and women of this country but, most importantly, for the miners who have given us the country we have had today.

I have been doing this for quite some time now. It is nothing new. This is not new to anybody. This has not been sprung on somebody at the last minute, what we are fighting for and what we are trying to do.

As of October, we had over 16,000 of our retired miners and a lot of elderly women—widows whose husbands have passed away—who were notified they would be losing their health care benefits December 31 of this year. We have been working for a permanent fix called the Miners Protection Act, and if that bill were brought to the floor today, it would pass. We have all of the Democratic caucus—all 46 of us—and we have at least 15 who have committed to voting for it from our Republican colleagues, but that is not to be. That is not going to happen.

We have been working everything we can. We have gone through regular order. That means it has been to the Finance Committee. It has gone through and been debated and vetted, and it came out of there with an 18-to-8 vote—very strong in a bipartisan way.

Now what do we do? We are not going to get a vote on the floor. We thought,

well, let's attach it. The Cures Act came over, and it is a health care act. It was germane to that bill, and it should fit in perfectly. They said, no, we can't put it in there.

The only thing we have left is what we are doing now, a CR. This is something I have never done. I have been here 6 years and have never used this procedure to say: Wait a minute. If we don't stand for the people who have fought, worked, and died for us and basically given us the country we have—we have won two wars with the domestic energy that has been mined right here in America, an awful lot of it in West Virginia, I might add. We have the strongest country in the world. We are a superpower. That would never have happened. We would never have the military might we have today. We would never have the middle class we have. We just wouldn't have the quality of life we have in America if had not been for the domestic energy our miners have given us.

What we are asking for and all they are saying is this is a promise that was made in 1946 that President Truman said: Listen, we are going to commit to you that every ton of coal mined from this day forward and the coal companies you work for, we are putting money aside to make sure you have lifetime benefits for health care and for your pension.

These are not big, elaborate pension plans. They are very small. They are subsidies, if you will. The health care has been so very important to many people. This has been going on for quite some time, and we have been involved many times. Yes, the Federal Government has been involved to make sure the companies put that money aside so they would have their health care and their pensions.

Then, lo and behold, Congress basically passed bankruptcy laws that let people walk away from their obligations through bankruptcy. Now the promises were made and the promises that were kept by Congress were done away with through the bankruptcy laws that were so lenient that people could declare bankruptcy and say: Listen, I am sorry, but we are just not going to fulfill that commitment. That legacy goes away. That is somebody else's problem.

To fast forward to where we are today and why we have the problems we have, let me bring you up to speed with what we are dealing with. We have asked for the Miners Protection Act, which was the permanent health care fix and a permanent pension fix. These are for the retirees. We have another group of retirees here who have gone through bankruptcy and there was money set aside, about \$47 million. That was supposed to run out in June. We were going to bring all of them together so we took care of everybody.

Now, the bill they put in front of us that the House of Representatives has given us is horrendous and it is inhumane. They gave us a bill and said: Take it or leave it on the CR.

Nobody wants to close this great institution, this government down—not a person. You have to stand for something or surely to God, you will stand for nothing. That is where we find ourselves. They gave us a 4-month extension.

If your aunt or your mother were getting a notice in October that she would lose it in December—they want us now to say: OK. We are going to be so sympathetic, we will give you 4 more months, through April. That same person is now going to get another notification in January that she is going to lose it in April. On top of that, she will not even be able to meet her deductibles. So there is no insurance. There is nothing.

You remember the money I said they set aside, \$47 million, for the miners who basically have gone through a bankruptcy and lost their jobs and retired, they were going through June. Those same miners now are going to lose May and June—2 months. They are going to lose 2 months. There is going to be a \$2 million surplus that goes back to Treasury.

I had one woman call me. She said: Senator MANCHIN, I don't know, but back home where I come from, they call that thievery. She is absolutely correct. This is why we are so committed, and we are so dug in on this issue. It is a fairness. It is the right thing to do. All we have asked for is to take care of our miners' health care. We will come back and fight another day for pensions, but give us the health care that has been promised and committed time after time again.

I have never seen anything this calous in my life, that we weren't willing to fulfill a promise we have made and the Federal Government put its stamp of approval on.

For those who are saying it is inconvenient and the procedures I have been using and my other colleagues with me—I have had everybody, and I appreciate them so much. And for them to say: Hey, you have held up a lot of goods bills—yes, a lot of bills that I have worked on for a year or more I have held up, but if we can't pass forward on this and walk out of here basically knowing we did the right thing, what is our purpose for being here? Why do we come?

We all talk. I have seen everybody's elections. All of our election advertisements, whether they be Democratic or Republican, are we are all for the middle class. We are all for the working class. We are going to make sure the working men and women really get a fair shake. They have been screwed and left behind so let's do it. OK. We are all for that. All of our advertising, our campaigns say that. We are committed to it. The only thing I am saying is now fulfill it. It is either put up or shut up. That is all.

You have already told them, you have asked them to vote for you because of this reason. Now you have a chance to show them that is why you

are here. I came here to do exactly what I told you I was going to do—fight for you, make sure you are treated fairly. We have pay-fors. This is not coming out of taxpayers' money. This is AML—abandoned mine lands. The abandoned mine land money comes from every ton of coal. There is a certain percentage of money from that coal that goes into a fund and that is put aside to do reclamation.

Now, I have some of my Western States that don't have quite the reclamation we have had. In the Eastern part of the country, in West Virginia, Pennsylvania, Ohio, Southwestern Virginia, there is an awful lot of work to be done, and we do that work. We have done this for quite some time. We are saying: Listen, we are not denying you getting your money, but you shouldn't get first dibs on it and then hinder us from taking care of the responsibility we have to the miners who have been giving you the opportunity to live in this great country.

That is really what it comes down to. I have been asking all of my colleagues—this is not a fight that is going to be damaging to anybody. This is the only time-sensitive issue we have before us. There is nothing else we have before us. All of the bills are on hold right now. Not one bill has time sensitivity. We can come back and do it again. We have no problems doing them over and over. We have been here a long time.

This is the only one where the miners lose their health care—16,500 lose it December 31. You show me anything else we have in here where someone is going to be that harmed at a time specific when we walk out of here. That is what this is about. To tell me they are going to give us 4 months and they are doing us a favor for 4 months, that is inhumane. How they did it and paid for it is a crime. It is awful. That is why we are standing here fighting, and that is why I am going to continue to fight.

I think we have a purpose in life. If you have a purpose in life in public service, then serve the public. Don't come here to serve yourself. That is all people have asked for—do your job. You wonder why we have a low rating from the public, why they think so little of Congress. This is common sense. It is so easy for us to do. It is so easy for us to do. It is so easy for us to be able to say: Fine, we are going to fulfill this, and then we have a lot of other things we want to take care of.

That is all we have asked for, and that is all we are asking for now. We can do the right thing between today and tomorrow. We truly can.

Someone said the House has left. I am so sorry they were inconvenienced and had to leave so early to go home for Christmas. You go home and tell the people I live with, the people I was raised with, the people who have taken care of me: I am so sorry. We had to go home for Christmas. I am sorry you are losing your health care December 31. I didn't mean for that to happen, but you know I had to get home for Christmas.

That doesn't play well where I come from. That is not a commitment, and that is not public service. I am so sorry. I hope I have haven't inconvenienced anybody. I hope I haven't made you feel uncomfortable. I hope I haven't held up a bill that you have been working on because I have held up all my bills. No one was left unscathed in this. All we are saying is, for Pete's sake, do the right thing; stand up for this. Stand up for the people who gave us what we have today.

History said if you don't know where you come from, you sure don't know where you are going. If we are not going to stand up for the people who have given us the life we have, I am not sure where we are going. I know one thing. I go home and look them in the eye. I can say I am doing everything I can, and I am going to fight for you. I am willing to take whatever it takes, whatever medicine it takes here, however upset people get with me, however uncomfortable they may be. I am asking: Please, take care of the miners' health care. That is all right now. We will talk about the rest later.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I came to the floor for a different purpose, but I do want to say to my friend and colleague from West Virginia and to those he is fighting for, Senator MANCHIN has been at this in the most constructive way possible, trying to prick the conscience of the Senate to do what is fundamentally right, to help those who help make the country great, help them at their greatest time of need—to simply be able to go to sleep at night not worried that you are one illness or one black lung away from dying.

He has ceded time and time again, asking for regular order. I was very pleased to support Senator MANCHIN as a member of the Senate Finance Committee, where there was a markup and there was a strong vote, and members who were running for reelection got to go home and say we passed it in the Finance Committee. We will take care of it when we come back after the elections.

Well, here we are, and now it is time to put your votes and insist on having the miners' health care taken care of. If I were a miner, I couldn't have anybody better fighting for me. I want those you have been fighting for to know you have been doing it for some time and tenaciously and graciously as well but, nonetheless, with conviction. I strongly support my colleague.

#### IMMIGRATION

Mr. President, I rise, as I have many times before, to discuss the urgent need for the United States to have an immigration system that reflects our values as a nation of immigrants.

Today, in my first floor speech on the subject since Donald Trump won the election, I am deeply troubled by the

fear and panic I hear from our immigrant community, from our young immigrants known as DREAMers and their families to the workers in the field, to those in our restaurant kitchens and our homes.

Their panic is justified and palpable because of the inflammatory remarks made by the President-elect on the campaign trail about immigrants. His campaign promises made it seem as if no immigrant was safe from deportation, even otherwise law-abiding, decent people who came to this country searching for the American dream for themselves and their children. The threat of deportation was heard loud and clear by over 744,000 young, law-abiding immigrants who are American in every way, except for a piece of paper.

These DREAMers were brought to the United States, many as infants or toddlers, for reasons beyond their control or their knowledge. They grew up in America going to school. The only flag they have ever pledged allegiance to is that of the United States. The only national anthem they know is the "Star-Spangled Banner."

The effects of deporting them or their families would be incomprehensible and destructive. The Deferred Action for Childhood Arrivals Program, or DACA, has been a tremendously successful program. It is something I fought for, to allow young men and women to come out of the shadows and step forward to register themselves with our government and make them right. DACA has allowed nearly 800,000 undocumented youth who came to the United States as children to obtain temporary protection from deportation and a 2-year work permit that is renewable. First, they would have to register with the government by handing over their personal information and the information of their immediate families, pass a criminal background check, and pay nearly \$500 in fees, and we said the information would be confidential and not used against them. Now their fears of deportation are justified.

The DACA Program now has the potential of becoming a registry of millions of undocumented immigrants who are now exposed for seeking a better life for themselves and their kids. Let's think about this for a second. These kids came into this country without any notion that they were doing anything wrong. Many of them didn't even know they were undocumented until they tried, for example, to go to college or get a loan for school. We asked them to come out of the shadows, voluntarily turn over their information and the information of their immediate relatives in exchange for protection from deportation, a work permit, and a chance for a better life. As early as next year, once again through no fault of their own, these young immigrants and their families are at risk of losing it all. The human cost is too high to pay. It is a cost measured in the thou-

sands of parents separated from their children who are deported, husbands and wives separated from their spouses, millions of families who are torn apart because of our broken immigration system.

Among his many campaign promises, President-Elect Trump pledged to end the DACA Program. This means that DACA recipients, a group of individuals the U.S. Government has deemed as otherwise model citizens who pose absolutely no threat to our national security, would be at risk for deportation and could no longer continue working legally.

We are here talking about children who have grown up in the United States and attended our schools. Many of them were the valedictorians, salutatorians, and in the top tier of their graduating classes. These are children who serve our communities and were given a chance to be fully integrated into the only country many of them have ever known.

I have listened many times to my colleagues talk about the core of family values, and the essence of that core is a family unit. I have heard that you don't subscribe the sins of the parents to the children, and yet those who are advocates of ending DACA would undo all of those things they have spoken to.

If the DACA Program is dismantled, young immigrants will be stripped of the jobs, education, and forced back into the shadows of our society. In fact, the Center for American Progress finds that ending DACA would cost the United States \$433 billion in gross domestic product over the next 10 years.

Having said that, I am hoping that when President-Elect Trump said on election night, "Now is the time for America to bind the wounds of division"—he later said in an interview that millions of undocumented immigrants are "terrific people." I hope the next administration thinks long and hard about binding the wounds of division. A good start would be a clear and unequivocal message that there will be no mass deportation task force and that the DACA Program will continue, something the President-elect already alluded to this week in an interview with *Time* magazine, saying that "we're going to work something out that's going to make people happy and proud . . . [DREAMers] got brought here at a very young age, they've worked here, they've gone to school here. Some were good students. Some have wonderful jobs. And they're in never-never land because they don't know what's going to happen."

It appears to me that hopefully we are getting to a place where there is universal respect and admiration for DREAMers. This acknowledgement offers a glimmer of hope for a productive way forward, and I hope that is the case.

Let me close by saying the following: I do not intend to sacrifice one set of immigrants for another. Let me be clear about our Nation's immigrants.

It is not just enough to say DREAMers are terrific people. Protecting a temporary program is not enough, although the panic and sense of urgency to protect these young immigrants is justified. It is not enough because the reality is that DREAMers do not exist in a vacuum. They have parents. They have loved ones who have instilled values and work ethic and supported them to pursue an education and reach their full potential to benefit our country. Their parents are also terrific people and so are so many other hard-working immigrants who have lived in this country for years, have obeyed the law, are not criminals, and have integrated themselves into the tapestry of American society. We know them. You have to be blind not to know them. They are sitting next to us in the pew in church. They attend parent-teacher conferences. They are our neighbors. They pick our crops. There isn't a person in this country who isn't beholden to an immigrant worker. They watch our kids. They open businesses. They perform back-breaking work—work we can't get many Americans to do—to keep the gears of this economy turning.

Immigration is not an easy problem to fix, but I think we came close in 2013, when the Senate came together to pass comprehensive immigration reform. I was part of that bipartisan Gang of 8 that produced a bill which passed with strong bipartisan support of nearly three-quarters of this Chamber. That bill is a strong model for reforming our immigration system as we look ahead to the Congress.

The bill, S. 744, addressed the key pillars necessary for a functioning, legal immigration system. It addressed the 11 million undocumented so we can know who is here to pursue the American dream versus who is here to do it harm. It reformed the legal immigration for high- and low-skilled workers. It had strong family reunification provisions, it put DREAMers on a path to citizenship, and it included tough border security measures. The bill, S. 744, wasn't perfect, but it was a significant milestone in our Nation's efforts to truly reform our immigration system.

We must remember what our economy and America needs. Our Nation will be stronger when there is an accountable path to citizenship for the undocumented living in the United States, our borders are secure, employers are held accountable for whom they hire, jobs are filled with qualified and documented workers who contribute to the economy, families are kept together, and we don't have downward pressures by an underground economy against the wages of all other Americans.

With an immigration system as flawed as ours and with so many things still to fix, DACA has been a beacon of hope—one shining light leading the way toward fairness, justice, and a better life for so many young immigrants looking for a chance to succeed in America as Americans.

Yes, abolishing it would be a tragic mistake for an administration seeking to unite what they helped divide. Let me be clear, as I have said all along, we cannot lose sight of our ultimate objective. The only real solution in the end is a permanent legislative solution that doesn't pick winners and losers amongst the most vulnerable in our society. That is why I am pleased to once again see a bipartisan coalition of voices begin to resurface so we can work toward a bipartisan moment to fix our immigration system once and for all because beyond stopping those who wish to turn the clock back on any progress we have made, we still need to implement a functioning legal immigration system for all. We need to make sure we don't take a giant step back and focus our Nation's resources against the most vulnerable, talented, and hardworking.

I have always been and remain committed to solving this problem in a fair, comprehensive manner that reforms our immigration system, and I will continue to work with a bipartisan coalition of voices toward this goal. Our DREAMers, their parents, immigrant families, and our Nation deserve nothing less. Irrelevant of who occupies the White House, I will never stop fighting for those who, like my mother, came to this country in the last century to give their families a chance to contribute to America's exceptionalism in this century.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### INDIANA'S BICENTENNIAL CELEBRATION

Mr. COATS. Mr. President, I am pleased to speak with Senator DONNELLY about a momentous occasion for our beloved home State of Indiana—a celebration of our bicentennial.

On December 11, 1816, President James Madison signed the Indiana Enabling Act, which allowed Indiana to be the 19th State to join the Union and require that Indiana's leaders draft the State constitution. In the two centuries since Indiana's admission to the Union, Indiana residents—we call ourselves Hoosiers—have accomplished extraordinary things.

In 1840, William Henry Harrison became the first Hoosier to be elected President. In 1888, Benjamin Harrison, his grandson and fellow Hoosier, followed in his footsteps to the Presidency. Five Hoosiers have served our Nation as Vice President: Schuyler Colfax, Thomas Hendricks, Charles Fairbanks, Thomas Marshall, and Dan Quayle. Just a few short weeks ago, Americans elected Gov. Mike Pence to serve as our next Vice President. He will become the sixth Hoosier to serve in this role. We have a well-deserved reputation as the mother of Vice Presidents.

As many of you know, when Dan Quayle was elected, George Herbert Walker Bush's Vice President, I was appointed to fill his vacant Senate seat. Vice President Quayle has been a

close friend and source of advice to me throughout the years.

When President Trump named Mike Pence to be his running mate, I knew Hoosiers would continue to have a strong impact on our country, providing guidance and leadership in one of the top elected offices in our land.

I am honored to call both Dan Quayle and Mike Pence close friends and commemorate the great work they have done for the State of Indiana and have and will do for our Nation.

We have had excellent Governors, Representatives, Senators, and others who have contributed significantly to this body, the Congress, and the Nation, and we are proud of that as Hoosiers.

I keep using the name Hoosiers because we were misnamed Indianians, which is hard to pronounce and awful hard to spell. We are Hoosiers. I could go into a long discourse on what Hoosiers means, but I will not take the Senate time to do that right now. Please contact my office and we will send you a full description of what a Hoosier is, but you will see two of them on the floor here today.

Loyal public servants is not the only contribution our great State has made to the Nation. During the Civil War, over 200,000 Hoosiers answered the call to serve; although only one Civil War battle was fought in Indiana, more than 41,000 Hoosiers lost their lives and an estimated 50,000 were wounded.

During World War II, nearly 10 percent of Indiana's population joined our Nation's Armed Forces. Those who stayed behind contributed greatly to the manufacturing boom required for the war effort, manufacturing nearly 5 percent of all weapons and equipment required for the war.

Our State has continued that call to service to the military. We have for years and decades been one of the leading States providing per capita support to our Armed Forces.

In addition to these accomplished Hoosiers whom I have named, the places and events that make Indiana unique are numerous. I just want to mention a few, and I apologize to those that we don't have time to put in place here. But as Senator DONNELLY and I know, a few months ago we commemorated the 100th running of the Indianapolis 500 on this Senate floor.

Known as the "World's Greatest Spectacle in Racing," the Indianapolis 500 is a great source of pride to Hoosiers throughout the State and throughout the country. Every year our race is an epic event as drivers jockey for position at speeds regularly surpassing 200 miles per hour. In addition to the "Indy 500," the automotive industry has deep ties to Indiana.

In 1896, the Haynes-Apperson Company opened its doors in Kokomo, IN, producing one of the very first automobile manufacturing sites in the entire United States. It operated until 1905. Its 1904 model seated two passengers and sold for \$1,550 at the time.

Now, you don't have to go too much farther than Kokomo, IN, to arrive in the city of Auburn, where the Cord Dusenbergs and other popular cars were manufactured. Every year, the Cord Dusenbergs festival, parade, and museum are open to people from around the world to see a magnificent parade of cars in that era in absolutely perfect shape.

If you find yourself in Southern Indiana, take a minute to stop by the Lincoln Boyhood National Memorial in Spencer County. Abraham Lincoln may have been born in Kentucky, and he may have ended up in Illinois, but he was raised and shaped in Indiana.

In addition to our landmarks, some of America's most famous buildings have been constructed using Indiana limestone. The Pentagon, the National Cathedral, the Lincoln Memorial, the U.S. Holocaust Memorial Museum, the Empire State Building in New York, and many more, all feature Indiana limestone quarried in south-central Indiana.

Our State has been blessed with a climate of soil fit for all kinds of agricultural activities. God has blessed us with a climate and a soil fit for all kinds of agriculture activities.

While corn and soybeans are our top commodities by value, Indiana produced \$11.2 billion worth of agricultural products in 2012. This includes 41.5 million broiler chickens, 10.5 million hogs and pigs, numerous dairy products, and 37,000 acres of vegetables harvested for sale. The next time you head to the movie theatre, think of Indiana. Indiana produces more than 20 percent of the United States' popcorn supply, and a great deal is exported around the world.

We are also a world leader in pharmaceuticals, biologics, and medical devices. Our medical device industry is the fifth largest in the United States, generating more than \$10 billion in annual economic output. Hoosiers are truly working hard to provide healthier, longer, and more rewarding lives for all Americans. Not only does Indiana seek to enrich the quality of life of Hoosiers through its contributions to the medical manufacturing field, we also do this through our institutions of higher education.

Hoosiers don't need to travel far to receive a high-quality education. We boast a rich variety of world-class colleges and universities, such as Indiana University, Purdue University, Butler University, Notre Dame University, Indiana State, Rose-Hulman, Trine, Grace, Manchester, Earlham, Evansville, Indiana Wesleyan, Valparaiso, and on and on we could go.

I would be remiss if I were to neglect mentioning my own graduate school, the Indiana University Robert H. McKinney School of Law.

This quality of education bleeds into the quality of coaching found in Hoosier schools. There is nothing quite like being in the stands during a Hoosier high school basketball game. The

coaching quality that we have has produced all-stars in every facet of basketball, whether it be professional, college, high school, or elementary.

There is nothing quite like being in the stands during Taylor University's Silent Night, where the fans pack the basketball stadium and stay completely silent until the home team scores their tenth point. Then the noise really starts and the game finishes with the fans signing singing "Silent Night."

Through the years, so many Hoosier teams have proved to be formidable foes on the court and the field. We are the home of the Colts, the Pacers, the birthplace of Larry Bird, James Dean, and David Letterman. On and on I could go with that.

But in addition to recognizing all that Indiana has contributed to our Nation over the past 200 years, I would like to add that one of our greatest contributions has been and will be always Hoosier hospitality. While at times our country is a more divided and complicated place, Hoosiers continue to demonstrate that kindness and a good meal can make the world a little better.

It is an honor for me to commemorate this bicentennial for this great State of Indiana. I am honored to be able to do this with my fellow Senator JOE DONNELLY from Indiana.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise today to join my colleague, DAN COATS, our senior Senator from Indiana, who is wrapping up his time in the Senate as of the next few weeks. What an extraordinary service he has provided to our Nation, to our State. We are incredibly grateful to Senator COATS for what he has done. I also want to celebrate Indiana's bicentennial. I want to reflect on the past two centuries of our State's rich history and the important contributions Hoosiers have made to our State and our Nation. For nearly a year now, in every corner and in every community of Indiana, from the biggest to the tiniest, we have been commemorating the storied history of our beloved Hoosier State.

Together, we will culminate the celebration on Sunday, December 11, when Indiana turns 200 years old. Admitted to the Union in 1816, Indiana has developed and grown into the crossroads of America, a welcoming place, where businesses and families can grow and succeed.

As Hoosiers, we take pride in putting in an honest day's work. We don't want a free lunch. We don't want a handout. We want the chance to work, to work a good job, to educate our children in good schools, to ensure that our kids have the tools to make a better life than we did—the American dream, the Hoosier dream—and, eventually, after a life of hard work, to retire with dignity, to have a chance to go fishing in one of our lakes, to have a chance to be

with our family in one of our extraordinary parks or a national forest.

Indiana has a proud tradition of serving our country, and working to protect our Nation's security. Nearly 500,000 veterans and many servicemembers and military families call Indiana home. Our National Guard dates back to 1801, when we were still a Territory. Today, our National Guard is the fourth largest in all of the United States. Hoosiers have proudly served our country in all of our wars, in all of our efforts to protect our Nation over the years.

It is also home to Naval Support Activity Crane, the third largest naval installation in the world. I think we can take particular pride that in the middle of the country, about as far away as you can get from the Atlantic and the Pacific, we have the third largest naval base in the entire world. Our State is also home to Grissom Air Reserve Base in Kokomo, where the 434th Air Refueling Wing is based. The 122nd Fighter Wing is in Fort Wayne, and A-10s are training daily. As well, there is Camp Atterbury and the 181st Intelligence Wing based at Terre Haute Air National Guard Base.

Throughout our 200-year history, Indiana's success has helped drive America's success. The backbone of our State has been built from our manufacturing and steel plants, our small businesses, and our farms. Hoosier farmers and those involved in agriculture know what it means to work hard and do their part. Our corn and soybean farmers, our pork producers, and our beef producers have helped to feed not just Indiana but our country and the world.

Our dairy farmers have produced incredible products. On a hot summer night, some of the best ice cream in the world comes right between the Illinois border and the Ohio border, and the Michigan border and the Ohio River—that beautiful place we call home. In the cities and towns across Indiana, small businesses are the cornerstones of our communities.

Indiana is home to nearly half a million small businesses, employing almost 1.2 million Hoosier workers. So many of those small businesses are in agriculture as well. We don't want to leave anybody out. There are the ag producers—so many—and the turkey producers, the chicken producers. If it grows, we make it. We feed the world every single day.

Throughout our State's history, steel has been not just a major employer but also a source of pride for Hoosier communities. Hoosier steel serves as the foundation of buildings and bridges all across the United States. What Indiana makes the United States and the world takes. Still today, Indiana is the largest producer of steel in the United States.

Speaking of construction, the limestone from Southern Indiana has traveled all over the world, from places like Yankee Stadium to buildings in other parts of the world, to buildings

all across the Nation's Capital. Some of the most beautiful buildings you have ever seen are built from Indiana limestone and from Indiana products.

Manufacturing is central to our economy. It contributes to roughly 30 percent of Indiana's economic activity and economic growth. Manufacturing plays a larger role in our economy than it does in any other State in the Nation, and we are really, really good at it. Manufacturing employs 17 percent of our workforce, some of the most skilled workers in the world.

Hoosier manufacturers and their workers build some of the most advanced, highest quality products in the world, from engines to RVs.

Just down the road from my home in Granger, is Elkhart, the RV capital of the world. I know that the Presiding Officer has traveled a few miles in RVs as well, from one end of our State to the other. More than 80 percent of global RV production is based in Elkhart, and throughout the northeast region and the north-central region. So if you see an RV on the road, there is a really good chance it was built by hard-working Hoosier manufacturers. There is a real good chance your family is going to have an awesome time.

We boast some of the best educational institutions in the world—as my colleague Senator COATS mentioned as he listed them off—attracting students, professors, and researchers from across Indiana, across our country, and across the world. Our colleges and universities provide an exceptional education to our students and lead the way in innovation and cutting-edge research.

Not surprisingly, many know our State because of our sports heritage, particularly in auto racing and basketball. This year marked the 100th running of the "Greatest Spectacle in Racing," the Indy 500. It is a special event unlike any other.

We don't just showcase the best Indiana has to offer on the racetrack but also on the hardwood. Basketball has been part of Indiana's identity since the late 1890s. It remains king today. Our State has achieved great basketball success, including with history-making teams like the Flying Tigers of Crispus Attucks High School, who, in 1955, became the first all African-American high school athletic team in the country to win a State basketball title. Few things have defined our State's culture and fabric as much as basketball.

As Senator COATS, the Presiding Officer, knows, John Wooden may be considered the father of all coaches in this country. He came from Indiana. As we reflect on our 200 years, we have so much to be proud of. As we look to the next 200 years, we know that through hard work and by working together, we can make our State's future even more prosperous because that is the American promise—that we work nonstop, that we work together, so that when we look at our kids and our grandkids,



we can tell them and tell all of you: We are going to build a stronger, better Indiana. We are going to build a stronger, better America because that is the promise that we pass on from one generation to the other.

To my friend, the senior Senator from Indiana, I wish to tell you what a pleasure it has been to serve with you, what a good friend you have been, and how lucky I am to have been your junior partner in this endeavor where we try to stand for America every single day.

I yield back the remainder of my time.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, as my two colleagues from Indiana leave—again, congratulations on their bicentennial.

There are many great Hoosiers who have made their way to the State of Washington. One was a most beloved Mariner broadcaster named Dave Niehaus, who was from Evansville, IN. He was a great, great part of our sports history. Certainly, I should mention Dave Calabro, who was a Hoosier and another great announcer for our basketball team. We also have the great Bill Ruckelshaus, former EPA Director under President Nixon. He works on salmon issues and does other great things.

Congratulations to those Hoosier Senators today.

#### ENERGY LEGISLATION

Mr. President, I come to the floor with my colleague Senator MURKOWSKI of Alaska to talk about all the great work that was put into developing the Energy Policy Modernization Act. The Presiding Officer knows well how much work we put into that legislation.

We are here today after many markups, many amendments, and what was an unbelievable Senate vote of 85 to 12, to urge our House colleagues to consider the conference report on this legislation before adjourning for the year. There are so many important provisions in this legislation that should be enacted.

We reached an agreement to mark the National Park Service's 100th birthday by making an investment in our national parks. In response to requests from 47 Senators, the bill protects hundreds of thousands of acres of land.

We were also able to reach agreements on important issues such as water resources, providing and securing funding for fighting forest fires, and making sure that communities that are at risk of wildfires get the attention they so deserve. Having lost

seven individuals fighting wildfires over the last decade and a half, I can say, from the State of Washington's perspective, it is essential that we provide the communities the resources they need to fight fires. We also included a sportsmen's bill that will help hunters and fishers.

We were also able to reach agreement on numerous energy provisions. For instance, the legislation bolsters our energy security against cyber attacks. We improve the Department of Energy's capabilities to protect the grid. We are not just talking about hardening some of our physical infrastructure such as hydro power projects, but actually the work that it takes to make the grid more resilient from hacking. We also reached agreement on provisions to develop the workforce that will be needed to fill the 1.5 million new energy workers that the Quadrennial Energy Review estimates will be needed by 2030. We were also able to reach agreement encouraging investments in hydro power projects, geothermal energy, nuclear power and other emissions-free resources. Finally, this conference agreement also would promote innovation in many areas of science that are so important to us.

What is so frustrating is that we followed regular order in putting together an Energy bill. We held numerous hearings followed by a 3-day committee markup. On the Senate floor, we considered in excess of 300 amendments. We then worked all summer long and all fall with our House colleagues to reach a conference agreement.

It is so disappointing to now have our House colleagues refuse to consider these important provisions. There were many hard-fought issues upon which we eventually agreed. We all had to come to the table and take into consideration all interests. Whether you are talking sportsmen and open access to hunting, which my colleague from Alaska so championed, or whether you are talking about how to get water agreements that involve fishermen, tribes, farmers, and a variety of river interests—we were able to accomplish that. Or whether you are talking about fixing the fire funding budget issue that has been debated back and forth among our House and Senate colleagues for almost 7 or 8 years now, we were able to reach agreement on all of these things. It is very irresponsible for our House colleagues to drop the ball by failing to consider these solutions and taking yes for an answer.

What is even more outrageous is that now the House wants to take a provision subject to the Energy and Natural Resource's jurisdiction—the California water issue—and airdrop it into the WRDA bill, which is subject to the jurisdiction of the Environment and Public Works Committee.

As much as our House colleagues like to boast about their mythical no-earmark rule, the California water deal that is now being decried in newspapers in California as the "midnight rider,"

was airdropped in as an earmark in the WRDA bill and sent over to the Senate. This is an issue that should be considered by the Energy Committee.

I say to my colleagues that, if you want energy policy considered in the future and you want it to be a product of the regular order process in the Senate that creates consensus, you need to say to our House colleagues that are refusing to move forward on a conference report that this situation is problematic. The process that we are supposed to follow includes the Senate and House resolving differences as part of a conference committee. Instead, if we pass the WRDA bill, we will be rewarding those that wish to sidetrack regular order and drop into bills other items that have not been worked out and basically don't adhere to the rules of the Senate or even the House's own rules against earmarks they hypocritically claim to follow.

It is a very cynical view of the world to allow the House to add Energy and Natural Resources Committee jurisdictional legislation into another committee's bill and violates the House's own rules and basically overruns the collaborative process we used for the Energy Policy and Modernization Act. The House has, instead, turned to backroom deal making.

I join my colleague, Senator MURKOWSKI, tonight to describe the great and hard work that was done in our conference. I think she and I believe in it. I think we believe in the Senate the way it is supposed to work. We believe in the hard work that it took to reach compromise on so many issues, and I think we want to make sure that our colleagues know that getting to yes was just inches away.

It is very unfortunate that the House, instead of doing its homework, pursued a very cynical approach to the legislative arena—something I thought we jettisoned a decade ago—airdropping things in the dark of night. I mistakenly thought the House leadership was being earnest about making sure that the legislative process is transparent.

I hope our colleagues will understand these are important policy issues and take the remaining days—if we happen to be here an extra few days this weekend or even into next week—and encourage the House leadership to get our energy and natural resources bill enacted and bank what is good public policy in the best interests of the United States.

I thank my colleague from Alaska for her leadership on the Energy Committee, her hard work and dedication, her willingness to work across the aisle, and a willingness to be very tough on these important thorny public policy issues—and not to back away from that—and to find solutions for everybody in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I acknowledge the very good work of my

friend, colleague, and neighbor to the south of us from Washington State, Senator CANTWELL.

She has been a partner throughout this 2-year process we have been engaged in as we have tried to formulate and format a renewed energy policy for this country, something that has not been done in close to a decade.

We acknowledged early on that there were going to be policy differences we each have, given where we come from and some differing views, but we were committed to working together to work through the thorny issues, to work toward consensus, not only that she and I could come to but our whole committee and, ultimately, the Senate. We were successful in doing that.

I also acknowledge the good work of Senator CANTWELL's staff, as well as my staff, on the Energy Committee. These folks have been working tirelessly for 2 years, but more immediately—and when I say tirelessly, pretty much 24/7 for the past several weeks, in trying to get us to a point where instead of talking about what might have been in an energy bill, being able to stand in front of my colleagues and tell them these are the policy changes that we will now see placed into law.

I had truly wished I would not be in a situation where I would have to come to the floor and speak negatively about where we are right now because, as Senator CANTWELL outlined, the process we have been engaged in is one that we are proud of, but also that the institution should be proud of.

Our committees are designed to be incubators of good ideas and how we then allow these ideas to materialize and come together through good debate, amendments, refinement and then bringing that forward to the full body, again, for further work and refinement.

We have done it by the book. There are not too many things in Congress that look like what you learned about how a bill becomes law. I am looking at the young pages sitting here. In your classes, in American Government, you learn about how a bill becomes law.

If you read that and you see what happens around here, you would say: these are two different universes. You are nodding because you know you are seeing that.

What we have attempted to do and what we have done for the past 2 years is to allow our committees to work, to take the good ideas from energy-producing States such as Alaska and Louisiana, and to work with colleagues from the interior of the country with views and ideas that are perhaps different than ours, building consensus with energy policy, with resources, with access. We did it. We have been that textbook example of regular order process.

I am actually told that they have a training course or a training program offered in the Congress that walks committee staff through examples of

how a bill should be moved through a committee. Just the other day, I was told that our bill, the Energy bill, is the model that is being used as what to do in that training program.

This is quite the compliment; however we still have to get it over the finish line. This is where Senator CANTWELL and I are so frustrated. This is where we are so frustrated because, after 2 years of work and being this close to the finish line, we are being denied that opportunity to share this success and all because of lack of action over in the other Chamber.

We started this Energy bill by convening ideas. We held hearings in Washington, in Alaska, and other places in between. We gathered the ideas for what we hoped was going to be the first major Energy and Natural Resources bill signed into law in nearly a decade. We held oversight hearings and legislative hearings. We reviewed over 115 separate bills. We spent weeks negotiating a base text of the bipartisan bill. We held markups where our bill drew support from nearly all of our Members. Then we brought it here to the floor.

Yes, we had some bumps along the way. Flint, which certainly needed to be addressed, was part of it. That seems like ancient history now. But we persevered. We worked through all of the issues. We added more priorities for our Members, to the point where over 80 different Senators had their priorities incorporated into our bill.

Then, in April, 85 Members of this body—85 Members—voted in favor of passage of this bill. When we think of all that was contained in it, to gain that level of consensus, I think the Senator from Washington and I were doing something positive, to get everybody on board.

Then the House responded to our Energy bill in late May, and in July, we went to a formal conference. We began work right away. The negotiations started just about immediately, even before the first formal meeting of our conference.

So think about it. We have been working this conference between the two bodies since July—and not just on an occasional basis; rather, we have been working this aggressively. During this conference, we have held more than 75 bipartisan and bicameral negotiating sessions at the staff level. There have been countless more meetings and daily interactions amongst our staff. The final conference report includes provisions from 74 Members of the Senate and 224 Members of the House. That means there is input from almost 60 percent of the U.S. Congress included in the conference report. This is not a bill where we are cramming it through; this is a measure of considerable consensus.

The chairmen and the ranking members of the committees of jurisdiction, whether it is here in the Senate Energy and Natural Resources, the House Natural Resources Committee, the House

Science Committee, the House Energy and Natural Resources Committee—we have been meeting to resolve our differences. Again, staff has been working around the clock. Just this weekend, we went through hundreds of pages to close out all of the issues. Again, we did it by the book. We did what we were supposed to be doing. We were the team players here. We adhered to the regular order process.

Senator CANTWELL said we were doing the “normal” process. But I think what we are doing now is extraordinary. It is not normal—because it seems that, if there is guerilla warfare that is going on, that seems to be the way to move a bill nowadays. That does not send a very powerful message nor set a good example for how to advance a consensus measure such as we have with the Energy bill.

We were really on the right track until just a couple of weeks ago when it became pretty apparent that the House was, plainly stated, just done. They were finished. They stopped negotiating in good faith. They stopped trying to work to reach agreement.

So we are at that point where we have the House going out. We are told we here in the Senate are going to be wrapping up shop. But, as Senator CANTWELL has outlined, what colleagues need to know is what is being left behind on the table. It is not just the guts of this conference bill that we have been negotiating that is on the table; what is on the table a tremendous amount of time and effort put forth into a good committee process that has built a consensus and a good product. That is a problem, and I think it is something we are going to have to work on. It looks like we are going to have to work on this aggressively in the next year.

There has been a lot of speculation about what is really going on. What is the problem? Why can't you get a deal? Well, I mentioned that we have closed out every aspect of this bill with the exception of two issues, but there have been a lot of excuses out there that we don't have enough time; the bill is too complicated; there is not enough in it; then suddenly, there is too much in it. So we worked to address all of that, and we got it down to two issues. Both of those issues can be easily resolved in plenty of time for us around here if everybody is willing to sit down and work through them in good faith. In fact, on both of those issues, the Senate has already written—we have already proposed the modifications that were necessary to reach the final agreement. What happened when we sent them over? We wait. It is going to be half an hour, an hour, and now it is half a day. That is not good faith.

I will give one specific example. This relates to LNG export projects. This is something, quite honestly, that folks had agreed was going to be a part of the bill. We have included it in every Senate offer. It was taken out by the House. Then, when the House says,

“Your bill doesn’t seem to have enough in it. What happened to LNG?” we say “You took it out.” Let’s not be moving the goalpost.

What we have is vitally significant for many in our Western States. It includes forest management reform with the potential for a fire budget fix, for our sportsmen and women who care about accessing our public lands for hunting and fishing and recreational shooting. It includes a water package to help boost our water storage and management in some of our most drought-stricken Western States. It has a robust public lands title with more than 50 bills in it that provide everything from the expansion of a VA cemetery in South Dakota to high-priority land exchanges in places like Colorado. We have language related to the National Park Service Centennial that really sets our national parks on track for a second century. It includes a range of nuclear, cyber security, and hydroelectric innovation policies. These are good things that will help our country move forward and produce more energy that is affordable, reliable, and free of any form of pollution. We have worked so hard.

To be here on the 8th of December and say we are out of time—well, tell that to the sportsmen who have been working for 6 years to get a legislative package. And here we are on December 8 saying we are done. Tell that to those—particularly from the West—who are concerned about wildfire threats year after year and whether the funds are going to be there not only to address fire but to be there for the other accounts that our agencies are worried about. Tell them that we ran out of time on December 8.

Mr. President, I have to say that we have not run out of time; we have, unfortunately, run out of a desire to work together to finish important work for this country. We have plenty of time and should not be making excuses. Now is not the time to run down the clock. We must recognize that we have worked for 2 long years and this work deserves to be placed into law.

I urge my friends and my colleagues in the other Chamber to work with us on this. Let’s not give up on energy policy.

With that, I yield the floor. I thank my colleague for the indulgence of some additional time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the good work Senator MURKOWSKI does in cooperation with people in this institution.

#### REMEMBERING JOHN GLENN

Mr. President, today our country lost an American hero, Col. John Glenn, Senator John Glenn. I will be back on a later date to deliver a more formal tribute with my colleague Senator PORTMAN, but I wish to share some initial thoughts as I, along with my wife Connie and so many Ohioans, mourn for John Glenn and join so many people

around the country who loved him and cared for him and respected him.

It has been one of the great lessons of my life to get to know John Glenn and for Connie and me to count him and Annie as mentors and friends. We remember just a few short years ago, on the 50th anniversary of his flight into space, the night before, we had dinner with John and Annie, Connie and I and his children, David and Glen, and his daughter-in-law, David’s wife, and how interesting and joyous it was to hear him recount his experiences and so much of what he has done. We loved him. We will miss him. We will continue to draw strength and wisdom from the lessons he shared with us over the years.

The first time I met John Glenn was in 1969. It was Colonel Glenn then, long before he was elected to the Senate. Colonel Glenn spoke at an Eagle Scout dinner in Mansfield, OH. Only a few short weeks earlier, in my court of honor, I was awarded the Eagle Scout award. I was 16 years old. I got to meet Colonel Glenn. His words inspired us. They stayed with me as I grew up and looked for ways to serve community and country.

Thirty years later, John granted me the honor of walking me down this center aisle. When Senators are sworn in, any term they serve, they are often accompanied by a Senator from their State or a former Senator—whomever that Senator-elect or that Senator who is soon to be sworn in chooses—and I chose to walk down with my friend and former Senator, at that point, John Glenn.

John had a humility and a kindness unusual, perhaps, in this business and in, perhaps, somebody of his level of accomplishment. His kindness and intelligence, his courage—we know about that—and his commitment to service set an example that our country needs today more than ever. His legacy will live on not just in the pages of history books, it will live on through the Americans he inspired, whether it was a passion for exploration that led him to join NASA, a dedication to country that called him to the Armed Forces, or a desire to make the world a better place that led him to public service.

John will live in the hearts of everyone who knew and loved him, including his beloved wife Annie and his wonderful children, Glen and David.

I spoke with Annie and John on their 73rd wedding anniversary, and Annie told me the story that—I knew they knew each other in grade school. They dated beginning—I don’t know exactly when. I asked Annie if they wanted to marry in high school, and she said yes, but her parents said they couldn’t do that because it wouldn’t last. So they waited until after Pearl Harbor, when I believe John was 20 and Annie was 21, and they were married for 73-plus years.

Ohio and the United States have lost a great light today, but that pales in comparison to what we gained over his

95 years on Earth. I hope my colleagues will join me in sending out our love and prayers to John’s family at this difficult time during the holidays.

I heard John Glenn stories even today at the ceremony unveiling the portrait of our Democratic leader HARRY REID, which took place in the Russell Building, and a number of former colleagues of John’s came up to me and they had just heard of his death that happened midafternoon today. So I thank them for their memories.

#### MINERS PROTECTION ACT

Mr. President, last night Senator MANCHIN and I were on the floor of the Senate with Senators WYDEN and DONNELLY and CASEY, and we were again asking our colleagues to honor the commitment Harry Truman made seven decades ago to the mine workers of this country, to the retired mine workers, and to their widows. We all know that the life expectancy of mine workers is often less than the life expectancy of a teacher or an elected official or an insurance agent or someone who works in many other kinds of businesses. They are more likely to be injured on the job. They are more likely, in some cases, to perish on the job. They are more likely to contract an illness from the air they breathe and the conditions in the mines, whether it is black lung or whether it is some kind of heart disease. So this is particularly important to mine workers and the widows, that we take care of their insurance.

Most of the mine workers I know got a notice in late November or early this month saying their insurance would be cut off at the end of December. What a Christmas present. We have asked Senator MCCONNELL, the Republican leader, who seems to be the only one standing in the way, month after month after month to fix this so these widows and these retired miners don’t get this notice saying: Your insurance will be cut off.

Finally, Senator MCCONNELL, the Republican leader, asked us to make it bipartisan. We did. We have a number of Republican cosponsors, including Senator PORTMAN from my State, Senator CAPITO from West Virginia, and a number of others. We did that.

Then Senator MCCONNELL said: Go through regular order; put a bill through committee. We did that 18 to 8 in the Senate Finance Committee—every Democrat joined by a third or so of the Republicans. We did that.

Then he said: That is not good enough; now we want you to find a way to pay for it. We did. No tax dollars involved. This is money in the abandoned mine funds assessed against the mine companies, accumulated over the years.

We did all three of those things. Still, Senator MCCONNELL, because of his antipathy, apparently, toward the United Mine Workers union—if he wants to have antipathy towards the union, if he