notion that outdated, unsuccessful or otherwise ineffective regulations should be repealed. Nevertheless, the cumulative regulatory burden continues to expand year after year.

To address this growing problem, I will be partnering with Congressman JASON SMITH to sponsor the Senate version of the SCRUB Act—Searching for and Cutting Regulations that are Unnecessarily Burdensome. This legislation creates a bipartisan commission to examine the entire administrative corpus in search of regulations that are obsolete, outdated, ineffective, overlapping, duplicative or unjustified. Its goal is to achieve a 15-percent cost reduction in our Nation's total regulatory burden. The Commission can recommend either immediate repeal or incremental reform through a flexible procedure that puts the agencies and stakeholders in the driver's seat.

The SCRUB Act transforms a longstanding bipartisan commitment to retrospective regulatory review from mere rhetoric into meaningful reality. It would result in lower prices, higher wages, and more job opportunities for hard-working Americans. All the while, such commonsense regulatory review poses no risk to our health, our safety or our environment. It is the kind of legislation that can earn support from both sides of the aisle and for which there is a realistic path to having it enacted into law.

A second critical flaw in the current administrative state is a fundamental lack of accountability in how the Federal Government makes and enforces regulations. Far too often the agencies and interest groups manipulate the rules and stack the decks against innovators, entrepreneurs, and ordinary citizens.

Thankfully, there are a number of potential avenues for meaningful reform, but the one area that has thus far escaped much legislative attention is the role the Federal judiciary plays in the regulatory process. Given the broad authorities Congress has ceded to administrative agencies, the courts often stand as the only truth independent check on increasingly out-of-control regulators. But recent abuses by the political branches have created serious challenges for effective and appropriate judicial review on the regulatory process.

By writing vague laws, Congress has created extraordinary flexible grants of authority that are both unwise and constitutionally troublesome. Judicial deference to agency interpretations of the law has magnified this power to an extreme degree. Although originally intended as a means of curtailing judicial activism, Chevron deference and its associated doctrines have resulted in a gross misallocation of lawmaking authority. Such doctrines have consigned courts to be rubberstamps, rather than effective checks on administrative overreach.

The threat of toothless judicial oversight of increasingly problematic regulatory action was only heightened when President Obama and his allies packed the D.C. Circuit Court of Appeals with compliant judges even less inclined to engage in meaningful administrative review, and Congress's creation of broadly available private rights of action to challenge administrative decisions and regulatory activities has opened another avenue for abuse of the courts.

While these provisions provide important opportunities for regulated parties to defend their liberties, too often they have allowed groups with no concrete stake in the process to use the courts as a means to drive their own ideological agendas.

Worse yet, inconsistent efforts by the judiciary to define the constitutional limits on standing have inadvertently created a perverse environment where businesses with real skin in the game are often shut out of court, while special interest groups with no meaningful injury in fact are allowed to litigate.

Restoring the constitutionally proper judicial role is vital to returning accountability to the regulatory process. In reviewing agency actions, courts should hear only real cases and controversies, where litigants have concrete interests at stake. But when they do, they should state firmly what the law is and not simply ratify what the regulatory agencies argue that the law should be.

Legislation to ensure meaningful reform on each front and thereby bringing the administrative state more in line with the Constitution will be one of my top priorities in this Congress.

It is disappointing that we could not override the President's veto of this important legislation. The failure to authorize Keystone demonstrates how broken our regulatory process is. I hope we can use this occasion of bipartisan consensus to move forward in ways that can fix our out-of-control bureaucracy and get Washington back to work for the American people.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 660 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## THE ARCTIC

Ms. MURKOWSKI. Mr. President, it is quiet around here today, this afternoon. We have been notified that we are not going to be having any further votes this week because Washington, DC, is anticipating a winter storm. It is March 4. I think most people here in Washington had hoped that winter had already come and gone, but that is not the case.

In my home State of Alaska, this is the time of year that we welcome winter. We embrace winter. In fact, I am going to be going up to the State this Friday to attend the kickoff of our biggest sporting event, which is the Iditarod sled dog race, 1,100 miles, where about 70 teams of dogs and intrepid mushers make the trek typically between the Anchorage area and 1,100 miles up to Nome.

This winter has been a little bit different. It is warmer back home than most of us Alaskans would like, and we have actually had to reroute the Iditarod for the second time in the race's history. It is going to be starting out of my hometown in Fairbanks, and rerouting the race so that it is still a thousand-mile race. But it does speak to the fact that we are seeing some changes up there, at least for this winter, in terms of our temperatures and our climate.

We have a lot of folks around here anticipating what we are going to see tomorrow who are wondering what is going on with climate? What are we seeing? Is this temporary in nature, or are we going to start seeing more arctic conditions here on the eastern seaboard?

I want to talk about the Arctic today. I want to talk about the value of an amazing part of the globe and the opportunities we have in the Arctic, the opportunities we have as an Arctic nation.

We have a map here. This is the bathymetric chart of the Arctic Ocean. It is a view that perhaps most Americans are not intimately familiar with. You look at it and say, where on planet Earth is this?

To locate everybody a little bit, here you have Russia, Greenland, Canada over here, and the United States. This is the State of Alaska with all of the interior arctic areas there, but an amazing mass located at the top of the globe, an area where, quite honestly, most Americans put it out of sight, out of mind. The only time they really think about the Arctic is when there are temperatures that make it feel like the Arctic.

There are probably going to be a lot of folks here in Washington, DC, tomorrow who are thinking, yes, maybe we do live in an Arctic nation because I am feeling it here. It doesn't make any difference whether we have a storm coming at us or whether it is the

heat of the summer in Washington, DC, or the fall in New England, or the warm winter temperatures in a place such as Arizona. Wherever you reside in this country, you are part of an Arctic nation. I am willing to bet that when the Presiding Officer was elected to represent the State of Colorado, he didn't think at that time that he was also elected to be a Senator for the Arctic. But, in fact, he is because we are an arctic nation. In Colorado—I suppose the Presiding Officer is probably thinking, tell me why the Arctic is relevant to Colorado, other than the fact that we also share some good winters and have an appreciation for the snow and colder climates. But in the State of Colorado, 30 percent—30.5 percent of the total exports that go out of Colorado are exported to arctic nations.

Now think about that. Thirty percent of what goes out of Colorado is exported to an Arctic nation, one of the eight Arctic nations—Canada, Finland, Greenland, Iceland, Norway, Russia, Sweden. These are your trading partners.

Our colleague from Wyoming was just on the floor. Let's see what Wyoming exports. They are about in the same category as Colorado, about 28.3 percent of the total exports from Wyoming are exported to the Arctic nations. When we think about the dollars that are coming to Colorado or Wyoming or Maryland as a result of exports from your States, it causes us to maybe perhaps look at the Arctic a little bit differently.

We have an opportunity to build upon a dynamic relationship, an evolving part of the globe, as we prepare as a nation to assume the chair of the Arctic Council. This event will take place on April 25, just a couple of months from now. But the Arctic Council is the intergovernmental forum for the eight nations that have territory inside the Arctic Circle. Again, this is pretty much this map here: Canada, Russia, Denmark through Greenland, Finland, Iceland, Norway, Sweden, and then, of course, by virtue of the State of Alaska, the United States.

The Arctic Council also includes six nonvoting permanent participant groups that represent the indigenous people of the Arctic. There are also 32 observer entities. The interesting thing with these observer participants, 12 of the 32 are non-Arctic nations, so areas that are not countries that we would think of that would have a keen interest in what is going on with Arctic policy. This is France, Germany, the United Kingdom, China, Japan.

What is really impressive to me is that we are seeing the growth in the number of non-Arctic nations that are seeking observer status. Back in the 2013 Arctic Council ministerial meeting we had in Sweden, six nations were admitted as observers. Many others have indicated their interest as well.

It is also interesting to note that with the admission of China, all five permanent members of the United Nations Security Council are now members or observers of the Arctic Council. Also represented are 8 of the world's 10 largest economies based on GDP, which is an indicator of the level of importance the world ascribes to the Arctic.

What has happened with the Arctic is, again, a keen interest from all over the globe in what is happening. Why is that? What is going on that is capturing the interests, the imagination, the opportunity for nations all over the globe? So much of it is because this area, an area that for most has always been locked up in a world of ice and permanently frozen in time. So to even imagine the possibilities of what could unfold in the Arctic was so foreign that only the most adventurous of the explorers ever pushed out.

It is changing up North, whether it is the northern sea route coming across on the Russian side, whether it is the Northwest Passage, whether it is nations that are looking to explore for resources, whether it is those involved in maritime traffic and engaging in a level of commerce that are looking for that shorter route that will cut days, weeks, off of a journey and, therefore, costs off of the expense of shipping. Whether it is the tourists—cruise ships are coming across the top. Up in Point Barrow, right up here at the top of the world, you have cruise ships that are moving through those waters—the ultimate ecotourists and those who are seeking something different.

The Arctic is notable within the international community from an economic perspective. As its shipping lanes open up, we have additional areas that become accessible for resource development. Again, the rise of tourism is an example of the increased accessibility of the Arctic.

It is also notable from a political perspective as the region that is not bogged down by the inertia of longstanding disputes. Think about so many parts of the world where there have been decades, if not centuries of conflict. This is a part of the world that does not have that overlay, if you will. It does not have the entrenched views that make international cooperation in other areas difficult.

Instead, it is an area that seeks to promote collaboration and remain a zone of peace. Think about the conversations I am able to have with Secretary Kerry, as I did just a few weeks back, talking about the Arctic and being able to speak to the Secretary of State about how we can work more collaboratively, how we can keep an area as a zone of peace as he deals with hot spots all over the globe—to know that there is a cool place, not only from a physical perspective but perhaps from an emotional and a political perspective, where perhaps we can be working together to advance goals and initiatives rather than constantly being at issue with one another.

It also is a region that is writing its history as we speak. This has been around for a long time. But what is happening at the top of the globe is like a clean sheet. It is an opportunity for us to write history. It is even more important for the United States to take a lead in guiding international policy decisions within this area. This is why I am calling on colleagues in the Senate to join me, to step up, to help us not only to build out policy initiatives but really to take that leadership role, as we should be doing as an Arctic nation.

So I have joined together with the Senator from Maine, Mr. KING, to form a new caucus. I know we have plenty of caucuses around here, but I am asking colleagues to consider joining this caucus, the Senate Arctic Caucus. This caucus has a mission to convene conversations among Members on issues relating to defense, science, energy, environment, commerce, trade, maritime affairs, the well-being of the indigenous peoples of the Arctic, to raise awareness about the importance of the Arctic, and to advance a coordinated effort toward investment in infrastructure that will benefit all Americans, including those who live in the Arctic.

I should let colleagues know that when I am offering this opportunity to join a caucus, it is not just to say that I am paying attention to Arctic issues in name only. We really want to try to educate because, again, I think the awareness of what is happening in the Arctic has captivated the imagination and the attention of people around the world, of nations around the world. It should captivate the imagination and the attention of every Member in this body. So each Member will be receiving an invitation to join this caucus, along with a breakdown of each State's exports to the Arctic region, to help demonstrate why the Arctic matters to all 50 of the States.

So as I have outlined to the Presiding Officer, about the benefits that Colorado receives and the benefits that Wyoming receives, all Members will be getting similar figures. It was 10 years ago when I started an Arctic awareness campaign. That was a long time ago. It was an effort to get folks—not only within the legislative body but within the administration—to pay attention to what was going on within the region.

It started out pretty simply. I can remember that I was on the Foreign Relations Committee, and we had the nomination hearing for Condoleezza Rice to be Secretary of State. I asked her a question: So what are we doing in the Arctic to ensure that the Arctic remains a zone of peace? Or I asked something to that effect.

I think I caught her flatfooted. The next time I saw her before the Foreign Relations Committee, she was up to speed and engaged. But I can state with some certainty here that in 2005 the State Department was just not prepared to have a discussion on these issues.

Now, I am not going to claim full credit here. But move forward a little

bit with the clock. It was good to see the movement within the administration. When Hillary Clinton was Secretary of State, she was the first Secretary of State to participate in an Arctic Council ministerial meeting. I think that was probably prompted by some visits she had made to view the Arctic, including the U.S. Arctic in Barrow, when she was a Member of this body. But as Secretary of State she traveled to Nuuk, Greenland in 2011. I accompanied her. Then in 2013 Secretary Kerry went to the ministerial meeting in Kiruna, Sweden. In 2015 Secretary Kerry will again participate in this year's meeting in Canada, where the Arctic Council chairmanship will be handed over to the United States.

I started off my comments by talking about what is going on with the weather and people feeling like we are under an Arctic siege here right now in Washington. But I think it is safe to say that Arctic awareness is at an alltime high. But unfortunately, the investment has not matched the interest. One barometer of your interest when you are talking about the Arctic is: How do you move in the Arctic if there is ice up there? You have to be able to plow through some ice. This is where an icebreaker comes into play.

But icebreakers are expensive. The Coast Guard estimates that it is going to be about $1 billion. It takes about 10 years to build. If I were to ask anybody in this body how many icebreakers the United States has, I think you would say: Well, of course we have an icebreaker up there.

We have one medium-strength icebreaker, the Healy, which does a good job for us. But our only Polar Class vessel, the Polar Star is on assignment to Antarctica for the next 5 years. We will not see her in the Arctic for 5 full years. The life expectancy, the useful life of the Polar Star is only 6 to 8 years. It takes 10 years to build a new one.

We are sitting here as a nation woefully behind when it comes to Arctic infrastructure, if you define it by icebreaking capacity. Russia is cleaning our clock in terms of the number of icebreakers they have. They have 27. Our own Coast Guard's High Latitude Study says it is going to require six major icebreakers—three heavy and three medium-sized icebreakers—to fulfill its statutory requirements.

Even China has one icebreaker. They are building six more. India—do you think of India as an Arctic Nation? They are considering building an icebreaker. Why? Because they see the Arctic opportunity. They want to be part of an area on the globe that is piquing their interest for a host of different reasons.

So as others in the Arctic region, whether it is Russia or whether it is Canada, as they continue some pretty aggressive national plans, combined with state investment to develop their Arctic resources and advance commerce in the north, the United States needs to be a participant. But we need to be more than a participant. We need to be a leader. We lead everywhere else. We led to the moon. We know more about the mapping of Mars than we know about mapping in the Arctic.

We need to step it up. It is exciting to think that we can step it up. I am hoping that we will be able to focus our attention on these issues. It is not just the resources and infrastructure that will make the Arctic a national priority. It is not just preparing for a 2-year chairmanship. It is about what the vision is—the long-term vision for the United States' role in an emerging part of the globe. It is as dynamic as anyplace out there.

But we have to be ready. We lack certain basic infrastructure needs. I mentioned the need for an icebreaker. I am going to be introducing legislation, hopefully very soon, to develop a solid foundation and put some building blocks in place for that investment, including a focus on obtaining more accurate data for charting the Arctic. We simply are so far behind in our hydrographic charting. We need to do better with our ice forecasting, with our weather observation stations, with our weather buoys, with our monitoring out in our oceans, with just having a level of communications and understanding of what we have. So, as we look to the area, we have at least to be able to assess the accuracy of Arctic weather and water forecasting. We have to be able to understand whether we have gaps in Arctic weather and sea-ice observing networks and the status of our sea-ice analysis and forecasting services.

So we are going to be having a hearing tomorrow in the energy committee. We may be the only committee that is open for business. We may be the only Senators that are here in the building. But we are going to be having the first-ever hearing on the Arctic. I think it is fair to say that it is not only the first hearing in the energy committee but the first-ever hearing on the Arctic as a whole, instead of just bits and pieces of it.

So I am encouraging all of my colleagues who may be locked out because they could not jump on a flight quickly enough or they could not get on the road soon enough. But we will be having, I think, a very informative hearing tomorrow in the energy committee to focus on what, again, I am calling Arctic opportunities. I do not know if the timing of the hearing was just prescient on my part and that we knew that this was going to happen. If so, I should also do part-time work as a weather forecaster. But I do think it is certainly timely. In fact, it is long past time that we focus again on an area that hosts amazing promise and opportunity for leadership as a nation. I would encourage all of my colleagues to join us in this new Senate Arctic Caucus. Embrace your inner Arctic self. It really is a good place to be.

With that, I see that my colleague from Wyoming is here. He has been very patient. As I mentioned to the Senator from Colorado, our Presiding Officer right now, Colorado enjoys good benefits from the State of Alaska. For the fine folks in Wyoming, 28 percent of their total exports from the State of Wyoming do go to Arctic nations. So there is a connection. I look forward to working with both of my colleagues as members of the energy committee on these issues of great importance to our Nation.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, let me congratulate our colleague from Alaska, who is the chairman of the Energy and Natural Resources Committee. That committee is in capable hands under her direction, whether the Arctic—all energy. She is committed to affordable energy, available energy, reliable energy, secure energy, and American energy.

So we are in good stead with the new chairman who has taken over in January. As members of that committee, it is a great opportunity for us to work with her for affordable energy for all in America. We have opportunities for exports, and it is good to see her continued leadership on this and other topics.

I appreciate her hard work.

## KING V. BURWELL

Mr. BARRASSO. Mr. President, earlier today the United States Supreme Court heard arguments in an important case, a consequential case. It is called King v. Burwell. This case was brought on behalf of millions of Americans who have been harmed by the President's unlawful expansion of his unworkable and unaffordable health care law.

Sometime before the end of June, the Court will decide if the law passed by Congress means what it says or if it means what the President wishes it said.

It looks at one very specific and very important part of the President's health care law. The law says that Washington could help subsidize the premiums of people buying health insurance coverage through exchanges established by the States. President Obama decided that wasn't enough. He wanted to use taxpayer dollars on behalf of people buying insurance in the Federal exchange as well. That is it. That is the legal question.

The law, written by Democrats in Congress—written behind closed doors—only authorized subsidies for one group, but the President paid them out for another group. The case is not about the Constitution, it is about the rule of law.

I was at the Court this morning listening to the arguments, and I expect that the Justices will strike down the way the President expanded the law.

Time after time this administration has claimed power it did not have and taken actions it cannot defend. The