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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 9, 2015.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

END-OF-LIFE CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. One of the most difficult and challenging situations any family faces is dealing with circumstances surrounding the end of life.

Earlier this week, NPR ran a fascinating story on a little-known fact that physicians die differently than the rest of us. They are more comfortable. They are more likely to spend their final days surrounded by loved ones. They seldom die in an ICU or even in a hospital setting. That is because doctors understand what works and what doesn't. Doctors are very clear about their wishes, and they choose quality of life and concern for their families as well as their own well-being.

I have been working in this area of end of life care for more than 6 years. The Ways and Means committee unanimously approved my legislation as part of the Affordable Care Act to provide greater support for families with that decisionmaking process.

It did pass the committee unanimously as part of the Affordable Care Act, even despite the furor of the 2009 lie of the year about death panels, on the strength of some of the most compelling testimony that was delivered not by expert witnesses, but by Members of the committee.

One of our Republican Members discussed how his mother didn't get the care that she needed at the end of her life. Another physician Member of the committee explained how he had these conversations repeatedly, but unfortunately they were often much later than they should have been. There wasn't adequate time for the family to prepare.

Well, there has been a sea change on this issue in part because of rising public awareness. Support for our bipartisan legislation, the Personalize Your Care Act, which I have worked on for years now with Dr. PHIL ROE, has made great strides forward.

We have had advocates like Dr. Bill Frist, former Republican leader of the Senate, who has spoken eloquently and written forcefully about the need to help families under these trying conditions.

The Reverend Billy Graham has written about how it is Christian responsibility to take this on for ourselves and spare our loved ones uncertainty.

Dr. Atul Gawande recently published a brilliant work, ''Being Mortal,'' which quickly climbed to the top of the best seller list for The New York Times.

The Institute of Medicine has put out a seminal, over 600-page report about dying in America that talked about the problems and opportunities to provide more choices and protect people's wishes.

Yesterday was another important landmark where the administration published a proposed fee schedule for next year in which they have assigned an activity code with payment for advanced care planning.

Now, of course, this is merely a proposal and CMS is still seeking comment, but it is a historic step forward for a decision that will be finalized this fall. It is yet another indication that we can and will do a better job of meeting the needs of America's families under the most difficult of circumstances.

We will make sure Americans have all the information they need to make the right decisions for themselves and their family and then to assure that those decisions, whatever they may be, are honored and enforced.

Medicare will pay for thousands of expensive medical procedures, and now, for the first time, the government is placing a value on this important conversation between a patient and their chosen medical professional.

Now it is the job of the rest of us to do our part to spare our loved ones. Who will speak for us if we are unable to speak for ourselves, and what will they say?

PROPOSED FIDUCIARY STANDARDS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, most economists and financial advisers have recognized that families across the United States are headed toward a

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major retirement crisis. Studies have shown that a majority of households headed by someone aged 59 or younger are in danger of suffering from falling living standards in their retirement years.

And so the administration and this Congress should be advancing policies that make retirement counseling, savings advice, and investment services more accessible, not less. Retirement planning, savings counseling, and investment advice can improve the quality of life and economic stability of every American.

Yet recent actions by this administration, however well intended, will make these financial services less accessible and less affordable to those who are in most need of them by forever changing the rules regarding financial advising related to retirement accounts.

Mr. Speaker, for years the community of financial advisers, including those throughout Pinellas County and the Tampa Bay area that I have the privilege to represent, has been governed by what is known as the suitability standard; that is, a financial adviser is required to provide financial counseling and investment recommendations that are suitable for a client based upon that client's financial position and financial goals. The suitability standard requires advisers to act fairly in dealing with clients.

This suitability standard has served individual investors well for many years, creating a market for financial services for new and low dollar investors seeking basic investment services and thoughtful financial and retirement planning.

But the administration is now in the process of replacing that standard with a new standard called the fiduciary standard. This new standard, under the guise of protecting investors, will actually have the opposite effect. The administration's proposed rule will ultimately reduce or, in some cases, eliminate financial counseling, products, and services to new and low dollar investors. The rule will result in the elimination of financial products that adequately compensate advisers for their services, and it will increase the cost of compliance on advisers who ultimately will need to pass on those costs to clients through a higher fee structure. And it will simply cause some advisers to cease serving many clients who are, in fact, in most need of financial services.

But worse, Mr. Speaker, the Department of Labor's new rule reflects the approach we continue to see from regulators throughout this administration, an arrogant and demeaning suggestion that industry throughout America is necessarily comprised of all bad actors, and unless these actors are forced to do so by this administration, they will no longer do right or do good but for the heavy hand of government and the heavy hand of this administration making them do so. It is a Washington-knows-best approach that communities across the country continue to reject.

My message today is a simple one: The administration can do better. Do not issue the proposed new fiduciary standard rule.

The Department received thousands of comments about the proposed rule and seemingly ignored them all.

Members of Congress from both sides of the aisle have sent letters to the Department of Labor expressing the negative impacts that this proposal would have on their communities, and we have begged the Department of Labor to revisit this rule and simply do better on behalf of the American people.

Congress has also taken action on its own and will continue to do so. Recently, the Appropriations Committee included provisions within their respective bills in the House and Senate to halt the administration from moving forward on this perhaps well-intended but completely wrong proposed rule. It was right that we did so.

The administration simply must do better. It starts with recognizing that the financial adviser industry is comprised of men and women across this country who provide a valuable contribution to individuals and couples seeking retirement guidance.

Then let's realize that transparency and sunlight can solve most concerns. But to instead impose a new legal standard that will only increase compliance cost, result in expensive and needless litigation and ever more trial attorney fees and will ultimately eliminate financial counseling to hundreds of thousands of families who need it most, well, Mr. Speaker, that is the wrong answer.

Let's keep the suitability standard. Let's trust financial advisers for the good service they provide. Let's strictly enforce the current law against the very small number of individuals who seek to take advantage of individual investors. Let's protect financial services for those who need them most. And let's revisit a rulemaking process that focuses only on transparency, ultimately providing consumers and clients with the information they need to make responsible investment decisions and to responsibly select a financial adviser that is right for them.

It is time that this administration begins trusting the American people.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, for the record, I am not Mexican, and I am not an immigrant. Given the rhetoric of one of the leading Republican candidates for President, it is important to point that out at the start before I am accused of being a criminal, a drug dealer, or a rapist.

To be fair, Donald Trump didn't say that all Latinos or all Mexicans are rapists, just that the vast majority of Mexican immigrants are rapists, drug dealers, and criminals. Clearly, if anyone has firsthand knowledge of Mexican immigrants working in the United States, it should be the owner of a hotel, casino, office buildings, or a clothing line. But Trump doesn't seem to be basing his opinions about Mexican immigrants on personal knowledge.

To justify his claims, Trump says that most of the women coming from Central America to the U.S. through Mexico and other countries report being sexually assaulted. On this point, he and I have some agreement. Women and children at the lowest rung of our economic and social ladder are incredibly vulnerable to sexual assault and rape. But the leap from saying that most undocumented women are vulnerable to assault and saying most undocumented men are rapists is, as he might say himself, huge.

The documentary on PBS Frontline, ''Rape in the Fields,'' was a powerful expose on how immigrant women toiling in our fields are regularly the victims of rape and abuse because perpetrators recognize how vulnerable immigrant women are. They are afraid to talk to the police, afraid they will be deported, and afraid they will lose their children. And this fear to report crimes makes us all less safe.

Yes, the rape and abuse is sometimes perpetrated by other Latino immigrants, perhaps even Mexicans, but these crimes are also committed by men of all colors and national origins, including red, white, and blue Americans.

So when Donald Trump says on CNN, ''Well, someone is doing the raping,'' as further evidence that we should be building a big wall so he can plaster his name on it and keep immigrants out, I think it is pretty clear The Donald misses the point.

The question is: How do we create an immigration system that protects us from criminals and that allows people to come with visas and not smugglers so that their work is honored, safe, protected by our labor laws? How do we make sure that these workers who contribute so much to America's economy are not afraid to dial 911 and report wage theft or assault when someone, anyone, is threatening them or their families?

Now, the anti-immigration wing of the Republican Party in this body and on the air is saying that Trump may have a point. After all, a beautiful, innocent woman was shot in cold blood by a Mexican immigrant in San Francisco just last week.

Why wasn't he deported? Why wasn't he held in jail the last time? And you will actually hear this on FOX News: Why is President Obama letting Mexicans kill beautiful young American women?

As the father of two daughters about the age of Kate Steinle, the young woman who was shot and killed, I pray every night that no one of any racial or

ethnic background ever does my daughters harm, and I can only imagine the grief that her family is feeling.

When we have felons in Federal custody or State or local custody with warrants for drug crimes who are deported multiple times and come back, this Congress has not done its job, unfairly leaving States and localities to cope with decades of inaction on immigration, criminal justice, and a range of other issues. I have no sympathy for the man accused in this crime. Murderers should rot in hell.

So if we had a system that allowed people who have lived here a long time, contributed productively to American society, and who have children and other deep roots in the United States, what if we allowed them to come forward? What if we made them pay for their own criminal background checks, fingerprinted them, made them prove their identity, and check on them every so often to make sure that they are not gaming the system or committing crime?

What if we had a system where people came here legally in the first place, if they could prove their identity and that they had no criminal background?

I argue that such a system would allow us to reduce significantly the number of people who are in this country without legal status. It would shrink the size of communities where many people are undocumented, where people are afraid to call the police so that criminals find it easy to blend in and not stick out. Such a system would allow us to concentrate our enforcement and deportation resources on real criminals who should be jailed and then thrown out and kept out.

□ 1015

I argue that such a system would make it harder for criminals to hide and easier for honest, hard-working folks to contribute to their communities without fear. Unfortunately, that is exactly the system that some Republicans have been fighting against.

When a hotel and casino owner gets on his high horse about Mexican immigrants, about crime, rape, and murder, let's think about who is standing between the United States—this country, the one that we love and we have sworn to protect—and a modern immigration system based on common sense, compassion, and, yes, the rule of law.

TIME FOR HEALTHCARE SOLUTIONS THAT LOWER COSTS AND EMPOWER PATIENTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, for the past 2 years, my email inbox, mailbox, and phone lines have been flooded with reports of canceled health insurance plans, soaring premiums, increased deductibles, and exasperated constituents trying to navigate the confusing Washington bureaucracy that is ObamaCare.

Members of Congress have to buy their health insurance on the ObamaCare exchanges along with millions of other Americans, and I experienced many of the same frustrations, including the nightmare of navigating a confusing, unfinished Web site.

Despite its central promise, the Affordable Care Act has proved to be anything but affordable for many North Carolinians, and the Supreme Court's recent decision in King v. Burwell doesn't change that fact.

House Republicans are continuing our efforts to minimize the damage caused by ObamaCare. We have passed legislation that would permanently repeal ObamaCare's 2.3 percent excise tax on medical devices, which has hindered innovation as well as restricted growth and job creation in an industry that has improved the quality of life of millions around the world.

We have voted to repeal the Independent Payment Advisory Board, which was created under the President's healthcare law and gives a panel of 15 unelected, unaccountable bureaucrats sweeping authority to slash Medicare payments to providers or eliminate payments for certain treatments and procedures altogether.

The House has passed legislation that would change ObamaCare's 30-hour definition of full-time employment and restore the traditional 40-hour workweek. From adjunct professors to hourly workers, I have heard from constituents across North Carolina's Fifth District who have one thing in common: their hours are being reduced.

ObamaCare has placed an undue burden on employers and their employees by undermining the 40-hour workweek, which has long been the standard for full-time work.

We have voted to make it easier to hire veterans by exempting those who already have health insurance from being counted as full-time employees under the President's healthcare law. No employer should be penalized for hiring a veteran, and no veteran should be unemployed because of ObamaCare.

However, the best approach to solving the multitude of problems resulting from ObamaCare is to unite behind a complete repeal of the law and replace it with solutions that lower costs and empower patients to choose the care that is right for them.

I recently signed on as a cosponsor of H.R. 2653, the American Health Care Reform Act. This bill would repeal ObamaCare completely and allow a standard deduction for health insurance that treats individually purchased plans and employer-sponsored plans the same, making sure that all Americans receive the same tax benefits for health care.

H.R. 2653 would return decisions about healthcare and insurance coverage to patients. It is people, not government, who can best determine the coverage and services that meet their needs.

A government takeover of health care is not what Americans asked for and certainly not what we can afford.

STAND UP AGAINST RIGHT TO WORK LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, Ronald Reagan once said: ''Where free unions and collective bargaining are forbidden, freedom is lost.''

When President Reagan made those remarks in 1980, he recognized then what many can't seem to understand now: efforts to undermine unions are an attack on workers' rights.

Unions have long been the foundation of our middle class and helped create the most competitive workforce in the world. The 40-hour workweek, minimum wage, sick leave, workers comp, overtime pay, and child labor laws are just a few of the basic labor rights that unions have championed over the years that many now take for granted; yet for all the good that unions have done to empower all workers across this country, there has been a recent revival in the war against them, and the weapon of choice has been right to work laws.

Don't be fooled by the name. The only thing right to work laws do is unfairly allow free-riding workers to benefit from union-negotiated contracts without having to contribute their fair share in the fight. The laws do not, as many supporters complain, protect workers from being forced to become union members. In fact, Federal law already restricts this.

In union States, workers covered by union-negotiated contracts can only be required to pay for the cost of bargaining and not for any other union activities.

However, over the last few years, there has been an alarming increase in antiunion sentiment. Currently, half of our States have right to work laws, with Indiana, Michigan, and Wisconsin recently passing their own versions.

In my own home State of Illinois, Governor Rauner has made passing right to work a top priority. In fact, he is making this a cornerstone of his first-term legislative agenda.

The idea behind his right to work law is that by increasing the number of free-riding workers, unions will be forced to drastically reduce their budgets, weakening their ability to negotiate stronger contracts and defend the rights of American workers, but the evidence clearly shows how misguided this stance is and the attacks on organized labor truly are. For instance, research shows that 7 of the 10 States with the highest unemployment rates are right to work States.

On top of that, we know that even if half of the counties in Illinois adopt right to work laws, we would see the

State's annual economic output shrink by $1.5 billion, labor income fall by $1.3 billion, and an increase in both racial and gender income inequality.

If right to work laws are not actually good for the economy, what are they good for? Right to work laws do a great job at harming hard-working middle class families, widening income inequality, and weakening unions. Right to work States have seen almost a 10 percent decline in unionization, which has undermined growth in wages and led to the deterioration in workplace safety.

In right to work States, wages for all workers, not just unionized workers, are over 3 percent lower than in non-right to work States. That is about $1,500 less per year in the pockets of teachers, firefighters, nurses, and other hard-working Americans.

Furthermore, injuries and deaths in right to work States are much higher than in non-right to work States. In the high-risk environment of construction, where unions have played a fundamental role in demanding adequate safety standards, deaths are 34 percent higher in right to work States than in non-right to work States.

As you can see, right to work is not right for our country, not right for our States, and not right for our workers. Using right to work as a strategy to lower wages and attract more businesses is not a suitable and sustainable strategy.

Instead of focusing on attacking unions and middle class workers, Governors should focus on fixing broken budgets and investing in our schools, public safety programs, and transportation systems. That is the real recipe for economic success.

Let's stand up against right to work laws and stand up for the right to organize, the right to a safe job, and the right to a fair wage.

HONORING DR. PETER SCHRAMM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. GIBBS) for 5 minutes.

Mr. GIBBS. Mr. Speaker, I rise today to honor Dr. Peter Schramm of the Ashbrook Center at Ashland University in Ashland, Ohio. Earlier this week, the Ashbrook Center, supporters, and friends gathered to recognize Dr. Schramm for his years of service and to name the center's library in his honor.

Since 1987, Dr. Schramm has been teaching political science at Ashland; mentoring students; and shaping the minds of the next generation of teachers, lawyers, and political thinkers.

His story starts in Hungary, as a young boy living under the brutal Soviet regime. When he was 10, after the Communists crushed the Hungarian uprising in 1956, Peter's father decided it was time to leave Hungary and come to America. Peter asked his father why he chose America, and he was told: ''We were born Americans but in the wrong place.''

After leaving Hungary, the Schramm family found their way to California, thanks to an American dentist his father met shortly after World War II.

With just a few American dollars, Peter's family started a new life. His parents found work, and Peter and his sister went to school. Peter did not know English and had to learn along the way, with the help of his classmates.

Eventually, they saved enough money to open a restaurant. The whole family worked there. Peter continued his studies and worked through college. He studied history and graduated, taking a few years longer than usual because he was unaware he actually had to graduate. Peter was content to learn for the sake of learning. Years later, he once said: ''I think it is true that human beings by nature desire to know.''

His economic curiosity led him to Claremont for his master's and doctorate degrees. It was there that he studied the classics, focusing more on philosophy than history.

When he began teaching, Dr. Schramm insisted on an open discussion, encouraging and directing debates among his students. He once said: ''A good education is a conversation.''

He didn't want to lecture his students and believes that a classic liberal arts education should teach its students how to read, to analyze, and to explain and defend their beliefs.

The Ashbrook Center, where he served as executive director and senior fellow of the scholar program, states that their mission is to restore and strengthen the capacities of the American people for constitutional self-government. Having witnessed the corruption and horror of the Soviet rule, he was able to impress upon his students how important Ashbrook's missions and values are.

One of his most recent students and an intern in my office, James Coyne, told me: ''Dr. Schramm has dedicated his life to preserving and perpetuating American greatness by teaching us what it means to be an American. The many of us he has taught will continue his work and honor his legacy by educating future generations on what makes America great.''

Dr. Schramm, who is battling an aggressive illness, can be assured that the principles of self-government of free men with free minds and the values that our Founding Fathers cherished are alive and well in the generations of students he has taught.

On Monday evening, Dr. Schramm said that, despite his medical condition, no man has been happier than he has been.

Thank you, Dr. Schramm, for adopting America as your home and teaching so many young minds to keep the flame of freedom burning.

DARK PERIOD IN AMERICAN HISTORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise to express the utter outrage of the Congressional Black Caucus regarding the Calvert amendment, scheduled for later this afternoon, which is an amendment to the Interior Appropriations bill.

That amendment would allow Confederate imagery to remain on graves on Federal lands. Don't Republicans understand that the Confederate battle flag is an insult to 40 million African Americans and to many other fair-minded Americans?

The Confederate battle flag, Mr. Speaker, is intended to defend a dark period of American history, a period when 4 million Blacks were held as slaves, held as property, as chattel, not as human beings. The slaves were bought and sold and mortgaged and gifted as chattel.

Mr. Speaker, this period of enslavement continued for more than 200 years and did not legally end until December 6, 1865.

Here is the history, Mr. Speaker. Following President Lincoln's election in November 1860, 12 Southern States ceded from the Union in response to their belief that President Lincoln would free the 4 million slaves. South Carolina was the first State to cede from the Union, on December 20, right after Lincoln's election.

These Southern States formed the Confederate States of America. They empowered a military, elected a President, adopted a constitution, and adopted a currency. They engaged in a brutal, brutal civil war with the Union. Thousands of lives were lost on both sides of the battle. The Confederate flag, Mr. Speaker, was their symbol; it was their flag.

The Southern States lost the war. The States then rejoined the Union. President Lincoln then proposed the 13th Amendment, legally ending slavery. That amendment, Mr. Speaker, passed this Congress on January 31, 1865, and finally was ratified by Georgia on December 6, 1865. During the period of ratification, President Lincoln was assassinated.

For the next 50-plus years, every Black person living in the South faced the possibility of lynching. More than 4,000 Blacks were lynched between 1890 and 1950, and 136 Black people were lynched in South Carolina.

There are some now who want to continue to honor slavery and to honor bigotry, and this House, Mr. Speaker, must not be complicit.

The horrific shooting in Charleston, South Carolina, was an example of a 21st century lynching.

□ 1030

The manifesto left by the Charleston killer stated:

> I have no choice. I am not in the position to, alone, go into the ghetto and fight. I chose Charleston because it is the most historic city in my State, and at one time had

the highest ratio of Blacks to Whites in the country.

He was right, 57 percent.

We have no skinheads, we have no real KKK, no one doing anything but talking on the Internet. Well, someone has to have the bravery to take it to the real world, and I guess that has to be me.

Mr. Speaker, bigotry continues to exist in this country. This Congress should not pass any legislation, today or any other day, that would embolden those who continue to hold racist beliefs.

The Calvert amendment—the Calvert amendment—is misguided, and it emboldens bigotry. I ask my colleagues, Democrat and Republican, respectfully, let's defeat the Calvert amendment this afternoon, and even if the gentleman would consider to withdraw his amendment and not put this House through this turmoil today.

HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, yesterday, in a terrible attack, over 200 people were killed across these United States. This headline should lead every TV news show, hit the front pages, and generate outrage from across the country, but it did not appear. This is not make-believe. The news is real, but no one reported it.

We lose more than 80,000 people a year now to suicide and drug addiction overdose. That is over 200 people a day. Where is the news?

Now, these are the sudden and tragic deaths. Then there are the slow-motion deaths which we can't even count, those who have a mental illness and ended up homeless, or have a co-occurring chronic illness, such as diabetes or heart disease, and face that slow-motion death sentence. In fact, people with serious mental illness tend to die 25 years earlier than their cohorts.

And then there are the mentally ill who are victims of attacks. Last week, The Washington Post revealed how, in the first 6 months of this year, a person who was in mental health crisis was shot and killed every 36 hours by police. The vast majority were armed, but, in most cases, the police officers who shot them were not responding to reports of a crime. More often, they were called by relatives, neighbors, or other bystanders, worried that a mentally fragile person was behaving erratically. The crisis built, and it ended in death.

Further, the mentally ill are more likely to be the victims of violence, robberies, beatings, rape, and other crimes. These individuals are also 10 times more likely to be in jail than in a hospital.

If you are a minority, chances are your mental health treatment comes in a prison, not in a community health center.

Have we become so numb we no longer notice? Are we so numb, we no longer care?

Tragically, government tries to help, but, frankly, it is a mess. The chaotic patchwork of current government programs and Federal laws make it impossible for those with severe psychosis, schizophrenia, and serious mental illness, to get meaningful care.

For example, when someone with serious mental illness is haunted by delirium and hallucinations and doesn't even know they are ill, they frequently stop taking their needed medication. They don't follow up on appointments and their health declines. Our Federal laws prevent a caregiver from getting their loved one to the next appointment or to follow up on their care.

We need to provide treatment before tragedy and get these individuals help before their loved ones dial 911. The Helping Families in Mental Health Crisis Act, H.R. 2646, provides millions of families the tools needed for effective care.

H.R. 2646 empowers parents and caregivers to access care before the mental illness reaches the most severe stage. It fixes the shortage of inpatient beds, so patients in mental health crisis can get proper care, not be sent to a jail, not tied to an emergency room gurney, and not sent home.

It helps reach underserved and rural populations. It expands the mental health workforce. It drives evidence-based care. It provides alternatives to institutionalization. It integrates primary and behavior care.

It increases physician volunteerism, advances critical medical research, brings accountability to mental health and substance abuse parity, and it also provides crisis intervention grants for police officers and first responders. This training helps law enforcement officials recognize individuals who have a serious mental illness and learn how to properly intervene.

My bill eliminates wasteful and ineffective programs and directs money where it is needed most. It restructures the Federal mental health system to focus on serious mental illness rather than behavioral wellness and feel-good fads that yield no meaningful results yet cost taxpayers millions each year.

My bill elevates effective programs and helps communities adopt programs to stop the revolving door of mental health crisis, violence, incarceration, ER visits, and abandonment.

This bipartisan legislation, now with more than 50 cosponsors, marks a new dawn for mental health in America. I urge my colleagues to join me in this effort by cosponsoring the Helping Families in Mental Health Crisis Act, H.R. 2646. Let's no longer turn a blind eye and, instead, help those that need it the most.

Whether on the fast road or the slow road, the 200-plus deaths per day, the 80,000 deaths per year and unknown number of victims is far, far too many. Compassion calls us to act—and act now. The cost of delay is deadly. For those families who are suffering, how can we look them in the eye and defend our delays to act?

CONFEDERATE FLAG AMENDMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, there are days in this House when morality and the values of our country, as articulated in the Declaration of Independence and in the Constitution of our country, summon us to vote as Americans, as moral representatives, and as representatives of the values of our country. Today is such a day, my colleagues.

Three Democratic amendments were adopted earlier in the consideration of the Interior bill that would end the practice of displaying or selling Confederate battle flags and flag merchandise in national parks and National Park Service cemeteries. Those amendments were adopted by voice vote. They reflect the strong consensus in this country and, hopefully, in this Congress, that a symbol of slavery, sedition, segregation, and secession has no place in our national parks or in the cemeteries whose grounds have been hallowed by the veterans who rest there after having served and given their lives in defense of freedom and justice and the values of our country.

Unbelievably, however, Mr. Speaker, several hours ago, in the dark of night, the chairman of the Interior Subcommittee offered an amendment on this floor that would effectively strike those amendments which surely reflect the values to which all of us have risen our hand and sworn to protect.

Today, on the anniversary of the ratification of the 14th Amendment to our Constitution—how ironic that we would meet this vote on this day—which enshrined the principle of equality for all Americans, we have this shameful Confederate battle flag amendment on our floor.

This amendment would keep in place a policy that allows Confederate battle flags in our national parks and National Park Service cemeteries, a symbol, as my colleague JIM CLYBURN, the assistant leader and the chairman of the Congressional Black Caucus and an extraordinary Representative in South Carolina, said yesterday was so offensive and hurtful to so many millions of our fellow citizens and our fellow colleagues in this body.

Even in South Carolina today, where the Confederacy was born, that flag is being taken down from the State capitol grounds after both Republican-controlled houses of that State's assembly voted to remove it.

Certainly—certainly—on this day we ought not to see a Republican-led Congress move in the opposite direction. My colleagues, together, not as Republicans and Democrats, but as Americans deeply committed to the values of

equality and justice and opportunity for all, we ought to remove that flag from our national parks, the cemeteries where our veterans rest and, I would say further, all public places. That includes the United States Capitol.

And I support my friend Representative THOMPSON's resolution that sits now in the House Administration Committee that would remove the flag of Mississippi, which contains the Confederate battle flag, until such time as Mississippians, as South Carolinians did yesterday, make a statement and remove that from their flag.

I urge my colleagues, my fellow Americans, the 434 of my colleagues that have raised their hand and sworn to protect and defend the Constitution of the United States of America, I urge my colleagues, let us do the right thing and reject this amendment and send a powerful message about what America truly represents: equality, justice, respect for one another, freedom for all.

Let us make America—every American—proud of us this day and reject the amendment adopted in the dead of night.

NEGOTIATIONS ON IRAN'S NUCLEAR CAPABILITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, I rise today to talk about the negotiations taking place right now in Switzerland over Iran's nuclear capability. With all that has been going on lately, I fear not enough attention is being paid to what I believe is one of the most important issues facing our country right now.

Last week, the Obama administration quietly announced yet another deadline extension to the multilateral negotiations over Iran's nuclear capability, and this week, negotiators blew past that deadline once again.

Of course, the goal for the United States and our allies must be to prevent Iran from obtaining a nuclear weapon. However, recent reports out of Switzerland have raised concerns that our negotiators have already conceded too much on major points like uranium enrichment, economic sanctions relief, and inspection access.

Mr. Speaker, the very fact that we keep extending the deadline tells you all you need to know about the priorities at play for this administration. It seems that President Obama and Secretary Kerry are so concerned with striking a deal—any deal—that they are unwilling to walk away from a bad one as deadlines keep passing.

The Boston Globe reported that negotiators have spent their downtime speculating which movie stars would play them in a Hollywood movie about the Iran deal.

If this is true, Americans should be outraged. This is an extraordinarily important issue that will have an extraordinarily far-reaching effect on this country and the world for many years to come.

The fact is we have had extension after extension and concession after concession to the point that I am not sure a good deal is even possible at this point.

A few months ago, I traveled to the Middle East with the Speaker as part of his delegation to the region, and we visited countries that would be directly affected by dealing with a nuclear Iran—Israel, Jordan, Iraq, Saudi Arabia.

Our allies in the region are rightfully concerned that what is being brokered isn't good at all.

□ 1045

We cannot forget how high the stakes are here. If a bad deal is ratified, we aren't just talking about a nuclear armed Iran.

We are talking about setting in motion a nuclear race, a chain of events that could allow multiple countries in this very volatile region of the world wanting to become nuclear as well.

And after seeing the international community reward Iran's hostility and obstinance with a nuclear deal, who would blame them?

Mr. Speaker, I appreciate the leadership of my colleagues in this Chamber and in the Senate. And I agree with Senator CORKER, who is the chairman of the Senate Foreign Relations Committee, who wrote a letter to the President, ''Walking away from a bad deal at this point would take courage, but it would be the best thing for the United States, the region, and the world.''

We may not be able to control the outcome in Switzerland, but we can control how we respond if a bad deal is put forward.

This Congress can have the final say whether or not to lift sanctions in Iran. It can have the final say on the deal, itself, by way of a resolution of disapproval.

I believe Members of Congress must prepare to stand up and have the courage that it would take to stop a bad Iranian deal from happening. For some, this will take a lot of courage, but it is necessary.

We cannot allow President Obama and Secretary Kerry to put their desire for a legacy achievement above the best interests of this Nation and our allies.

CONFEDERATE BATTLE FLAG SYMBOLISM

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 5 minutes.

Mr. JEFFRIES. Mr. Speaker, had this Confederate battle flag prevailed in war 150 years ago, I would not be standing here today as a Member of the United States Congress. I would be here as a slave. Over the last 150 years, we have made tremendous progress in this country, but we still have a long way to go.

As the tragic events in Charleston, South Carolina, illustrated, when nine God-fearing, churchgoing African American citizens were killed by a White supremacist, there is much work that needs to be done to eradicate the cancer of racial hatred.

When Dylann Roof committed this act of domestic terror, his emblem was the Confederate battle flag.

Later on today we are going to have a vote on the legitimacy of this flag. On Tuesday, it appeared that House Republicans were prepared to do the right thing in support of three amendments to prohibit the use of Federal funds for the purchase, sale, or display of the Confederate battle flag on National Park Service land.

But less than 24 hours later, House Republicans reversed course in the dead of night under cover of darkness to introduce an amendment supporting the Confederate battle flag, which is nothing more than a symbol of racial hatred and oppression.

There are some in this House who have made the argument that the Confederate battle flag is about heritage and tradition. I am perplexed.

What exactly is the tradition of the Confederate battle flag that we are supporting? Is it slavery? Rape? Kidnap? Treason? Genocide? Or all of the above.

The Confederate battle flag is nothing more than a symbol of racial hatred and oppression. And I stand here with chills next to it because the red in this flag is a painful reminder of the blood that was shed by Africans who were killed when attempted to be kidnapped and thrown into the institution of slavery.

The red on this flag is a painful reminder of the blood that was shed by millions of Africans who died during the Middle Passage when being transported from Africa to America.

The red on this flag is a painful reminder of the blood that was shed by African American slaves who were beaten, raped, lynched, and killed here in America as a result of the institution of slavery.

What exactly is the tradition the Confederate battle flag represents?

We were sent here as leaders to make decisions on the morality of America. And where we are, notwithstanding our painful history and the legacy of slavery, we have an opportunity today to make a definitive statement to be leaders, not individuals who cower in fear of some narrow-minded Americans who aren't aware that the South lost the war 150 years ago.

Let's choose racial progress over racial poison. Let's choose harmony over historic amnesia. Let's choose togetherness over treason. Let's come together not as Democrats or Republicans, not as Whites or Blacks, not as northerners or southerners.

Let's come together as Americans and vote down the Calvert amendment and relegate the Confederate battle flag to the dustbin of history, which is where it belongs.

WYOMING COUNTY, 2015 SADD NATIONAL CHAPTER OF THE YEAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the Wyoming County, West Virginia, chapter of Students Against Destructive Decisions, also known as SADD.

The Wyoming County chapter has been named the 2015 SADD National Chapter of the Year. Consisting of 300 members from six different schools, these Wyoming County students work hard to encourage young people to avoid underage drinking, drugs, and other destructive activities.

Wyoming County and the surrounding area, like many parts of our State and country, are limited in the number of youth programs and social services leading to temptations for many teenagers. SADD helps fill the void and is a positive force in helping students make positive life choices and avoid destructive decisions.

These students represent our State's values and demonstrate compassion, commitment, and courage through their work. I know they will take the skills they have learned in SADD and become the next generation of leaders in West Virginia.

I congratulate these students and teachers and thank them for making Wyoming County a better place to live.

CONFEDERATE FLAG AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota (Ms. MCCOLLUM) for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, as you pointed out, I am from Minnesota. Minnesota's Governor Ramsey was in Washington, D.C., shortly after the attack at Fort Sumter, and he was the first to offer up our support—1,000 Minnesotans—to keep our Union together.

Minnesota was at the Battle of Gettysburg. Our regiment suffered 82 percent in casualties, the greatest loss of any unit at Gettysburg on a single day.

So last night, when the Republican leadership put forward a last-minute amendment that would allow for the display and sale of the Confederate flag in our national parks, an amendment which we will vote on today that would allow this hateful symbol which evokes memories of racism and a painful period in our country's past to be displayed on public lands, I found myself shocked, outraged, and disappointed because the people in Minnesota sent me here to strive for what they strive for every day: to build a better, stronger America, an America in which we strive to give everyone hope and opportunity, that they too can pursue life, liberty, happiness, and justice.

So the flag that we are talking about is a symbol of a time when African Americans were enslaved, sold as human commodities. It had been used as a rallying cry throughout our history for those who wish to keep our country segregated.

And we saw again last month in Charleston this flag being used as a symbol for many who carry hatred in their hearts, a man who carried so much hatred that he took the lives of nine parishioners because he viewed this flag as a symbol of his beliefs.

This flag should be no point of pride for any American, and we should take this flag down.

Just 2 days ago, without opposition, as I had the honor of being ranking member as we were doing the Interior bill, this body voted to adopt amendments which would prevent the sale or display of Confederate flags in national parks.

Those amendments were simple, commonsense efforts to place into law standards that the National Park Service had put forward last month. It was a moment of great pride for me.

All those new standards would do was bring the Federal Government in line with decisions made by many private sector retailers: Amazon, Wal-Mart, Sears, Disney. And other national retailers have all made the decision to take down this flag because of its racist history.

Private businesses are rallying behind a commonsense decision to stop peddling hateful symbols. So why in heaven and Earth is the House of Representatives, the Republican Caucus, working to ensure that the Federal Government allows them to be sold?

For House Republicans, it appears perhaps the cost of getting the votes to pass the Department of the Interior, Environment, and Related Agencies Appropriations bill, which panders to polluters, is to wrap themselves in a banner of racism.

I think that is wrong, and I urge my colleagues to stand with people of great courage and great passion to say ''no'' to hate, ''no'' to racism, and ''yes'' to America.

I urge my colleagues to vote ''no'' on the Calvert amendment.

CLEAR LAW ENFORCEMENT FOR CRIMINAL ALIEN REMOVAL ACT OF 2015

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor today to discuss H.R. 2964, the Clear Law Enforcement for Criminal Alien Removal Act.

This is a bill that I have had introduced every Congress since 2007. And we have many Members of this body, Mr. Speaker, who have joined as cosponsors of this legislation.

What it would do specifically is this: It would ensure that State and local law enforcement officials have the tools necessary to help the Federal Government deport criminal illegal aliens from the United States.

□ 1100

My legislation would require the Department of Homeland Security, when a State or local law enforcement agency arrests an alien and requests DHS to take custody of that alien, to do a few specific things. Number one, they have to take the alien into Federal custody and incarceration within 48 hours and request that the State or municipality temporarily incarcerate the alien or transport the alien to Federal custody. This would allow them to remove this individual from the country and bar them from coming back.

Mr. Speaker, the bill also requires the DHS to train State and local police in enforcement of immigration laws, the Federal Government to reimburse local and State governments, and to withhold funds from sanctuary cities.

Now, we have heard a lot about these issues in the last few days, and one of the problems that we have is the sanctuary cities. Mr. Speaker, I have before my colleagues a map that was prepared by the Center for Immigration Studies. We now have in this country 200 sanctuary cities. I am reading from this map. More than 200 cities, counties, and States across the U.S. are considered sanctuary cities.

Now, what happens in these cities is they choose to work around and to circumvent or not to abide by Federal law when it comes to immigration policy. That is one of the reasons passing the CLEAR Act is so important, holding them accountable.

Also, reading from the map, I find it so interesting that the Department of Justice has never sued or taken any measure, including denying Federal funds, against the jurisdiction that is a sanctuary city. On the other hand, we know that the Department of Justice actually sued the State of Arizona for trying to strengthen its immigration laws.

Mr. Speaker, I would come to the floor today as we talk about dealing with the criminal illegal alien population and highlighting H.R. 2964. I would ask my colleagues: What does your vote record say about your actions? Are you strengthening Federal law and abiding by Federal law? Or do those actions strengthen sanctuary cities? Do they provide more accountability? Is that what you are providing through your vote actions? Or is it something that allows a violation of Federal law to continue?

I think it is imperative that we address the issue of criminal illegal aliens, that we address the issue of sanctuary cities; and, Mr. Speaker, I think that it is imperative that we move forward with passage of the CLEAR Act by this body. It is a simple bill.

I encourage my colleagues to read it. It is 21 pages, and you will find in there that it addresses these issues that are front and foremost in our minds this day.

THE CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I would like, first of all, to thank the Speaker of this House and the other Members who came to Charleston last month to help us with the ongoing ceremonies for Senator Clementa Pinckney.

I would also like to thank especially my colleagues—Senator TIM SCOTT, Senator LINDSEY GRAHAM, and Congressman MARK SANFORD—for joining with us as we stood with the Governor of South Carolina and called for removing the Confederate battle flag from the grounds of the statehouse.

This afternoon, at 4 o'clock, as a result of a very definitive vote early this morning of 94–20, the Governor is going to sign the bill, and tomorrow morning at 10 o'clock, the flag will be removed from the statehouse.

I regret that I am not going to be able to accept the Governor's invitation and be there this afternoon because, around 4 o'clock this afternoon, we are going to be voting here on this floor.

I understand there will be around 25 votes, and 24 of them, I might not feel all that bad about missing, but one of them, I cannot afford to miss because that one vote, the Calvert amendment, will reverse votes taken by this body to join with South Carolina, Alabama, and activities going on in Mississippi to get rid of any official application to this flag, the Confederate battle flag.

Now, I think it is important for us to point out that this is not the Confederate flag. The Confederacy had three flags. This was never one of them. This flag was the Confederate battle flag of the Army of Northern Virginia, Robert E. Lee's Army; and when Robert E. Lee surrendered at Appomattox, he asked all of his followers to furl this flag.

''Store it away,'' he said. ''Put it in your attics.'' He refused to be buried in his Confederate uniform. His family refused to allow anyone dressed in the Confederate uniform to attend his funeral. Why? It is because Robert E. Lee said he considered this emblem to be a symbol of treason; yet, Mr. Speaker, Calvert puts up an amendment that we are going to vote on this afternoon to ask us to allow this flag to be sold and displayed in our national parks.

I was so proud when the decision was made by the National Park Service, Fort Sumter, a national park where the Civil War started off the coast of Charleston, South Carolina, they decided to take away all of these symbols; but the Calvert amendment is saying: No, don't take them away, put them back, and we are going to ratify the action to do so.

Mr. Speaker, I call upon all of my colleagues who come to this floor this afternoon to remember that it was on this date in 1868 that South Carolina—where it all started—South Carolina was the State that gave the votes necessary to ratify the 14th Amendment.

To me, this was a very, very important amendment calling for due process and equal protection of the laws.

A BAD DEAL WITH IRAN IS WORSE THAN NO DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, in March, before a joint meeting of Congress, the Prime Minister of Israel, Benjamin Netanyahu, warned ''history has placed us at a fateful crossroads.''

As a world leader at the forefront of this crossroad, I believe America has a responsibility to prevent a nuclear Iran. An Iran with nuclear weapons capabilities would further exacerbate and destabilize the region and would certainly inspire an arms race among other nonnuclear nations.

The Obama administration's foreign policy missteps do not inspire confidence that the current negotiations will conclude any differently. After numerous delays, negotiations are veering further away from any type of reasonable agreement that would contain Iran's nuclear ambitions.

I do not trust this administration as it approaches the reversal of a half century of nuclear nonproliferation policy. As Chairman ROYCE stated over the weekend: ''The Obama administration's fundamental misread of the Iranian regime is part of what makes this potential agreement so dangerous to our national security.''

The sanctions relief numbers that are being reported now are staggering and would directly undercut years of democratic success. Sanctions are a vital tool when working to keep our citizens and allies out of harm's way.

In dealing with an aggressive state sponsor of terror, there should be no daylight between the position of Republicans and Democrats in Congress, nor Congress with the President or the United States with our allies.

Civilized nations must stand united against the destructive output from rogue regimes like Iran. As it stands now, the reported details of the deal will not dismantle the nuclear ambitions of the world's leading state sponsor of terrorism.

Mr. Speaker, if the past is any indication of the future, we can expect that Iran will continue to employ its stonewalling tactics, blocking any real transparency or inspections of its nuclear facilities.

Why isn't Iran answering questions asked 4 years ago by the International Atomic Energy Agency about their past activities? How can we trust a country that won't answer simple questions or allow scientists to be interviewed? How can we set up a sanctions relief system that is based on trust and verification if the country has proven objectively incapable of trust and transparency?

We certainly cannot continue to overlook Iranian compliance failures as reported this week in The Washington Post, nor come anywhere close to lifting its successfully firm arms embargo. These negotiations will have long-term implications on every country on this planet.

I believe the United States has a responsibility to stand with Israel and other allies across the globe now more than ever. We must ensure our allies know they do not stand alone. With the current negotiations extended once again, it appears that the administration simply wants to get any agreement.

I believe it is a legacy item for the President, Mr. Speaker. This administration's willingness to ignore Iran's troublesome behavior throughout negotiations does not inspire confidence.

President Obama promised 7 years ago that he would not allow Iran to develop a nuclear weapon. He is failing to keep that promise to the American people and the rest of the world, in my opinion.

The stakes are too high. Negotiations are reaching a critical moment as we speak here today. This administration needs to understand one indisputable truth: a bad deal is worse than no deal.

VIETNAM HUMAN RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, this year marks the 40th anniversary since the end of the Vietnam war and 20 years of normalized relations between the U.S. and Vietnam.

This week, our President hosted the General Secretary of the Vietnamese Communist Party, Nguyen Phu Trong, a political leader but not an official leader.

During that meeting, I know that the two leaders discussed more normalization of economic and military issues, and I know that President Obama brought up the issue of human rights; but I am going to say this: after 19 years in this Congress of fighting for human rights around the world, the Vietnamese Communist Government always promises, when economic issues are on the table, to do something better with respect to their human rights record, but they never follow through. In fact, it gets worse.

Today, Mr. Speaker, as the co-chair of the Congressional Caucus on Vietnam, I don't want to focus on what the economic implications are and the trade implications are that are going on with respect to Vietnam, but I want to remind my colleagues about what is happening with respect to human rights in Vietnam.

□ 1115

Nguyen Dang Minh Man is currently serving a 9-year prison term after being charged with ''attempting to overthrow the government'' under article

79 of the constitution of that country. Her crime, she was arrested while taking photographs during a protest against Chinese encroachment of the Paracel and Spratly Islands.

Ho Duc Hoa, a community organizer and a contributing journalist for Vietnam Redemptorists' News, is currently serving a 13-year prison sentence for defending human rights and promoting democracy. He has been charged with ''attempting to overthrow the government.'' He is currently suffering from harsh treatment in prison, including torture and denial to medical care, water, or adequate food.

Dang Xuan Dieu, another activist, is currently serving a 13-year sentence under article 79 in response to advocating for education—imagine this—for education for children living in poverty, for aid to people with disabilities, and for religious freedom in Vietnam. Mr. Dieu is also a victim of mistreatment and torture in the prison system.

Tran Huynh Duy Thuc, a human rights activist and entrepreneur, was also arrested for writing blogs that called for political reform and improved human rights in Vietnam. He only peacefully exercised his rights to freedom of expression; yet Thuc was charged of attempting to overthrow the government under article 79. He was sentenced to 16 years in prison and 5 years of house arrest.

These are just four of the so many people in prison in Vietnam.

The government of Vietnam continues to deny its citizens their rights to freedom of speech, to freedom of assembly, to freedom of the press, to freedom of religion. Although Vietnam strives to further its relations with the U.S., it does not grant human rights to its people.

I understand that President Obama has agreed to visit Vietnam in the near future, and I strongly urge that not only the President and the administration work on the issues of human rights with respect to the Vietnamese people, but that we in the Congress continue to push because, as we know, as Americans, people around the world look to us as the shining light of upholding democracy and human rights and freedom and liberty and freedom of the press and freedom of assembly.

IRAN NUCLEAR NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN) for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, we are quickly approaching one of the most important deadlines in the recent history of the national security of the United States, the often postponed end of negotiations to halt Iran's nuclear weapons program.

I support the goal of stopping Iran's nuclear weapons ambitions forever, and I have grave fears that the United States is headed down a very dangerous path of concession and surrender to a terrorist regime that has had American blood on its hands since 1979, military and civilian.

Each and every day, we read new reports that Iranian leaders are systematically ''moving the goalposts'' on these important negotiations.

Let me cite just a few examples. First, any prudent agreement would allow ''no notice'' inspections of suspected—not just declared—Iranian nuclear weapon sites; yet the Iranian parliament has passed legislation banning inspections of their military installations.

Senior Iranian officials have also taken it further, declaring: ''Not only will we not grant foreigners the permission to inspect our military sites, we will not even give them permission to think about such a subject.''

This attitude would make any agreement totally unverifiable.

Secondly, any worthwhile agreement would phase in sanctions relief as the regime proves, over time, that it is complying with all provisions; yet President Rouhani has declared: ''We will not sign any deal unless sanctions are lifted on the same day.''

Why would we allow Iran to boost its staggering economy by providing an immediate capital infusion with which to support their relentless military, intelligence, and political efforts across the globe?

President Obama's explanations have been nothing short of baffling. He told National Public Radio: ''How, if at all, can you prevent Iran from using its new wealth over the next several years to support Bashar al-Assad of Syria, to support Hezbollah, adventures in Yemen, or elsewhere? I mean, there's been no lessening of their support of Hezbollah or Assad during the course of the last 4 or 5 years, at a time when their economy has been doing terribly.''

Well, that is the point, Mr. President. The United States should not throw up its hands and actually allow the Iranian economy to be stimulated so they have even more money to solidify their place as the world's leading state sponsor of terrorism.

Immediate sanctions relief will only provide more resources for them to use their elite Quds Force and their proxy militias in Iraq; dominate that country; and advance their goals in Syria, Yemen, and elsewhere.

Of course, they will have more motivation to do so. The tentative agreement announced in April and everything we have heard and read since then seems to reinforce the lesson this administration is willing to give away much more in return for nothing in the way of changing their behavior. Once again, we must never forget that Iran has had American blood on its hands since 1979.

Iran has cheated before and is likely to cheat again; yet the administration makes concession after concession to Tehran, even as Iran spreads violence in Yemen, Syria, Iraq; threatens the safety of our troops in the Middle East; and develops new ICBMs that will put America in its ''crosshairs.''

My colleagues, Iran's nuclear weapons quest must be blocked indefinitely, including the verifiable dismantlement of its weapons infrastructure. They cannot be allowed to remain a ''threshold nuclear weapons state,'' only to join the ''nuclear club'' the moment the agreement lapses.

From where I stand and from what we know today, we must oppose this agreement. In fact, no deal is better than a bad deal.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

ENHANCEMENT OF UNITY IN AMERICA

Ms. JACKSON LEE. Mr. Speaker, let me thank the distinguished gentleman from New Jersey for his kindness.

Might I rise, really, to follow up to ask America to be unified and to be able to have a debate on the floor of the House on a resolution that I offered, H. Res. 342. To the gentleman from New Jersey, it says ''the enhancement of unity in America.''

What it speaks to is for this body to go on the record for saying that divisive emblems and symbols—swastikas or a rebel flag, a fighting flag—does not even represent the flag that most people think it is—the Confederate flag, this is the rebel flag—to put all those away; to be able to educate our children about the excitement of how diverse we are; to be reminded of the history of Reconstruction—African Americans who are Senators and Congresspersons; to look at schools who now carry names of people who really might be considered treasonists; to be able to stand on the floor today or next week, as those in South Carolina did, in a civil way, so that our children will know that these symbols that divide are not history; and to be able to stand together and support the diversity of America.

That is what I stand for, and I stand with Houston, who is reconsidering many school names at this time.

TAKE DOWN THE CONFEDERATE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, overnight, House Republicans have dramatically and inexplicably reversed their position on taking down this terribly divisive symbol, the Confederate battle flag.

While they initially allowed House Democrats' amendments to remove this symbol from our national parks, late last night, they allowed an amendment on voice, which was challenged. I will be on the floor for a rollcall later today to keep—believe it or not—keep the Confederate flag as a symbol for sale and for display in America's national parks.

Of course, this morning's headlines, the scathing headlines, tell it all:

''House GOP takes step back on Confederate flags.''

Unbelievable—it is a shame. It is really a shame that House Republicans last night, very late last night, without warning, attempted to turn back important progress on taking down this terrible and divisive symbol.

This, of course, happens just weeks—days, literally—after nine Americans were slain in an historic Black church in Charleston, South Carolina. A terrible and tragic massacre committed by an evil individual, who wrapped himself in that very symbol, and celebrated the hate that it stood for.

I attended the funeral of Reverend Clementa Pinckney and, with other Members of Congress, grieved with that community in their pain. I saw that community asking themselves a question: Why, why does that hateful symbol, that flag, continue to fly over their State capitol?

On the same day that the South Carolina Legislature expressed the will of its people and the American people and voted overwhelmingly to take down this horrible symbol, on the same day that South Carolina voted to take down that hateful symbol, a Member of this House of Representatives came to this floor and offered an amendment to preserve that symbol in America's national parks—what a shame.

Amazon, Walmart, and Sears all have taken that symbol out of their stores and no longer sell it; but the Republican leadership allowed and would have allowed on voice vote an amendment to stand that would preserve the right to have that symbol sold in our national parks—what a shame.

I hope the American people are watching and paying attention to this because it is a moment of truth, I think, for this Congress. I hope and I pray that Democrats and Republicans—I know the feelings of the Democratic Caucus; we spoke about it this morning—but I hope will be joined by Republicans on the other side in turning back this awful amendment that would say horrible things about the progress that we hope that we had made just in the last few weeks.

I ask Americans to join us. Use social media, #takeitdown. Express yourself. Join with us in rejecting this horrible symbol of hate. Let's take it down.

THE CONFEDERATE FLAG, A SYMBOL OF PRIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. KING) for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to address you here on the floor of the House of Representatives and being recognized.

I have been listening to this debate over the last week or so, and it has troubled me considerably to watch divisions being driven between the American people over symbolism that has now been redefined by a lot of Members of the opposite party.

I regret, like all of us do in this country, the tragic and brutal and evil murders of the nine people in Charleston, South Carolina. I pray for them and their families. They stood up and showed us an example of faith that I think surpasses any that I have seen in my lifetime by forgiving the killer.

I am not to that point in my faith, Mr. Speaker, the least that I can tell, but that was very moving. They didn't want to see a division created, they wanted to heal, and they wanted to see Christ's love come out of Charleston.

Charleston is a wonderful and beautiful city, and I don't know where I would go to find nicer people if I couldn't go actually home, Mr. Speaker, so I couldn't say enough good about that.

I have listened to this rhetoric that has poured forth over these days. It appears to me that it is now being turned into something that is division, rather than unifying.

We unified in our grief with the people of South Carolina, the people of Charleston. Now, we are seeing the Confederate battle flag be put up as a symbol to be redefined as something different than is understood by the majority of the American people.

□ 1130

I grew up in the North, Mr. Speaker, and the Confederate flag always was a symbol of the pride of the South from where I grew up. My family and my predecessors and my ancestors were abolitionists, and they went to war to put an end to slavery.

Mr. Speaker, I have now in my hand a leather-bound New Testament Bible that was carried in the shirt pocket of my great uncle, John Richardson, and it is written inside here. It was presented to him on the eve of his departure for the war in July of 1862.

He walked home 3 years to the day with this Bible in his shirt pocket, it having protected him. It has fly specks on it from laying open by the campfire. It has verses that are written in it. I have found his picture, his musket, his bayonet, his belt buckle, and his ink file.

That is what is left of this man who committed himself to putting an end to slavery. Yet, his cousin, my five times great-grandfather, was killed in that effort. Many gave their lives to put an end to slavery.

I was standing before the Lincoln Memorial, reading his second Inaugural Address, and I will read that into the RECORD, Mr. Speaker. This component is from Lincoln's second Inaugural Address of March 4, 1865, when he said:

> Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said: ''The judgments of the Lord are true and righteous altogether.''

Mr. Speaker, these are not disputed numbers. The numbers of Americans who were killed putting an end to slavery and saving the Union: 600,000.

Another number not disputed is the number of Black Africans who were brought to what is now the United States to be slaves: 600,000. I take you back to the words ''until every drop of blood drawn with the lash shall be paid by another drawn with the sword . . . 'The judgments of the Lord are true and righteous altogether.' ''

A huge price has been paid. It has been paid primarily by Caucasian Christians. There are many who stepped up because they profoundly believed that they needed to put an end to slavery.

This country has put this behind us. It has been through this brutal and bloody battle. We have come back together for the Reconstruction, and we have healed this country together. I regret deeply that we are watching this country be divided again over a symbol of a free country.

When I go to Germany and see that they have outlawed the swastika, I look at them and I think: We have a First Amendment. That can't happen here in the United States because we are open enough. We have to tolerate the desecration of Old Glory, the American flag.

Yet, we have people here on the floor who say they are offended by a symbol. They are the ones who are putting it up for all to see, and then they are saying that we should outlaw that so the American people don't have a chance to see our heritage.

Everything about America's history is not glorious. Everything about our history is not right in our judgment, looking back in hindsight, but none of us know what it was like for the people who lived during that time, in that era.

We can accept our history. We can be proud of our history. We can unify our country. We can grieve for those who were murdered, and we can preserve our First Amendment rights.

SEMINAL MOMENTS IN TIME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, there are seminal moments in time.

The bombing of Pearl Harbor was a seminal moment in time that will live in infamy. The crossing of the Edmund Pettus Bridge was a seminal moment in time that will live in history. It was a turning point in the civil rights/human rights movement.

There are seminal moments in time.

The House of Representatives confronts a seminal moment in time. Will we allow the healing to continue or will we try to roll back the clock?

There are seminal moments in time.

If we take this vote—and I hope that we will not, and there is an indication that we may not—the taking of the vote, in and of itself, can be a seminal moment in time.

A vote to legitimize the Confederate flag—the battle flag—would be a seminal moment in time for the United

States House of Representatives—a flag that represents slavery, a flag that represents division.

We have come together in this country under a flag that represents unity, one that stands for liberty and justice for all, the flag of the United States of America. This is not that flag.

We confront seminal moments in time.

In South Carolina, the South Carolina Senate and House of Representatives stood tall when confronting a seminal moment in time, and the Confederate battle flag will be removed.

I was so proud to hear a relative, a descendant, of Jefferson Davis take to the floor of the House of Representatives in South Carolina and proclaim that the flag must come down.

Seminal moments in time.

We have our opportunity to do that which is right, to do what Dr. King talked about when he said that the arc of the moral universe is long, but it bends towards justice.

We can bend the arc of the moral universe toward justice or we can turn back the clock, understanding that this is a symbol that causes a lot of pain for a lot of people. This symbol would have prevented my having the opportunity to stand here if it had prevailed.

I call upon all people of goodwill to please do the righteous thing, not just the right thing—do the righteous thing.

How can you possibly vote for this after you saw the relatives of the nine who were killed stand in court before a judge and before the person who was the assailant—the person who actually killed people—and say, ''I forgive you''? We have forgiven those who have fought to enslave us. We have forgiven.

I forgive you.

How could you possibly now decide that you will legitimize this symbol of hatred, of slavery, of a bygone era of a time when people were not even proclaimed to be human beings in the minds of many?

So this is a great opportunity for this House of Representatives to answer the clarion call of justice and to do as Dr. King indicated, to bend the arc of the moral universe towards justice.

But it is also something else. It is an opportunity to see where we are.

There will be a moment in time beyond this time when someone will look back upon these moments and he will look to see where we stood.

Where did you stand when you had the chance to stand for righteousness? Where were you when you had an opportunity to vote to recognize justice as opposed to the injustice associated with this symbol?

C.A. Tindley was right. So I will leave you with these words:

> Harder yet may be the fight; right may often yield to might. Wickedness awhile may seem to reign; Satan's cause may seem to gain. There is a God that rules above with the hand of power and a heart of love. When we are right, He will help us fight.

I stand against this symbol. I stand for the American flag. I stand for justice.

IS ISIS A NATIONAL SECURITY THREAT TO THE UNITED STATES?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, today the terrorist army of ISIS is stronger than ever. It maims, rapes, pillages, burns, and beheads in its zeal to commit religious genocide against anyone who disagrees with them.

ISIS controls and manipulates the minds of thousands of foreign fighters, including those who come from the United States. This is done arrogantly through American social media companies.

The U.S.' answer to the ISIS threat? Well, let's see what it is.

Part of the current U.S. strategy is to train foreign mercenaries to fight against ISIS. It has had a yearlong American budget of about $500 million.

The program is to equally fund equipment and to train these so-called moderates from Syria to fight ISIS. I call them mercenaries.

However, the Secretary of Defense of the United States—Carter—admitted that, even after this 1 year of training, the United States has only trained 60—six, zero—of these moderate Syrian rebels.

If I do my math correctly, Mr. Speaker, we are spending about $4 million apiece on these 60 fighters to go and fight, supposedly, ISIS.

This is embarrassingly pathetic. The greatest nation that has ever existed sees ISIS as such a threat that we are going to send 60 folks over to try to take care of them.

Ironically, there are more Americans who are fighting with ISIS than we have rebels who have been trained to fight against ISIS.

The United States obviously is not taking ISIS seriously. ISIS even mocks the United States and its 60 fighters on, once again, American social media.

There is more.

The President has recently admitted that the United States really doesn't even have a complete strategy against ISIS. Now, isn't that lovely?

The question is, Mr. Speaker: Is ISIS a national security threat to the United States? That is the question. That is the question that has to be answered by the administration and by Congress, and a decision needs to be made by the administration.

It is time for the administration to pick a horse and ride it. If ISIS is a threat, then we must have a plan to defeat them, then actively implement the plan, and defeat ISIS.

Mr. Speaker, the Commander in Chief needs to lead. He needs to command or ISIS will continue its reign of terror in the Middle East and in other parts of the world.

And that is just the way it is.

THE CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Speaker, if there is any doubt in the mind of any person as to what this Confederate battle flag stands for, I urge people not to listen to me. I urge you to listen to the secessionists themselves.

Here is a quote from the Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.

It reads:

> This sectional combination for the submersion of the Constitution has been aided in some of the States by elevating to citizenship persons who, by the supreme law of the land, are incapable of becoming citizens, and their votes have been used to inaugurate a new policy hostile to the South and the destruction of its beliefs and safety.

Those persons were Black people. That new policy that was hostile to the South was ending the enslavement of the millions of people based on their race.

Here is a quote from the Vice President of the Confederacy. I think he can speak authoritatively as to what other Confederate flags mean. Vice President Alexander Stephens said:

> Our new government is founded upon exactly the opposite of the American idea. Its foundations are laid—its cornerstone rests—upon the great truth that the Negro is not equal to the White man, that slavery, subordination to the superior race, is his natural and normal condition.

That is what the Vice President of the Confederate States said under banners like this one as they were fighting and offering the lives of their own children to maintain slavery.

□ 1145

This is what the flag represents.

I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, last night the South Carolina House of Representatives finally approved legislation to take down this symbol of hatred and bigotry and the darkest time in our Nation's history.

It is shameful that less than 24 hours after the State of South Carolina took this important step for progress and equality that the United States House of Representatives would consider an amendment that would allow the Confederate flag to be placed in National Park Service cemeteries.

Let's be clear. This amendment is a symbol of hate, and anyone who supports its being in a place of honor is imposing an insult on anyone who has experienced racism in their lives or believes in America's founding principles of equality, justice, and freedom.

150 years ago hundreds of thousands of brave soldiers died to save our Union and to defeat all the ugly beliefs that the Confederate battle flag represents.

Dr. Martin Luther King was fond of saying that the arc of the moral universe is long, but it bends toward justice. Our country has come far since

the end of the Civil War, but returning this flag to a place of honor would undermine that progress. It is time to relegate this symbol of hate to the dustbin of history.

Take it down.

Mr. ELLISON. Mr. Speaker, I yield to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. I thank the gentleman from Minnesota for leading on this issue.

It must be throwback Thursday, because just yesterday the South Carolina State House voted to take down the Confederate flag. However, today our House Republican colleagues want a bill, they want an amendment that will put that flag back up and allow people to salute that same flag across our country in our national parks.

It is time to finally, once and for all, take down an ugly flag that is nothing more than a tribute to an ugly past. Mr. Speaker, let's throw down this flag. Let's not throw back to an ugly part of our history.

RECESS

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

In these most important days and debates here in the people's House, we beg You to send Your spirit of wisdom as the Members struggle to do the work that has been entrusted to them. Inspire them to work together with charity, and join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

In this week in the wake of celebrating the great blessings bestowed upon our Republic, please bless those men and women who serve our Nation in uniform wherever they may be.

Please keep all the Members of this Congress, and all who work for the people's House, in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Ohio (Mrs. BEATTY) come forward and lead the House in the Pledge of Allegiance.

Mrs. BEATTY led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

FIGHTING FOR NEW HAMPSHIRE'S LAND, WATER, AND HERITAGE

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today in support of the Land and Water Conservation Fund and its impact on both New Hampshire's natural resources and our access to hunting, fishing, and outdoor activities.

Established by Congress in 1965, the LWCF provides money to Federal, State, and local governments to purchase and preserve land, water, and wetlands for the benefit of all Americans.

As Granite Staters know, we are blessed to call one of the most pristine ecological environments in the Nation our home. From the seacoast region to the White Mountain National Forest to Lake Winnipesaukee, outdoor recreation and activities are a vital part of New Hampshire's First Congressional District's economy.

In fact, the Outdoor Industry Association found that active outdoor recreation generates $4.2 billion annually in consumer spending in New Hampshire, supports nearly 50,000 jobs across the State, and produces $293 million annually in State and local revenue. Furthermore, over 800,000 people hunt, fish, or watch wildlife in New Hampshire each year, spending over $560 million on wildlife-related recreation.

It is no surprise that the LWCF is a critical part in maintaining and strengthening those numbers, while simultaneously preserving our beautiful State.

I urge my colleagues to join in support of this legislation.

CANCER DRUG COVERAGE PARITY ACT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this year, more than 1.5 million Americans will be diagnosed with cancer. Fortunately, innovative research has led to more effective and accessible treatments. However, insurance has not kept pace with the science, and cancer patients are paying the price.

Chemotherapy, previously administered only through injection, is now available for many types of cancer in pill form. Today, oral chemotherapy represents 35 percent of all new cancer drugs. However, copayments for oral chemo can be hundreds or thousands of dollars per month. As a result, it prevents patients from filling their prescriptions.

A cancer patient should never be forced to make a treatment decision based on finances. That is why I joined Congressman LEONARD LANCE to reintroduce the Cancer Drug Coverage Parity Act, which would require health insurance plans that cover traditional chemotherapy to provide no less favorable coverage for prescribed orally administered drugs.

I urge my colleagues to support this bipartisan effort to ensure cancer patients can receive the treatments their doctors prescribe.

START REBUILDING AMERICA

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN of Tennessee. Mr. Speaker, David Keene for 27 years headed the American Conservative Union and is now opinion editor of The Washington Times.

Last month he wrote that, as a result of our wars and attempts at nation building in the Middle East, there ''is a generation of young Americans who have never known peace; a decade in which thousands of our best have died or been maimed with little to show for their sacrifices, our enemies have multiplied, and our national debt has skyrocketed.''

Now we are about to spend $82 billion in the OCO account for our unnecessary wars and nation building in Iraq and Afghanistan and other parts of the Middle East. This is over and above our regular defense budget. This 1-year, $82 billion appropriation would more than pay for a 6-year highway bill, which everyone on both sides say they want.

Let's stop trying to foolishly rebuild the Middle East and start rebuilding America. Let's bring all those hundreds of thousands of jobs home.

TAKE DOWN THE CONFEDERATE BATTLE FLAG

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today in the strongest possible opposition to House Republican efforts to support hate through the promotion of the Confederate battle flag.

Make no mistake, the Confederate battle flag is a symbol of hate and racism. The Calvert amendment would allow for the display and sale of this symbol of hate at our national parks and Federal cemeteries. That is outrageous.

This flag speaks to one of the darkest moments in our Nation's history, and its display and sale in our national parks is simply unconscionable. Today, our Nation still grieves the tragedy in Charleston, and we remember the nine lives that were tragically cut short by a person whose sole goal was hate and division.

The South Carolina Legislature voted last night in a bipartisan way to take down the Confederate battle flag from the statehouse. Likewise, major retailers have removed this symbol of hate from their shelves. Yet my Republican colleagues want to return it to our national parks and Federal cemeteries. This is simply outrageous.

It is past time for our Nation to get serious about putting away not only these hateful symbols, but ensuring liberty and justice for all. It is past time to take it down.

NATURAL GAS

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, as a result of the shale energy revolution, America has moved from a posture of energy scarcity to one of energy abundance. This shift is helping to drive economic growth, environmental stewardship, and greater energy security. However, without the acceleration of natural gas infrastructure in all regions of the country, only a few will benefit.

A large interstate gas transmission project has been proposed to bring this affordable, reliable, and cleaner energy source to southeastern North Carolina, and with it the potential for economic growth in some of our State's most economically challenged and rural areas.

We are blessed with the natural resources and innovations in technology to be the energy capital of the world, which would drive economic growth to new heights. The Congress must put into place rational and predictable regulatory structures that create a more stable climate for the natural gas industry.

I urge my colleagues to support policy solutions that will lead to energy independence and economic growth for America.

CONFEDERATE FLAG DOES NOT REPRESENT AMERICA

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, we have children to educate, and we have children to love and to have them to understand what America is all about. We are southerners and northerners. We come from the East and the West. We love our cooking, we love our culture, but we are Americans. So today I ask this body to allow us to debate this question to a resolution that enhances American unity.

The Supreme Court issued a statement in Walker v. Sons of Confederate Veterans, a Texas case. Before the Texas Department of Motor Vehicles, early on, as just a civilian, I argued against Confederate license plates. We won that case. The Supreme Court said that public speech that offends or oppresses is not allowed.

I am not talking about the flag on your car or your home, but I am saying that this rebel flag does not represent America, does not teach our children, and it does not heal. And I would offer to say that we are long overdue for a debate like that in the senate in South Carolina, to follow Reverend Pinckney's words that we have to know how to break the cycle and of a roadway toward a better world. He knew that a path of greatness involves an open mind, but more importantly, an open heart.

I hope we can debate H. Res. 342, which enhances the unity of our country, not this flag.

HONORING CHARLES ''CHUCK'' HARMON

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, on July 14, Cincinnati will host the Major League Baseball All-Star Game, and I want to take the opportunity to recognize a famous Redleg, Charles ''Chuck'' Harmon, the first African American to play for the Cincinnati Reds.

Chuck Harmon paved the way for many African American major league baseball players, like fellow Redleg Frank Robinson, who credits Harmon as helping launch his career.

Mr. Harmon entered the 1954 season on April 17 as a right-handed infielder with the Reds. With a .242 batting average during his Reds career, he was also known as the fastest player on the team during his rookie season.

Ohio's Second District continues to celebrate Mr. Harmon's legacy by celebrating his career at the Great American Ball Park at the All-Star game 50 years after his first at bat, by renaming a street in his hometown of Golf Manor to Chuck Harmon Way, and by unveiling a statue for the Reds Urban Youth Academy in Roselawn.

Thank you, Chuck Harmon, for your pioneering contributions to breaking the color barrier in our Nation's pastime. Your accomplishments will forever be recognized by generations of Americans to come.

TAKE DOWN THE CONFEDERATE FLAG

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I awoke this morning to find news that last night, in the wee hours, House Republican leadership advanced an amendment to allow the display of the Confederate battle flag in Federal cemeteries and to allow National Park Service agents to do business with gift shops that sell Confederate battle flags.

Mr. Speaker, at a time when South Carolina, itself the cradle of the Confederacy, has outlawed the flying of the Confederate battle flag on their statehouse grounds, at a time when all Americans were horrified at the slaughter of nine churchgoers by an individual motivated by that battle flag, at a time when everyone understands and acknowledges that it is a symbol of hate, we find the House Republican leadership wrapping itself in the Confederate battle flag. I object to this.

ENSURING RELIGIOUS FREEDOM FOR HUMANITY

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, early this year, I had the opportunity to meet with Ambassador David Saperstein, the U.S. Ambassador At Large for International Religious Freedom. He is tasked with leading America's fight against religious persecution throughout the world. This is a significant mandate, especially in the Middle East, where Christian, Jewish, and minority Muslim communities that have been settled in the same areas for millennia are being uprooted, subjugated, and murdered.

These aren't acts of geopolitical jockeying or even political domination. These are acts of pure, unadulterated evil perpetuated by those of dark and wicked souls.

Fundamental American values, among which are commitments to religious freedom and human rights, will always be the cornerstone of this Nation's foreign policy.

I am a proud cosponsor of H.R. 1150, the Frank Wolf International Religious Freedom Act, because now, more than ever, we need to ensure that former Congressman Frank Wolf's landmark legislation is updated for the 21st century to be able to give us the best tools to promote religious freedom around the globe.

I thank Ambassador Saperstein for his work.

□ 1215

REMOVE CONFEDERATE FLAGS FROM OUR NATIONAL PARKS

(Mr. HAHN asked and was given permission to address the House for 1 minute.)

Mr. HAHN. Mr. Speaker, I also rise to express my outrage that my Republican colleagues, in the darkness of the night, offered a surprise amendment to allow the Confederate battle flag to be displayed in our national parks and at Federal cemeteries. Just a couple of days ago, this body voted to remove the Confederate battle flag from our national parks.

My Republican colleagues are choosing to raise the Confederate battle flag again, despite growing opposition by Americans who recognize it as a disgraceful celebration of the war waged to prolong slavery in this country.

Yesterday, in a stunning sign of progress, South Carolina voted to take down that flag after 50 years of flying it at their State capitol. Why do some here continue to insist on defending this painful symbol of racism?

This is shameful. In the wake of the devastating murder of Senator Pinckney and the eight other churchgoers at Emanuel AME, this is a new low for this Congress.

21ST CENTURY CURES ACT

(Mr. VALADAO asked and was given permission to address the House for 1 minute.)

Mr. VALADAO. Mr. Speaker, today, we have 10,000 known diseases, most of which are considered rare. However, we only have 500 cures for these diseases. Americans can do better than that, and today, we have that opportunity to do so.

We have a bill that will be heard here on the floor today, the 21st Century Cures Act, which I am proud to be a cosponsor of and thrilled to see that we actually have an opportunity to help so many people with increased funding so that we can help find some cures, help people—sometimes in our own family, people that we know, our friends—with some of the diseases and some of the things that we face.

Finally, today, with all the negative press that we have got, we have an opportunity to actually do something to be proud of, something that actually makes a difference for people in our own community.

Again, I ask that this House approve this bill.

GOP CONFEDERATE FLAG AMENDMENT

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, the hope of a secure, livable world lies within those who believe in justice and equality for all.

Democrats have worked in a bipartisan fashion to ban the display of Confederate flags in Federal cemeteries and barred National Park Services from doing business in gift shops that sell the Confederate flag.

Last night, Republicans rolled out an amendment that would resurrect the Confederate flag in our national parks. Mr. Speaker, I was appalled by these actions.

The tragic events in Charleston led to South Carolina's landmark vote last night to take down the Confederate flag from their statehouse. If South Carolina can act, certainly and surely, Congress can support our national parks in acting to don't sell that flag.

Mr. Speaker, these are America's parks, and they belong to all people. The Nation is watching. Don't go down in history as not standing up against violence and racism.

Mr. Speaker, I urge my colleagues to join me to ensure that we don't sell that flag, the Confederate flag.

TAKE DOWN THE CONFEDERATE FLAG

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, last night in the South Carolina Legislature, we saw Democrats and Republicans join together to take down the Confederate battle flag, many with tears in their eyes and still grieving the nine lives lost in Charleston.

While the people of South Carolina move one step past this terrible tragedy, many House Republicans want to take our Nation 150 years back.

We were scheduled to vote on the Interior Appropriations bill today. The bill was pulled because Members on the other side of the aisle objected to banning the display and sale of the Confederate flags at national park facilities.

For years, I have heard all the arguments from those who defend the display of the Confederate battle flag, but it is moral cowardice to ignore this flag's history of White supremacy and treason, to pretend it symbolizes anything other than a heritage of hate and human oppression.

The Confederate battle flag does not belong atop our State capitols, and it certainly should not be sold or displayed at our national parks. It belongs in a museum of shame, alongside the other relics of hate and division that tore our country apart.

SHERIFF RALPH LAMB

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Sheriff Ralph Lamb, who passed away on July 3, was one of those larger than life characters who dot the landscape and lore of the Old West.

A rancher from humble Mormon beginnings, he embodied the independent cowboy spirit. He was John Wayne, Wyatt Earp, and Dirty Harry all rolled into one. He was a rodeo rider. He inspired a TV series, and he changed the face and future of Las Vegas by cleaning up the streets and reining in the mob.

Sheriff Lamb wasn't afraid of the devil because he always had an angel on his shoulder. He cut a wide swath and cast a long shadow over Las Vegas when times were simpler, but the stakes were high.

Our community misses him; I miss him personally, and I look forward to reading George Knapp's biography on his amazing life.

CONFEDERATE BATTLE FLAG

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to add my voice to this discussion about the Confederate battle flag.

As a daughter of the South, a Representative from Alabama, a native of Selma, Alabama, I have to tell you I cannot believe, in 2015, we are talking about whether or not this body would allow on Federal grounds, Federal cemeteries, and Federal national parks the display, the selling of this Confederate battle flag.

There is no denying that our Constitution talks about ''We, the people,'' and there is no denying that this Confederate flag is controversial. Some see it as heritage, and most see it as hatred.

I can tell you one thing: we, the people, cannot allow on Federal grounds—we all pay taxes and are citizens of this great Nation—and to allow this flag to be sold and to be displayed on Federal land is unacceptable.

I really hope that, when I gathered together 100 Members of Congress in Selma for the 50th anniversary of the Selma to Montgomery march, it was not a kumbaya moment in Selma in March; rather, I hope that we will do what we promised this Nation we would do, and that is represent we, the people, by taking down this flag and not displaying it on any grounds.

PENNSYLVANIA OREO PLANT CLOSURE

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, last week, many of us were proudly waving our flag, celebrating the Fourth of July, and also rooting on the successful women's soccer team in winning the World Cup.

Unfortunately, at the very same time we were doing that, displaying our patriotism, the company that makes Oreo cookies and Ritz crackers, two very well-known American brands, decided that, for the first time in 60 years, they would close their legendary Philadelphia plant in the heart of my district, laying off over 300 workers because they are shipping the jobs to Monterrey, Mexico.

Now, keep in mind, this is a company, Mondelez, that is in no way in financial disarray. In fact, their revenues last year topped $50 billion. This plant that was closed is profitable, but not profitable enough.

But there is good news. I do congratulate their CEO, Ms. Irene Rosenfeld, who got a 50 percent pay increase in the last few months at the same very time over 300 workers from my district were getting laid off.

Mr. Speaker, it is not right. Say ''no'' to Oreo.

TAKE DOWN THE CONFEDERATE BATTLE FLAG

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, we have just learned that the Interior Appropriations bill will be pulled from the floor today.

A number of Southern ''irreconcilable'' Republican Members apparently planned to vote against the bill, unless it permitted the display of the Confederate battle flag in our national parks and permitted vendors to sell Confederate souvenirs. This is unbelievable, and I say that as a Southern representative.

It is unbelievable, after the unspeakable tragedy in Charleston and the action in the South Carolina Legislature yesterday to remove the battle flag from South Carolina's Capitol grounds. But the House Republican leadership last night chose to accommodate the Southern Republican irreconcilables with an amendment, and now, they are pulling the Interior bill, lest the irreconcilables bring it down.

Mr. Speaker, we shouldn't have to debate whether a symbol of hatred and oppression in our Nation's darkest hour should be displayed on Federal lands. Is the Republican majority really that out of touch? Let us join together to take down that battle flag.

CONFEDERATE FLAG

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, so I have heard that the Republicans have pulled their Interior Appropriations bill from the floor, and I sure hope it is because they have reconsidered their support for flying the Confederate battle flag, overturning an earlier decision of this very body by unanimous voice vote to take it down.

Last night, unbelievably, unforgivably, House Republicans acted to uphold the Confederate battle flag at the very moment that South Carolina was voting to take it down. House Republicans surreptitiously rushed to have National Park Service continue to sell this symbol of hate and to keep the Confederate flag flying on Federal lands.

Even worse, House Republicans tried to cloak this shady move by wrapping it in language about our American flag and the MIA-POW flag—how dare they.

Sears, Amazon, and many other retailers have stopped selling that symbol of hate, and that is what a Republican State Representative in South Carolina tearfully called it.

It is astonishing that the Republicans are so out of touch. We cannot allow this shameful decision to hold. Take down the flag.

NUCLEAR AGREEMENT WITH IRAN

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, a strong nuclear agreement that truly forestalls Iran's weapons breakout ability could be positive for regional and national security. However, I fear too many concessions are being made to secure a deal, and a bad deal will be worse than no deal at all.

We must remember Iran sponsors terrorism throughout the region. They are constantly provocative and a serious threat toward our ally Israel.

We all want to see the threat of war with Iran diminished and to disable their nuclear pursuits, but giving them too much to secure a vapid deal will only increase Iran's threat. That is why any agreement must have unassailable standards for inspections any time in any place.

Access to all background on their prior military nuclear research must also be in the agreement. The strictest limits on centrifuges and enrichments must be there. A breakout time of no less than 1 year and a phased performance-based sanctions relief and airtight snapback sanctions when Iran violates these standards must also be included. Anything less should be rejected.

CALVERT AMENDMENT

(Mr. LEWIS asked and was given permission to address the House for 1 minute.)

Mr. LEWIS. Mr. Speaker, 50 years ago, when we were beaten on the Edmund Pettus Bridge and attempted to march from Selma to Montgomery, there were officers of the law wearing the Confederate battle flag on their helmet.

When the Klan marched through our neighborhoods in Alabama, Georgia, and South Carolina, countless homes in Birmingham were bombed and burned. When they set fire to Black churches throughout the South, the Confederate battle flag was the symbol of their cruelty and injustice.

There is no way, but no way that the Federal Government should ever display this flag on any Federal site or sell it on Federal property. It is a symbol of division and a symbol of separation. It is a symbol of hate. It is a relic of our dark past.

We must defeat every attempt to return this flag to Federal properties.

□ 1230

SOUTH CAROLINA'S REMOVAL OF THE CONFEDERATE BATTLE FLAG

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, following the horrific murder of nine of my constituents during their Bible study class at Mother Emanuel AME Church in Charleston, many Members of this body came to Charleston to help celebrate the life and legacy of Reverend Senator Clementa Pinckney.

I thank the Speaker of the House and the bipartisan delegation for coming, showing their concern.

And I thank the Governor of South Carolina for calling for the removal of the Confederate battle flag from the State house grounds.

At 4 o'clock this afternoon, she is going to sign the bill, which passed this morning around 1:30 a.m. by a vote of 94–20, to remove that flag from the State house grounds. Tomorrow morning at 10 o'clock, they will remove that flag.

I cannot believe that today we have been asked to condone a backward step. Why we in this body would do such is beyond me.

MOTION TO ADJOURN

Mr. CLYBURN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion to adjourn offered by the gentleman from South Carolina (Mr. CLYBURN).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLYBURN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 13, noes 402, not voting 18, as follows:

[Roll No. 424]

AYES—13

Bass	Doggett	Johnson (GA)
Blumenauer	Farr	Lee
Boyle, Brendan F.	Gallego	Schakowsky
Castro (TX)	Grijalva	Slaughter
	Jackson Lee	

NOES—402

Abraham	Bishop (UT)	Calvert
Adams	Black	Capps
Aderholt	Blackburn	Capuano
Aguilar	Blum	Cárdenas
Allen	Bonamici	Carney
Amash	Bost	Carson (IN)
Ashford	Boustany	Carter (GA)
Babin	Brady (TX)	Carter (TX)
Barletta	Brat	Cartwright
Barr	Bridenstine	Castor (FL)
Barton	Brooks (AL)	Chabot
Beatty	Brooks (IN)	Chaffetz
Becerra	Brownley (CA)	Chu, Judy
Benishek	Buchanan	Cicilline
Bera	Bucshon	Clark (MA)
Beyer	Burgess	Clarke (NY)
Bilirakis	Bustos	Clawson (FL)
Bishop (GA)	Butterfield	Clay
Bishop (MI)	Byrne	Cleaver

Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Amodei
Brady (PA)
Brown (FL)
Buck
Fattah
Forbes
Gibson
Hastings
Jones
Larsen (WA)
Lofgren
Miller (FL)
Pascrell
Payne
Peters
Pompeo
Rangel
Walker

□ 1313

Ms. ADAMS, Messrs. HIMES, McKINLEY, WESTERMAN, Mrs. DAVIS of California, Ms. SINEMA, Ms. MAXINE WATERS of California, Messrs. MOULTON and MEEKS changed their vote from ''aye'' to ''no.''

Ms. LEE changed her vote from ''no'' to ''aye.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House, and I send to the desk a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 355

Whereas, at 4 p.m. today, July 9th, the Governor of South Carolina will sign legislation to remove the display of the Confederate battle flag;

Whereas, on December 20, 1860, South Carolina became the first State to secede from the Union;

Whereas, on January 9, 1861, Mississippi seceded from the Union, stating in its 'Declaration of Immediate Causes' that '[o]ur position is thoroughly identified with the institution of slavery—the greatest material interest of the world.';

Whereas, on February 9, 1861, the Confederate States of America was formed with a group of 11 States as a purported sovereign nation and with Jefferson Davis of Mississippi as its president;

Whereas, on March 11, 1861, the Confederate States of America adopted its own constitution;

Whereas, on April 12, 1861, the Confederate States of America fired shots upon Fort Sumter in Charleston, South Carolina, effectively beginning the Civil War;

Whereas, the United States did not recognize the Confederate States of America as a sovereign nation, but rather as a rebel insurrection, and took to military battle to bring the rogue states back into the Union;

Whereas, on April 9, 1865, General Robert E. Lee surrendered to General Ulysses S. Grant at Appomattox Court House in Virginia, effectively, ending the Civil War and preserving the Union;

Whereas, during the Civil War, the Confederate States of America used the Navy Jack, Battle Flag, and other imagery as symbols of the Confederate armed forces;

Whereas, since the end of the Civil War, the Navy Jack, Confederate battle flag, and other imagery of the Confederacy have been appropriated by groups as symbols of hate, terror, intolerance, and as supportive of the institution of slavery;

Whereas, groups such as the Ku Klux Klan and other White supremacist groups utilize Confederate imagery to frighten, terrorize, and cause harm to groups of people toward whom they have hateful intent, including African-Americans, Hispanic-Americans, and Jewish Americans;

Whereas, many State and Federal political leaders, including United States Senators Thad Cochran and Roger Wicker, along with Mississippi House Speaker Philip Gunn and other State leaders, have spoken out and advocated for the removal of the imagery of the Confederacy on Mississippi's State flag;

Whereas, many Members of Congress, including Speaker John Boehner, support the removal of the Confederate flag from the grounds of South Carolina's capitol;

Whereas, Speaker John Boehner released a statement on the issue saying, 'I commend Governor Nikki Haley and other South Carolina leaders in their effort to remove the Confederate flag from Statehouse grounds. In his second inaugural address 150 years ago, and a month before his assassination, President Abraham Lincoln ended his speech with these powerful words, which are as meaningful today as when they were spoken on the East Front of the Capitol on March 4, 1865: 'With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.';

Whereas, the House of Representatives has several State flags with imagery of the Confederacy throughout its main structures and House office buildings;

Whereas, it is an uncontroverted fact that symbols of the Confederacy offend and insult many members of the general public who use the hallways of Congress each day;

Whereas, Congress has never permanently recognized in its hallways the symbols of sovereign nations with whom it has gone to war or rogue entities such as the Confederate States of America;

Whereas, continuing to display a symbol of hatred, oppression, and insurrection that nearly tore our Union apart and that is known to offend many groups throughout the country would irreparably damage the reputation of this august institution and offend the very dignity of the House of Representatives; and

Whereas, this impairment of the dignity of the House and its Members constitutes a violation under rule IX of the Rules of the House of Representatives of the One Hundred Fourteenth Congress: Now, therefore, be it

Resolved, That the Speaker of the House of Representatives shall remove any State flag containing any portion of the Confederate battle flag, other than a flag displayed by the office of a Member of the House, from any area within the House wing of the Capitol or any House office building, and shall donate any such flag to the Library of Congress.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO REFER

Mr. McCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to refer.

The Clerk read as follows:

Mr. McCarthy moves that the resolution be referred to the Committee on House Administration.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. McCARTHY. Mr. Speaker, this resolution raises a number of important questions, and the House would be best served by committee action on this measure. Accordingly, I am moving to refer the resolution to the Committee on House Administration.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to refer.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I ask for a recorded vote.

The SPEAKER pro tempore. Is the gentlewoman asking for a recorded vote on ordering the previous question?

Ms. PELOSI. I thought the motion was to refer it to committee.

The SPEAKER pro tempore. The Chair has not yet put that question.

The question is on ordering the previous question.

Ms. PELOSI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman may state her parliamentary inquiry.

Ms. PELOSI. Mr. Speaker, I will stay where we are until the gentleman rules.

Mr. Speaker, I ask for a recorded vote.

The SPEAKER pro tempore. Is the gentlewoman asking for a recorded vote on ordering the previous question?

Ms. PELOSI. Yes.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the motion to refer.

The vote was taken by electronic device, and there were—ayes 238, noes 185, not voting 10, as follows:

[Roll No. 425]

AYES—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Bishop (UT)
Forbes
Hastings
Huizenga (MI)
Lamborn
Lofgren
Miller (FL)
Payne
Peters
Smith (MO)

□ 1356

Ms. CHU changed her vote from ''present'' to ''no.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 176, not voting 19, as follows:

[Roll No. 426]

AYES—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris

Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—176

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Castor (FL)
Costa
Courtney
Deutch
Fattah
Forbes
Graham
Graves (MO)
Hastings
Lofgren
Miller (FL)
Payne
Peters
Rice (NY)
Rogers (AL)
Sanchez, Loretta
Sewell (AL)
Smith (MO)
Smith (TX)

□ 1404

Mrs. LOVE changed her vote from ''present'' to ''aye.''

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Ms. PELOSI. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. COLLINS of New York). The gentlewoman will state her parliamentary inquiry.

Ms. PELOSI. Mr. Speaker, now that the House has voted to refer my privileged resolution to committee, can the Chair inform Members of the status of the Thompson of Mississippi resolution referred to the House Administration Committee, the same committee that we are referring today. That resolution was on the floor 2 weeks ago and referred to committee 2 weeks ago.

Can the Chair inform us of the status of it, especially in light of the action taken by the South Carolina Legislature and the Governor of South Carolina to take down the Confederate battle flag?

The SPEAKER pro tempore. The Chair cannot comment on pending committee proceedings.

Without objection, a motion to reconsider the motion to refer is laid on the table.

There was no objection.

Stated for:

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 426 I missed the vote, but would have voted "yea" had I made it to the floor before was closed.

Stated against:

Ms. SEWELL of Alabama. Mr. Speaker, on rollcall No. 426 I would have voted "no" on this motion.

Mr. DEUTCH. Mr. Speaker, on rollcall No. 426, had I been present, I would have voted "no".

Ms. GRAHAM. Mr. Speaker, on rollcall No. 426, had I been present, I would have voted "no".

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall votes: No. 424–No. 426 on July 9, 2015 (today).

If present, I would have voted: rollcall vote No. 424—On Motion to Adjourn, "nay;" rollcall vote No. 425—Ordering the Previous Question on the Motion to Refer H. Res. 355, "aye;" rollcall vote No. 426—On Motion to Refer H. Res. 355, "aye."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 9, 2015 at 9:09 a.m.:

That the Senate passed without amendment H.R. 728.

That the Senate passed without amendment H.R. 891.

That the Senate passed without amendment H.R 1326.

That the Senate passed without amendment H.R. 1350.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 350 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 350

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–22 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be

considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 350 provides for a rule to consider a critical bill that will help millions of Americans and their families who are suffering from diseases for which there is no cure.

The rule provides for 1 hour of debate, equally divided between the majority and the minority of the Energy and Commerce Committee, and makes eight amendments from Members of both parties in order so that the House may fully debate the merits of this legislation.

As is custom, the minority is offered a final motion to recommit the bill prior to its passage.

I am pleased the House is considering this bipartisan legislation. The Energy and Commerce Committee has spent 14 months working to bring our healthcare innovation infrastructure into the 21st century.

Today, there are 10,000 known diseases or conditions, and we have got cures for 500. There is a gap between the innovation and how we regulate our therapies. It is not unheard of to have a company take 14 years and spend $2 billion to bring a new device or drug to market.

Members held nearly 20 roundtables and events around the country to ensure that we involved patients, advocates, researchers, innovators, and investors that have firsthand experience and help understand the gaps in our current system.

H.R. 6 touches each step of the healthcare innovation process: discovery, development and delivery. This bill attempts to close the gap between the fast pace of innovation and our current, often burdensome regulatory process.

The bill provides exciting new tools to uncover the next generation of treatments and cures. H.R. 6 is, indeed, transformative—transformative of the way that doctors and researchers study diseases, develop treatments, and deliver care.

It encourages innovation. It fosters the use of data to further research. It modernizes clinical trials and takes steps toward the future of personalized medicine.

Not only does this bill take a major step forward in bringing more cures to patients, this bill addresses our Nation's ever-increasing healthcare spending. This bill establishes a temporary innovation fund which is fully offset, including permanently reforming our entitlement programs.

Beyond the budget window, these reforms in Medicare and Medicaid are established to yield at least $7 billion in additional savings for taxpayers; but make no mistake. The biggest cost saver—the biggest cost saver—will be finding cures to some of America's most deadly and costly diseases.

I am thankful to have worked on many parts of this bill. The legislation contains five bills that I have introduced and other provisions that I helped with the authorship. I would like to take a minute to talk about a few of the sections where I have personally worked on them.

While thousands of Americans are affected by multiple sclerosis, Parkinson's, and other neurologic diseases, very little accurate information exists to assist those who research, treat, and provide care to those suffering from these diseases.

H.R. 6 actually includes H.R. 292, that I introduced, with Mr. VAN HOLLEN of Maryland, to advance research for neurologic diseases. H.R. 6 will allow for surveillance systems for tracking key neurologic diseases, which may then be used to help us further understand these devastating diseases and deliver their cure.

We are improving patient access to needed treatments by supporting expedited approval for breakthrough therapies and actually making it easier to seek approval for new indications of approved therapies.

Currently, the Food and Drug Administration approved drugs may be only promoted for the approved indication, even if the sponsor determines that the drug is an effective treatment for another indication.

H.R. 6 includes another bill, H.R. 2415, which I introduced with Mr. ENGEL of New York, and would formally establish a program within the Food and Drug Administration, which would allow companies with approved drugs or biologics to submit clinical data summaries for consideration of a new indication.

This would reduce the time to approval and reduce resources required to approve new indications of drugs, drugs that have a well-established knowledge base and well-established safety information.

I introduced H.R. 293, with Representative DEFAZIO of Oregon, to protect continuing medical education, which plays a vital role in our healthcare system. This improves patient outcomes, facilitates medical innovation, and keeps our Nation's medical professionals up-to-date.

With the inclusion of this provision in H.R. 6, we will ensure that doctors continue to have access to these vital tools.

□ 1415

The provision simply enforces current law, which states that educational materials were explicitly excluded from reporting requirements in the Affordable Care Act.

Unfortunately, the Center for Medicare and Medicaid Services has acted in conflict with the law, but we correct that in H.R. 6 and ensure that physicians have access to materials and information to keep us informed and up to date on medical innovation. With its inclusion in H.R. 6, we will ensure that doctors continue to have access to these vital tools.

We ensure that Americans have access to their critical health information by identifying barriers to achieving fully interoperable health records.

Mr. Speaker, the United States taxpayer has spent well over $30 billion to ensure that healthcare providers obtain an electronic record system. However, the investment has not resulted in access to information in those records and patients across the healthcare spectrum.

While we have seen widespread adoption of electronic health records, our Nation continues to maintain a fragmented healthcare system, making it difficult to ensure the continuity for evidence-based care for patients.

The 21st Century Cures Act would finally set the United States on a path toward achieving a nationwide interoperable health information system. This will be transformative for research and for medical treatment.

Finally, along with Mr. MCCAUL and Mr. BUTTERFIELD, we aid patients by requiring companies to clarify availability of expanded access programs.

Further, with the inclusion of H.R. 2414, which I introduced with Mr. SCHRADER of Oregon, we are requiring the Food and Drug Administration to issue guidance on the dissemination of up-to-date, truthful, scientific medical information about FDA-approved medications.

This legislation passed out of Energy and Commerce's Subcommittee on Health on May 19 on a voice vote, and it passed the full committee on May 21, 51–0, the second time in 3 years that the committee has had a 51–0 vote, the previous one being on the repeal of the sustainable growth rate formula.

I encourage all of my colleagues to vote ''yes'' on the rule and ''yes'' on

the underlying bill. 21st Century Cures would not only deliver hope to the millions of American patients living with untreatable diseases, but it will help modernize and streamline the American healthcare system.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. I want to thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes.

Mr. Speaker, before I speak on this bill, I want to thank Leader PELOSI for leading today's efforts to hold House Republicans accountable for their divisive Confederate flag amendment.

You know, it is stunning to me that my Republican friends decided to refer the minority leader's resolution to committee so we could not have a debate.

The legislature in South Carolina could have a debate, but my Republican friends here in the House of Representatives ensured that we in Congress cannot have that debate.

And the fact is that Americans, I think, are ready to leave behind the discrimination and hate symbolized by the Confederate flag, but my friends on the other side of the aisle seem to have a different idea.

Last night House Republicans introduced an amendment to the Interior Appropriations bill that simply has no place on this House floor.

It would undo the successful Democratic amendment adopted by voice that would have barred the display of Confederate flags in Federal cemeteries and barred the National Park Service from doing business with gift shops that sell Confederate flag merchandise.

Simply put, while South Carolina voted this week to take the Confederate flag down, Republicans in Congress were ready to put it back up.

And even more troubling, House Republicans tried to sneak this amendment into the bill late last night, hoping that nobody would notice. We noticed. The American people noticed.

And I am ashamed that, in 2015, Congress would even consider a measure that seeks to perpetuate the hate and racism that the Confederate flag represents.

Now, my friends on the other side of the aisle, especially the leadership, seem to be in a little bit of disarray.

The Speaker of the House is trying to distance himself from the measure, notwithstanding that the Republican chairman of the House Appropriations Interior Subcommittee who offered the amendment said that he did so at the request of the Republican leadership.

The Confederate flag is a symbol of racism and a reminder of one of our Nation's darkest periods of division. It has no place in America's National Parks. Congress should not promote this symbol of hate.

And now is the time to come together. I am proud to join with my colleagues who are standing up today for all Americans united against hate.

I will be asking my colleagues to vote ''no'' on the previous question so that we can bring up the Pelosi resolution before all of us here and have that debate and have that vote. I hope my Republican friends will join with me.

I just want to say one final thing. The fact that the Interior Appropriations bill was pulled from consideration on this House floor by my Republican friends because they believed that, without this pro-Confederate flag amendment, that they could lose up to 100 of their own Members, is stunning to me.

It never ceases to amaze me. Just when I think that this institution can't sink any lower, then something like this happens.

So, Mr. Speaker, I would urge my colleagues to stand with me and vote against the previous question so we can actually have this debate, a debate I think the American people would want us to have.

Now, Mr. Speaker, on the underlying bill before us, H.R. 6, the 21st Century Cures Act, I just want to say that this is the product of bipartisan hearings, stakeholder meetings, drafts and redrafts.

I am proud to be a cosponsor of the version of H.R. 6 that was passed by the Energy and Commerce Committee by a vote of 51–0. A vote like that doesn't happen often, especially in this Congress.

I want to commend Chairman UPTON and Congresswoman DEGETTE for leading this initiative and tirelessly working to get H.R. 6 to the floor.

I think it represents the kind of investments that we should be making to help families stay healthy and to grow our economy.

It provides $8.75 billion in mandatory funding over the next 5 years to the National Institutes of Health to spur scientific innovation and discovery by the country's premier medical researchers and scientists.

During the Clinton administration, Congress doubled the NIH budget and made a real commitment to keeping America on the front lines of scientific research. That investment led to exponential advances in medicine.

We should continue that progress by once again giving NIH the resources they need to make new advances in medicine. We shouldn't let our politics limit our ambition.

As Members of Congress, we were elected to be leaders, and this is an opportunity to ensure America continues to lead the way on new breakthroughs in health.

Now, I would have preferred to see the original $10 billion in NIH funding that was included in the bill that passed out of the Energy and Commerce Committee, and I hope that we can increase NIH funding back to that level as the bill moves forward.

We know without a shadow of a doubt that basic medical research produces results. In fact, NIH-funded research at institutions like the University of Massachusetts Medical School in my hometown of Worcester has been the single greatest contributor to advances in health in human history.

Today the average American lives 6 years longer than in the 1970s largely because of pioneering NIH investments.

All across the country, NIH-supported researchers are forging a path toward treatment and cures for debilitating diseases that impact patients everywhere.

But their success depends upon us. Our decision to invest in NIH is imperative to their success in improving health for all Americans.

Just consider UMASS Medical School as one example. For years, UMASS has been in the forefront of medical innovation because of investments from NIH.

In 2006, Dr. Craig Mello received the Nobel Prize in medicine for his groundbreaking discovery of RNA silencing, which, in layman's terms, means shutting off bad cells.

UMASS has researchers working toward finding cures for AIDS, Down's Syndrome, and Lou Gehrig's disease. All of this is possible because of our investment in NIH.

But I hear over and over again from scientists and medical researchers that they worry about the uncertainty of NIH funding because of crazy things that we do, like sequestration. They worry about our commitment to advancing basic medical research.

Fewer and fewer research grants are being funded. Countries like China, India, and even Singapore are luring away the best and brightest American researchers because they are committing to making meaningful investments in medical research.

21st Century Cures helps to reverse that trend, but I worry it is not enough. I am pleased to see that H.R. 6 takes a number of steps to modernize clinical trials, improve how the Food and Drug Administration approves new drugs and devices, and encourages the development of next generation treatments through the use of precision medicine, which President Obama highlighted in his State of the Union speech.

Just last week we saw the approval of a major new drug that will improve the quality of life for more than 10,000 people living with cystic fibrosis. The investments included in 21st Century Cures will help us to make more of these kinds of groundbreaking advances a reality.

Mr. Speaker, for all of the bipartisanship and positive aspects of this bill, I would be remiss if I didn't point out one glaring inconsistency.

Despite numerous hearings, round tables, and forms on this bill, a controversial policy rider that restricts access to abortion was added to the bill that came before the Rules Committee.

It is like the majority couldn't help themselves. They couldn't resist an opportunity to add a contentious rider to an otherwise bipartisan package to advance medical research.

I am pleased that the committee made in order an amendment offered by my friends BARBARA LEE, JAN SCHAKOWSKY, and YVETTE CLARKE to strike these controversial policy riders.

Unfortunately, the committee prohibited a number of other amendments from coming to the floor for debate. Out of the 36 amendments submitted for consideration, only eight will be considered on this floor during debate on this legislation.

Many of our colleagues came to the Rules Committee last night to testify on their amendments. They raised important issues and made suggestions as to how we can improve this legislation.

So while I support the underlying bill, I urge my colleagues to vote ''no'' on the rule, which prohibits debate on a number of amendments worthy of consideration.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), a member of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I want to thank the chairman of the committee, FRED UPTON, and DIANA DEGETTE for their great bipartisan work. And we all put a shoulder to the wheel here to get this done.

This is really big, 21st Century Cures. All of us have known someone afflicted by deadly diseases. Most of us have seen people in our own families.

My mother passed away as the result of ovarian cancer. My sister-in-law had brain cancer. I lost a son to a congenital heart defect. My mother-in-law had rheumatoid arthritis from a very early age. My stepmother died of a stroke. We are all affected.

Investing in cures, investing in treatments, investing in innovation and doing it right here in America is the best step forward.

This legislation would modernize the Nation's biomedical innovation infrastructure and streamline the process for how drugs and medical devices are approved in order to get new treatments to patients and get it to them faster.

To do this, we solicited input from some of the best scientists in the world, including Dr. Brian Druker of OHSU, Oregon Health Sciences University, Knight Cancer Research Center, a true pioneer in the fight against cancer.

This initiative would give hope to countless Oregonians. Like my friend Linda Sindt, a close friend in southern Oregon, she lost her husband Duane to pancreatic cancer. She said this legislation will put us on a path to improved survival for pancreatic cancer.

Nancy Roach, a colon cancer advocate in my hometown of Hood River, praised the bill, saying, ''Investing in 21st century science by boosting funding for the NIH makes sense.''

Colton and Tiffany Allen are residents of Talent, Oregon. They said this bill will give hope, hope, to individuals like Colton, who struggles with ALS.

We owe it to people like Linda, Nancy, Colton, Tiffany, to our families, to all Americans and literally people around the globe to pass this legislation, to tackle these diseases that have no treatment or cure, to develop new innovative treatments, provide better health technology, and ultimately bring hope and better lives for all.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Committee on Rules.

Ms. SLAUGHTER. Mr. Speaker, this is a very important day for me, as a member of the Rules Committee. Rules, as you know, is the process committee. I want to spend my time discussing the process that has been going on here.

The process that rules have in the House is to really make certain that fairness is presented to all parties.

□ 1430

Whether you are a majority or a minority, you have your rights, but they have been trampled on and abused with increasing regularity under this majority, and we have two glaring examples of that just today. We have glaring examples every day, but let me bring up these two.

Mr. Speaker, this bill is critically important to all of us, and as everybody has spoken before makes it clear—and we all agree on the importance of putting more money into major research in the United States—we are falling behind other countries in finding the cures and the innovation for which we have been known for centuries. This is an important step that we are taking. This is a critically important bill, but process matters.

Mr. Speaker, after the committee had voted out this bill unanimously, major changes were made with no committee input at all. They include reduction of the amount of money that the committee had said would be put into the National Institutes of Health by $1.025 billion, a very substantial sum.

They added some policy riders that literally made no sense. Why in the world would you put an abortion rider on a thing for medical research? As far as I know, the NIH and most medical universities doing this research do not perform abortion procedures. It was simply a way, again, to mollify people and make somebody think that, if they vote for this bill, they are doing something that is impossible to do. But like Alice in Wonderland, we are all trained here to try to believe six impossible things before breakfast because we are confronted with them daily.

Another one is that they changed the pay-fors, which is critically important to everything that we do.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. So, Mr. Speaker, despite the importance of this bill, despite the fact that it came out of committee unanimously, despite the fact that so many people have worked on it, and despite the fact that good things were in it, the process was completely changed after it was over by rewriting major portions of it. That doesn't appear anywhere in the rules of the House.

Now, not only that, let's think about what happened here this morning. Last night on the Interior bill, which is an open rule, after the Democrat who was up, BETTY MCCOLLUM of Minnesota, had yielded back her time, after the time had been yielded on both sides and the vote had been taken, suddenly another amendment appears at the request, as Mr. MCGOVERN has said, of the Republican leadership. So they suddenly come up with this. Ms. MCCOLLUM was not informed in any way. She had absolutely no knowledge of what was going to happen. That may not break a specific rule of the House, but it sure does break etiquette. You do not come out onto the floor to try to fool people who are on the other side.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. Mr. Speaker, what happened here this morning, obviously, I think Mr. MCGOVERN has stated it precisely. Without the ability to have that amendment, without that crazy amendment, frankly, that resolution—as far as I am concerned, once you send them back to committee, you are sending them to interment—we will never see that one again. But they had to have that in order to get the votes to pass the bill. That is the kind of horse trading and all the things that go on here. After all the process and procedure that belongs to the Congress of the United States, and has for centuries, has been absolutely abused, as I said earlier, and trampled on on a regular basis, Mr. Speaker, it is time we stopped it. Nothing happened here today except to make this place look stupid.

I was born in a border State, in Kentucky. All my life I have lived there. I was educated there, and I was married there. I never saw a Confederate flag in all the years of my life. These battle flags that they are putting up appeared in the South after the civil rights legislation. They were the products of Strom Thurmond and the Dixiecrats. That is when they started to bloom all over. It is a symbol of pure hate and revenge or whatever else they want to call it. It needs to go.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 10 seconds.

Ms. SLAUGHTER. It is the equivalent to my having the German Government flying the swastika over the Bundestag.

Mr. BURGESS. Mr. Speaker, at this time, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a valuable member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of the rule for H.R. 6, the 21st Century Cures Act.

The 21st Century Cures Act is one of the best things Congress has done in a long time in my opinion. H.R. 6 is a holistic reform of how we can get cures and treatments to patients who need them. That is what this bill is all about, patients, our constituents, Mr. Speaker.

One provision I was particularly proud to author will establish a drug management program which prevents at-risk beneficiaries from abusing controlled substances. This program will help protect our seniors. It is a fix to Medicare part D, that is a program that is really desperately needed. This commonsense measure has been recommended by GAO and IG, and it is also recommended by CMS.

Mr. Speaker, it is utilized by private industry, TRICARE, and State Medicaid programs. This bill makes strides to prevent prescription drug abuse and promote a healthier America.

I urge support for the rule and the underlying bill as well.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. MATSUI), a member of the Energy and Commerce Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the rule to consider the 21st Century Cures Act on the floor. On the Energy and Commerce Committee, we worked tirelessly with our colleagues on the other side of the aisle to get this bill to a place that we could all agree upon, a place where we provide new mandatory funding for NIH to do the critical research that is a foundation for cures, a place where we tweak FDA processes and provide FDA with additional resources to do the new things that will help get treatments and cures to patients faster.

As we worked together to find ways to accelerate innovation, patients with rare diseases have been at the forefront of our conversations. It is often more difficult to research and develop cures for rare disease patients due to their small populations. However, finding cures for rare diseases is not just of the utmost importance to the patients with those rare diseases and their families, it is important to all of us. You never know where a cure might come from, and often research and drug development on one disease may turn out to be fruitful for another.

Mr. Speaker, we all need to work together to advance cures and treatments. A provision of this bill would encourage public-private partnerships to foster better utilization of patient registries that generate important information on the natural history of diseases, especially rare diseases for which other types of research can be difficult.

I also applaud the efforts in this bill to advance the President's Precision Medicine Initiative to accelerate discoveries that are tailored to individual patients' needs.

The telehealth language in 21st Century Cures recognizes telehealth is the delivery of safe, effective, quality healthcare services by a healthcare provider using technology as the mode of delivery, and the interoperability provision makes great strides toward ensuring that our health IT systems can communicate amongst each other and with patients.

Mr. Speaker, I don't claim that this bill is perfect. Compromises have been made. I am disappointed that the amount of NIH funding has been recently reduced from $10 billion to $8.7 billion. I am also disappointed that policy riders, such as the Hyde amendment language, have been inserted after we voted this out of committee, and I look forward to voting for the amendment offered by my colleagues BARBARA LEE, JAN SCHAKOWSKY, and YVETTE CLARKE to strike the policy riders language. With that, Mr. Speaker, I do, however, support the 21st Century Cures legislation.

Mr. BURGESS. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee.

Mr. MCCAUL. Mr. Speaker, I commend Dr. BURGESS and Chairman UPTON for a bill that is truly visionary that will actually save lives, something we can rarely say we do up here in this place, but I believe this will provide cures for the next century.

Mr. Speaker, there are two provisions I am very pleased to see in the bill. One is the Andrea Sloan CURE Act, which expands compassionate use to those who have life-threatening diseases and gives them greater access to lifesaving medications. Andrea is a friend of mine who, on her deathbed, asked me to try to make sure that this didn't happen to other people.

And finally, I am pleased to see the reauthorization of the Creating Hope Act, which has now led to the second childhood cancer drug approved since the 1980s and the first FDA-approved drug to treat high-risk neuroblastoma.

Mr. Speaker, I believe that with the passage of this bill we will see greater cures in the future, and we will not only save adults from cancers, but also children from this dreaded disease in the future.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER), a member of the Armed Services Committee.

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts.

Mr. Speaker, coming out of committee, H.R. 6 was a bipartisan huge leap forward in our efforts to accelerate the development of lifesaving cures through medical research. Yet somehow, between the committee and the floor, the majority once again has tacked on antiabortion Hyde amendment language, which makes no sense at all.

It is like the Republicans are cheap stage magicians attracting our attention with the promise of critically needed medical advances, all the while stuffing the same old, flea-bitten Hyde provision rabbit into their hat. We are tired of this tedious stage show. NIH is already subject to the Hyde provisions in appropriation bills. This is just a way to continue politics as usual.

If H.R. 6 passes under a mantle of bipartisanship, they will pull out the rabbit, wave it around, and say, Look how amazing and wonderful we are.

I, for one, am sick of the House being run like a boardwalk magic show. Adding this type of language between open, transparent committee consideration and open, transparent floor consideration makes a mockery of representative government. Adding an antiabortion rider to bills in the dead of night through sleight of hand turns the substantive bipartisan work that is crafted in H.R. 6 into a pathetic imitation of cooperation.

Since the 114th Congress began, the House has taken 37 actions to restrict abortion access. While I don't agree with this paranoid focus on women's private and legal medical decisions, it is the majority's right to set the agenda; but I cannot stand by while these provisions are slipped into an otherwise excellent bill through underhanded maneuvers that run contrary to our democratic process. When similar provisions were slipped into a human trafficking bill, we said no. Why aren't we saying no today?

I am a cosponsor of the original version of H.R. 6, but I cannot let the people's House become the people's House of smoke and mirrors.

Mr. BURGESS. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. ROE), the chairman of the House Doctors Caucus.

Mr. ROE of Tennessee. Mr. Speaker, I stand before you today someone who, 45 years ago, graduated from medical school. My first pediatric rotation was at St. Jude Children's Hospital. At that time, a majority of all those children that I saw as a young medical student died of their disease. Today, almost 90 percent of those children live.

Back in the 1950s, we had a polio vaccine. It was developed with the help of government funding, and today that would be scored as a cost to the taxpayers. Does anyone think the prevention of polio was a cost to the taxpayers? It was one of the greatest miracles of the 20th century.

Just 4 short months ago, my wife died of stage 4 colon cancer. And I know right now that everyone in this Chamber who is listening and everyone who is outside watching this has had a

close family member or a friend or a relative who has experienced something similar.

Mr. Speaker, it is time now we as a nation got serious about curing the major diseases, not treating the disease, but curing the major diseases that are affecting this country and affecting us personally. I am more passionate about this bill and excited about passing the 21st Century Cures bill than anything I have voted on since I have been in the Congress.

Mr. Speaker, I strongly encourage my colleagues to support this rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), a member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. Mr. Speaker, I thank my friend, the gentleman from Massachusetts, for yielding the time.

Mr. Speaker, I rise to support the rule and in strong support of the 21st Century Cures bill that was voted unanimously, in a bipartisan fashion, out of my Energy and Commerce Committee.

□ 1445

America is the world leader in medical research, and we have got to work to keep it that way. That has been at risk lately because of congressional budget battles. The resources that our researchers need to find the cures and treatments of the future have been at risk. Our commitment to medical research has eroded over the years, but this 21st Century Cures bill would put us now on a stronger path forward.

I have advocated for more NIH research dollars for many years to boost our patients back home suffering from the debilitating diseases. I have offered amendments in the Budget Committee to shift money from discretionary to mandatory because it is mandatory in America that we respond and we research the cures of tomorrow, such as precision medicine like they are doing at the Moffitt Cancer Center in Tampa, Florida.

Now that we have mapped the human genome, we can find and provide precise cures and treatments to our neighbors and family members with cancer.

I am disappointed that the amount of money has been eroded. I am very disappointed that the Hyde rider was added at the last minute behind closed doors; it was not voted on in committee, but simply stated, this bill is too important not to pass it.

I would like to thank my colleague Chairman UPTON and my good friend DIANA DEGETTE from Colorado for leading the charge. We are firmly with you, and we are with the patients and the researchers in America that will benefit from this terrific piece of legislation.

Mr. BURGESS. Mr. Speaker, may I inquire to the time remaining?

The SPEAKER pro tempore. The gentleman from Texas has 17 minutes remaining. The gentleman from Massachusetts has 11 minutes remaining.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds for the purpose of the introduction of my next speaker.

Mr. Speaker, it is really a great privilege to recognize the next speaker on our side, the chairman emeritus of the Energy and Commerce Committee. In fact, the last reauthorization for the National Institutes of Health occurred under JOE BARTON's watch, one of the last things we did at the waning hours of the 109th Congress.

Mr. Speaker, he did provide additional funding to the NIH; he provided an increase of 5 percent a year for the lifetime of that reauthorization. Unfortunately, it was never appropriated to that level after the Democrats took charge in the 110th Congress.

I yield 3 minutes to the gentleman from Texas (Mr. BARTON), the chairman emeritus of the Energy and Commerce Committee, for his observations.

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Mr. Speaker, I want to thank the Member from Texas for that generous introduction.

Mr. Speaker, 4 years ago, I went to then-Majority Leader Eric Cantor and committee chairman FRED UPTON and asked permission to create a task force, a bipartisan task force—equal numbers of Republicans and Democrats from the Energy and Commerce Committee and the Appropriations Committee—to work with outside groups and experts to see if there were not some ideas that we could put forward in legislation to improve the ability to find and implement cures for all the various diseases that afflict our Nation.

Mr. UPTON and Mr. Cantor approved that task force. We had a task force of 24 members. We had an outside group that included several Nobel prize winners, leaders from Johns Hopkins and MD Anderson, former directors of NIH and FDA. That morphed in the beginning of this Congress to a task force that DIANA DEGETTE and Chairman UPTON led themselves. That has led to a bipartisan bill that, as has been pointed out, came out of committee 51–0.

That is an amazingly extraordinarily positive accomplishment to have total unanimity in support of this type of a bill. We haven't reauthorized NIH since 2006, and that lapsed in 2009. This bill does that. We have taken every innovative idea in the medical community that makes any sense at all and put it into this bill.

We are increasing the authorization for spending for NIH. We have the innovation fund, which is a mandatory program for 5 years. It puts a little under $2 billion a year that is offset; it is paid for; it does go away at the end of 5 years, but for 5 years, it is specifically going to innovation research that is a fast track to find the cures that are most applicable to the marketplace today.

This bill is a revolutionary bill. We need to pass it, Mr. Speaker. There are lots of problems. There are things that are not in the bill that I wanted in the bill, but this is a huge step forward. It rarely happens that Congress can work together to do something that is totally for the benefit of the American people. This is one of those times.

We need to vote for the rule, and then we need to vote for the bill, and we will move forward, united, to find the cures for the 21st century for all Americans and, really, to some extent, for all the world.

I thank the gentleman for the time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am going to urge that we defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to allow for consideration of Leader PELOSI's resolution, which basically says that any State flag containing the Confederate battle flag would be prohibited from the House wing of the Capitol.

Given what the Republicans, our leadership, tried to do on the Interior Appropriations bill yesterday, I think this is especially timely. As I mentioned earlier, while South Carolina voted this week to take the Confederate flag down, Republicans in Congress appear ready to put it back up.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), the distinguished ranking member of the Ways and Means Subcommittee on Oversight.

Mr. LEWIS. Mr. Speaker, I want to thank my friend Mr. MCGOVERN for yielding.

Mr. Speaker, I must tell you, my heart is heavy. I am saddened by what has happened here in America. I thought that we have come much farther—much farther—along.

Growing up in rural Alabama, attending school in Nashville, Tennessee, now living in Georgia, I have seen the signs that said White and Colored—White men, Colored men, White women, Colored women, White waiting, Colored waiting.

During the sixties, during the height of the civil rights movement, we broke those signs down. They are gone. The only place that we will see those signs today will be in a book, in a museum, or on a video. If a descendant of Jefferson Davis could admit the Confederate battle flag is a symbol of hate and division, why can't we do it here? Why can't we move to the 21st century?

Racism is a disease. We must free ourselves of the way of hate, the way of violence, the way of division. We are not there yet. We have not yet created a beloved community where we respect the dignity and the worth of every human being.

We need to bring down the flag. The scars and stains of racism are still deeply and very embedded in every corner of American society. I don't want to see our little children—whether they are Black, White, Latino, Asian American, or Native American—growing up

and seeing these signs of division, these signs of hate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. LEWIS. As a Nation and as a people, we can do better. We can lay down this heavy burden. It is too heavy to bear. Hate is too heavy a burden to bear. We need to not continue to plant these seeds in the minds of our people.

When I was marching across that bridge in Selma in 1965, I saw some of the law officers and sheriff deputies wearing on their helmet the Confederate flag. I don't want to go back, and as a country, we cannot go back.

We must go forward and create a community that recognizes all of us as human beings, as citizens, for we are one people, one Nation; we all live in the same House, the American House.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Mr. Speaker, I rise today to join the chorus of Americans who are calling out for support and research and innovation to cure diseases that affect every family and neighborhood in America.

The rule that we have before us would allow us to debate the 21st Century Cures bill forwarded by the Energy and Commerce Committee on a unanimous, bipartisan vote.

What this bill would do would increase, by over $8 billion, research over the next 5 years to be conducted by the National Institutes of Health. Each year, we spend over $700 billion on care for seniors through Medicare; yet we spend just $30 billion a year, roughly, annually, on curing or researching the cures for every disease that plagues our country: Alzheimer's, Parkinson's, cancer, heart disease, diabetes.

In all those diseases combined, we spend just $30 billion a year on research; yet we spend trillions on health care. We know, each year, 600,000 people will die of cancer. We know, each year in the United States, 700,000 people will die of Alzheimer's. These are real people, real families that are in anguish over these and many other diseases.

It is not just a moral issue; it is an economic issue. By 2050, estimates are that our country will spend $1.1 trillion annually to treat health care for people with Alzheimer's alone, over $1 trillion annually; yet we spend just $562 million a year researching a cure for Alzheimer's, a true definition of penny wise and pound foolish.

This 21st Century Cures bill increases our commitment to curing disease, as I said, by over $8 billion over the next 5 years.

Each of us has a family member or a friend with a tragic story about one of these diseases. These diseases know no party affiliation; they don't know center of aisle versus the left or right side of the aisle. They know no State; they have no regional boundaries. They don't know the difference between mandatory and discretionary spending.

To cure these diseases is a moral imperative for these families, but to cure these diseases is also an economic imperative. If we cure one of these diseases, our investment will pay for itself a thousand times over. The CBO can't score that; the CBO can't make any recognition of that. This is a savings bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. I yield the gentleman an additional 1 minute.

Mr. YODER. I have a 20-month-old daughter, and this isn't just about curing the disease for our generation; it is about curing the disease for her generation and every generation to follow.

Supporting the 21st Century Cures bill bends the cost curve on entitlements; it saves our country from going into bankruptcy, and it helps us balance our budget. These investments are not just necessary for our moral imperative to save lives, but they are also an economic imperative.

All those things together means we ought to have a robust, large vote in this House to pass this rule and to ensure that the 21st Century Cures bill goes forward.

I strongly support it, and I ask my colleagues to do the same.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, the Southern strategy was and is a Republican strategy of gaining political support for its political candidates by appealing to regional and racial tensions in this country based on the history of slavery, the history of the Civil War, racism, and segregation. That is a history that is indefensible, and so is the Confederate battle flag which represents those attitudes.

I call upon my fellow colleagues in the Republican Party to denounce this Southern strategy once and for all and to do what it takes to affirm the tide of this country, which is to do away with that symbol of oppression and racial animist, the Confederate battle flag.

Let's remove that flag from our national cemeteries, from our Park Service, places of purchasing memorabilia.

□ 1500

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

We do have before us today a unique opportunity. We have an opportunity to lay the groundwork for the future. We have the way to lead in the 21st century in providing 21st century cures.

To be sure, we are providing additional funding to the National Institutes of Health and we are providing additional funding to the Food and Drug Administration, but we are also placing requirements upon those institutions.

We all know we have to do things faster, better, cheaper, smarter and that we have to do more with less. That is what the 21st Century Cures bill lays before us, and that is why this rule is so crucial and critical today and why I urge its passage.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule and the underlying bill.

The bill provides for an increase of $1.75 billion per year in the budget for the National Institutes of Health. I applaud all efforts to increase funding for the NIH.

I am a survivor of ovarian cancer, and I am alive today because of the grace of God and biomedical research. So I appreciate biomedical research.

Unfortunately, this increase is not nearly enough to restore the NIH's lost purchasing power. Since fiscal year 2010, the National Institutes of Health has seen its budget erode by about $3.6 billion in real terms, an 11 percent cut. If we are serious about funding life-saving medical research, we must raise our level of ambition.

This bill also sets aside $500 million of the increase to be spent in certain specified areas of research. I think that this is a wrong approach.

The people best placed to decide which scientific avenues are worth pursuing are scientists, not politicians. We should not substitute our judgment for theirs.

I am also concerned that the bill will lower standards for medical device approval at the Food and Drug Administration and create a new pathway for antibiotic approval that, in my view, involves less rigorous testing requirements. Again, I think that this is a wrong approach.

It is our duty to protect the public from potentially unsafe devices and drugs. We do not do that by reducing standards.

Finally, the majority is yet again using this bill as a vehicle for anti-choice Hyde amendment language. Since January, the majority and its counterpart in the other Chamber have sought to restrict access to abortion no fewer than 37 times.

The bottom line on this issue is that we need to trust women and that we need to trust the choices they make. We have to trust women. Politicians have no business meddling in those decisions.

For these reasons, I believe that we should reject this bill, and I urge a ''no'' vote.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

I would point out that once again reauthorization of the National Institutes of Health occurred in this Congress in the waning days of the 109th Congress in December of 2006.

Mr. BARTON reauthorized the NIH at a $31 million base to increase by 5 percent per year. We were told at the time that that was not enough and, with biomedical inflation at 8.8 percent a year, that it was, in fact, a cut.

Mr. Speaker, in fact, what happened was then, of course, the Democrats took control of the House and the Senate the following year, and they never appropriated the NIH to that 5 percent figure.

Now, this is not about Republicans and Democrats. This is about finding cures for the 21st century. The gentlewoman is correct in that we do direct some of the research dollars within the NIH.

You will recall, when the stimulus bill passed in 2009, $10 billion went into the NIH right then to be spent that year.

We ended up filling up and filing paperwork from leftover projects, but we got very few deliverables out of that. This directs that research into high-risk, high-reward areas. We need the deliverables from the NIH.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE), the ranking member of the Energy and Commerce Subcommittee on Oversight and Investigations.

Ms. DEGETTE. Mr. Speaker, I rise today to give my thanks to FRED UPTON for recruiting me to help cosponsor this bill with him, and I give my thanks to all of our colleagues on both sides of the aisle for working together on finding cures from the lab into the clinics for so many diseases that we don't have any treatments for right now. This really is an extraordinary effort that we have made, and it really is Congress at its best.

I do want to mention that I was disappointed when, after the bill passed in the Energy and Commerce Committee 51–0, that in the manager's amendment the annual riders from the Labor-HHS bill were put into the bill. I think it is unnecessary, and I think that it distracts our attention from the important mission this bill brings.

I will be voting for the Lee amendment, but I would urge all of our colleagues, no matter how you vote on the amendments that are made in order in these rules, to please vote ''yes'' for the patients of America.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

This past weekend, in an op-ed piece that was published online, Mr. James Pinkerton wrote:

> As Abraham Lincoln said a century and a half ago, the Federal Government should only be doing things that people can't do for themselves.

Medical cures are a great example of something people can't do for themselves at home. That is what we are about this afternoon, providing the rule to allow for the consideration for the cure of the 21st century.

It is an important rule, and the underlying bill is important. I urge all Members to support both the rule and the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from the great State of Massachusetts for yielding.

Mr. Speaker, this is an emotional time for many of us. This is an important bill. But we have just gone through an emotional time on this floor, again, raising up the ugliness of the rebel flag.

I stand again to try and educate both the public and our colleagues about the damage that this flag has done to so many, for under that flag many were killed in the name of slavery.

Interestingly, this is the 150th year of the elimination of slavery. I think about health care, and I spoke last evening about lupus, sickle cell anemia, and triple-negative breast cancer all falling discriminantly on minority populations. In life, there are still issues that face you because you are different.

I call upon this House to recognize that, although we have many issues to debate, when you pierce the heart of someone because you believe he is inferior or different—when you want to coddle and protect the rebel flag—I hope we will get to the point between now and next week, as I introduce H. Res. 342 as a privileged resolution to ban all signs of hate, that we will rise to be unified together and stand under the American flag.

Mr. BURGESS. Mr. Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Texas has 8½ minutes remaining, and the gentleman from Massachusetts has 2 minutes remaining.

Mr. BURGESS. Mr. Speaker, may I ask of the gentleman from Massachusetts if he has additional speakers?

Mr. MCGOVERN. Just I.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. VEASEY).

Mr. BURGESS. I yield 1 minute to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. Mr. Speaker, I just wanted to speak about the importance of our acting now to do the right thing in regard to the Confederate flag.

Many of you may not know, but this year marks 100 years of the viewing and the premiere of the film that really sparked the re-emergence of the Confederate flag, ''The Birth of a Nation.'' We know that film was bigger than ''Star Wars'' and ''Jaws'' and any major blockbuster motion picture.

That is what ''The Birth of a Nation'' was. It revived the Confederate flag. It made the Confederate flag the symbol of hate that it is today. It actually helped the re-emergence of the second Ku Klux Klan in this country. We know that that is what the Confederate flag ultimately stands for.

It doesn't have anything to do with the Civil War and with the battle, like Mr. CLYBURN had pointed out earlier, because that was a completely different flag. It has to do with segregation and keeping us in the past.

We need to be able to move past it, Mr. Speaker. I would ask that my Republican colleagues do the right thing and join us in moving forward and in letting the past be the past.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee and the author of the Cures legislation.

Mr. UPTON. Mr. Speaker, as we all know, we launched this bipartisan effort about a year and a half ago, and with tomorrow's House vote, we mark a very important milestone in our quest for 21st century cures, one step closer to the finish line.

There have been so many individuals throughout our 18-month journey who have helped us get to where we are today: patients across the country, advocates, researchers, innovators, experts, academics, regulators, some of the Nation's brightest minds, even Nobel Prize winners. To all, we say thank you.

Thank you, too, to the hard-working staff, again, on both sides of the aisle, who took the meetings, who did the research, who drafted the language, and who sat at the negotiating table for countless hours to help us develop this incredible product: Gary, Joan, Alexa, Clay, Paul, Josh, Robert, John, Carly, Katie, Adrianna, Graham, Sean, Noelle, Macey, Mark, Tom, Bits, Marty, Tim, Jeff, and Tiffany.

And to the Democratic staff, the staff of our Members, thank you all.

Thanks to the House legislative counsel and the CBO for your efforts and dedication in working through many, many weekends.

Thank you to the Members of both parties, who really did bring their best ideas, who partnered with one another to make their cases, and who delivered so many of the policies that we welcome today because we listened.

I also want to thank Chairman HAL ROGERS and his staff. The Appropriations Committee has been a critical partner in this effort for the last number of months, working with us and developing the right approach to achieve our shared goal of helping patients in a fiscally responsible way.

I especially want to highlight my partner, DIANA DEGETTE, in her effort from day one. She came to my district in Michigan, and I have traveled to Colorado. We have been on a number of road trips for Cures across the country, and I look forward to the next journey down Pennsylvania Avenue.

I also want to thank Chairman PITTS, Mr. PALLONE, and Mr. GREEN for their really strong partnership. We have made great strides, but our work continues, and we are not going to stop until the ink is dry.

I thank Chairman PETE SESSIONS, Dr. BURGESS, and members of the Rules Committee for making sure that this legislation has gotten to the floor in a timely fashion.

I also want to give a hearty thanks to a young boy named Max, the 6-year-old ambassador for Cures. Yes, although he is faced with the challenges of Noonan syndrome, he has been a little warrior in that effort.

He joined us when we had a 51–0 vote back on May 21 in the committee, and I am delighted that Max will be by our side tomorrow on the House floor for its final passage.

Helping Max and others like him is why we are here, and helping my friends Brooke and Brielle, which will be part of my general debate discussion, is why we are here.

With a resounding vote tomorrow, we will send a signal to the Senate loud and clear that the time for Cures 2015 is now.

I look forward to working with my Senate counterparts on both sides of the aisle to continue the momentum of getting this bill to the President's desk. We have a chance to do something big, and this is our time.

□ 1515

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the 21st Century Cures bill is a good bill. I want to thank Mr. UPTON and Ms. DEGETTE for working in a bipartisan way to come up with this product. It invests in NIH. It invests in lifesaving medical research. It makes it more possible that we will find cures to diseases like cancers and Alzheimer's and Parkinson's, diabetes, HIV, and so many other terrible diseases that afflict so many of our fellow citizens.

This is important stuff. Who knows, maybe we will even find a cure to the disease that resulted in so many in this House voting for the destructive sequestration initiative that, by the way, cut medical research and put off the day of some of these lifesaving cures. We need to do better than this, but this is an important start, an important step in the right direction, and I hope that my colleagues in a bipartisan way will support it.

Secondly, as I mentioned before, I want to urge my colleagues to vote against the previous question.

I ask unanimous consent to insert the text of the amendment I would offer in the RECORD if we defeat the previous question, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. If we defeat the previous question, we will bring up again the Pelosi resolution that my colleagues on the other side of the aisle chose not to debate. The reason why this is important, the reason why we should do this is very simple: because it is the right thing to do. Every once in awhile we ought to come together in this Chamber and do the right thing. The Confederate flag is a symbol of hate; it is a symbol of division; it is a symbol of so many things that we all abhor. The time has come to follow some of the other States in this country and here in Congress do something the American people can be proud of.

I urge my colleagues to vote ''no'' and defeat the previous question. Vote ''no'' on the rule because it is restrictive.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, this is a momentous bill that will be before us today. This is analogous to the time back in the 1970s when the National Cancer Institute was authorized by Congress in the Nixon administration. This is an opportunity to take that leap forward and perhaps deliver some of those cures that so many of our constituents have waited for for so long.

Mr. Speaker, we all value institutions and institutional knowledge and institutional learning, but, Mr. Speaker, we also acknowledge that there are times when we have got to be disruptive. There are times that you have to forget the past and move into the future, and this is one of those times. We are all familiar with the fact that, yeah, the neighborhood bookstore may be gone, but we can order stuff online from Amazon.

Disruptive technology is as important in medicine as it is anywhere else. This bill is paid for. This bill is offset. It sunsets in 5 years' time. But, as I was reminded by my colleague, the gentleman from Maryland, Dr. ANDY HARRIS, a few days ago, while this bill is offset, while we are paying as we go for the increases for the National Institutes of Health and the FDA, what if—what if—one of those moonshots succeeds?

In May of 2012, Glen Campbell came and played a concert at the Library of Congress. This is him and his daughter Ashley. They were on the stage. Glen Campbell went public with the knowledge that he has Alzheimer's disease. He struggled at several points during that concert. It was, in fact, amazing to watch him play his instrument. At times he couldn't remember the words to the song, and Ashley would help him.

This is a shot where they did ''Dueling Banjos''—very, very accomplished and skilled instrumental work that they both did on their instruments that they were playing. What if? What if we were to deliver that moonshot and provide that cure that would have prevented Glen Campbell from falling into the recesses of Alzheimer's illness? What if that cure were within our grasp? What is worse is what if that cure is on a shelf or in a test tube somewhere and we just haven't quite gotten around to its evaluation? This is important stuff.

Glen Campbell narrated the soundtrack of my life as I was growing up, from Delight, Arkansas, a gentleman of our generation who was so important to so many of us as we were growing up, and he shared with us there on the stage his story and his daughter's story. You can see his daughter Ashley looking at her dad. If we could preserve her ability to smile at her dad for a little longer, wouldn't that be worth some of the fighting that we do here?

This bill is offset. This bill is paid for.

Mr. Speaker, today's rule provides for consideration of this critical bill, a bill that will transform and advance the discovery, development, and delivery of treatments and cures.

I applaud all Members who have worked on this thoughtful piece of legislation, along with Energy and Commerce staff on both sides of the aisle. All members of the Committee on Energy and Commerce were asked to bring their ideas to the table, and we worked to include as many as we possibly could.

I want to express my sincere thanks to all the great attorneys at the Legislative Counsel who worked around the clock to deliver us the legislative language. I want to thank Chairman UPTON, Representative DEGETTE, as well as Chairman PITTS and Ranking Members PALLONE and GREEN for their leadership throughout.

I want to thank all of the staff who have worked so hard over the past year; really, literally, all hands were on deck. There is not one staffer of the Subcommittee on Health of the Committee on Energy and Commerce that does not have their fingerprints all over this bill. I certainly want to thank J.P. Paluskiewicz, Danielle Steele, and Lauren Fleming from my office, who have put in that additional effort to help deliver this product.

Mr. Speaker, this is an important piece of legislation in front of us today. We do, unfortunately, have a lot of distractions, but let us not be distracted from providing the tools for the next generation of doctors, a generation that will have more ability to alleviate human suffering than any generation of doctors has ever known because of our actions here on the floor of the House today.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 350 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution, it shall be in order to consider in the House the resolution (H. Res. 355) raising a question of the privileges of the House if called up by Representative Pelosi of California or her designee. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion except one hour of debate equally divided and controlled by the proponent and the Majority Leader or his designee.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H. Res. 355.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RESILIENT FEDERAL FORESTS ACT OF 2015

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill, H.R. 2647.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2647.

The Chair appoints the gentleman from North Carolina (Mr. HOLDING) to preside over the Committee of the Whole.

□ 1524

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HOLDING in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Pennsylvania (Mr. THOMPSON), the gentleman from Minnesota (Mr. PETERSON), the gentleman from Utah (Mr. BISHOP), and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support and as an original cosponsor of H.R. 2647, the Resilient Federal Forests Act of 2015.

Since the inception of the National Forest System in 1905, the fundamental mission of the Forest Service has been to manage our Federal forests and grasslands to meet the needs of present and future generations. As a result, the Forest Service has played a critical role in rural America, partnering to produce timber, natural resources, and jobs, while sustaining the ecological health of the forests and surrounding watersheds.

National forests have been extremely successful in creating recreational and educational opportunities for millions of Americans. However, our forests are facing declining health and simply are not managed as well as they need to be due to numerous challenges that have grown over the past few decades.

Often unnecessary and prolonged planning processes limit the Service from effectively managing our forests. This also goes along with the constant litigation, or even the threat of litigation in some cases. Both of these situations keep boots in the office instead of in the forests and spend money on doing paperwork instead of work in the field.

The costs of suppressing and fighting wildfires has been a growing challenge for the Forest Service, with their fire costs increasing from 13 percent of the Forest Service budget in 1995 to approximately half of the annual budget today. This epidemic of declining health and catastrophic wildfires are in direct correlation to policies that have led to a dramatic decrease in managed acres. Timber harvests have drastically plummeted from almost 13 billion board feet in the late 1980s to only 3 billion board feet of timber in recent years. At the same time, the number of acres affected by the catastrophic wildfires has doubled from around 3 million acres during the second record timber harvest to 6 million acres now.

This bill reverses this cycle by ending the destructive fire borrowing problem that robs Peter to pay Paul, and it does so in a fiscally responsible manner, with the funds only made available for wildfire suppression. In my view, this legislation is the next step to build upon the groundwork laid by the 2014 farm bill and is an earnest attempt to give the Forest Service more authority and much-needed flexibility to deal with these challenges of process, funding, litigation, necessary timber harvesting, and much-needed management.

H.R. 2647 incentivizes and rewards collaborations with the private sector on management activities. It allows for State and third-party funding of projects. The bill reauthorizes the resource advisory committees, known as RACs, while returning county shares of forest receipts for long-term stewardship projects.

Perhaps most importantly, the bill provides commonsense categorical exclusions, or CEs, for certain Forest

Service projects. These CEs are routine and have known impacts and will expedite the planning process to get projects up and running.

To conclude, this is a thoughtful piece of legislation that will do much to help the Forest Service to better do its job. I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I yield myself such time as I may consume.

I rise in support of H.R. 2647, the Resilient Federal Forests Act of 2015. This is a bipartisan piece of legislation that will address some of the burdensome regulations that have arisen from legal challenges and help get our forests actively managed the way we need.

For some time now we have been concerned about efforts undertaken by extreme environmental groups to twist laws to their liking. The so-called sue and settle strategy has led to policy changes decided by activists and bureaucrats. These policy changes often ignore congressional intent and fail to take into account constituent input and real facts on the ground. Additionally, this means a less transparent and less accountable regulatory process. H.R. 2647 will simplify forest management activities, thereby reducing some of this bad behavior.

The bill also includes an important budgetary fix to help address the rising cost of wildfires. Just this year, the wildfires have burned hundreds of thousands of acres and caused millions of dollars of damage.

□ 1530

H.R. 2647 will allow access for our land management agencies to the resources they need to fight wildfires without having to rob their other accounts. The current practice of fire borrowing leads to taking away resources from productively managing our forests to keep them healthy and less prone to fire. This bill would end this practice and ensure that agencies have access to the needed resources to fight wildfire disasters all year.

Again, this is much-needed, bipartisan legislation that addresses many of the issues currently impacting forest management. I urge my colleagues to support H.R. 2647, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Mr. Chairman, I want to thank my colleague from Arkansas (Mr. WESTERMAN) for introducing this bill and recognize the hard work done by the Agriculture and Natural Resources Committees to bring this important bill to the floor.

For too long, failure to properly manage our national forests had led to increased tree mortality from wildfires, droughts, insects, and disease. The Resilient Federal Forests Act gives the Forest Service and the Bureau of Land Management the tools needed to reverse this trend.

This bill will allow critical forest health projects to move forward by streamlining regulations, will give parishes and counties greater flexibility in how they use forestry revenues, and will ensure Federal agencies have increased access to fund in order to fight and prevent wildfires.

These reforms will put more Americans to work through increased management activities and timber production. It will give money back to our local community for infrastructure and education and will make our forested communities safer by reducing their vulnerability to wildfires.

In my home State of Louisiana, the Kisatchie National Forest covers 604,000 acres, with 382,500 of those acres in my district alone. In all, forestry and the forest products industries accounts for well over 18,000 jobs and over $1 billion of income in my district.

The people of Louisiana know how valuable well-managed forests are to the health of our State and our economy. I would imagine forested communities throughout the country know this as well.

It is time we start being proactive instead of reactive when it comes to managing our national forests. The Resilient Federal Forests Act will put us back on track to realize the full potential of our forest resources.

I urge my colleagues to support this bill.

Mr. PETERSON. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), a member of the Conservation and Forestry Subcommittee.

Mr. BENISHEK. Mr. Chairman, I rise today in support of H.R. 2647, the Resilient Federal Forests Act of 2015.

I represent northern Michigan, which has over 20 million acres of Federal, State, and private forest land. Our forests are a vital part of the economy in northern Michigan that generate over $16.3 billion per year and creates more than 77,000 jobs. In addition to forestry, the outdoor recreation industry also contributes $18 billion to Michigan's economy and over 190,000 jobs to our State.

Healthy forests are vital to our way of life in northern Michigan. Like most in my district, I grew up exploring these forests, hunting, fishing, snowmobiling. It is a way of life for so many, not only for those who live up north, but for the millions who visit the forests every year from all around the country.

Sadly, many of our Federal forests are in a state of disrepair these days; they are overgrown, and especially in the Western United States, they are consumed by wildfire.

The Forest Service, which is entrusted with managing 10 percent of the continental United States land base, has identified approximately 58 million acres as being at high risk for catastrophic fire. Even worse, by conservative estimates, over 56 billion board feet of timber have simply burned away in wildfires on Forest Service lands over the last 10 years.

Over the past 10 years, over a billion dollars of timber rotted on the stump instead of being sold. Those revenues aren't available to the U.S. Treasury. The Forest Service couldn't use the funds to buy seedlings to replant our devastated national forests. We are literally allowing jobs for American families to burn away in our poorly managed Federal lands. Nothing about the current process is working.

H.R. 2647 takes some very simple steps to allow our forests to become healthier and better managed for the future. This bill would streamline timber harvesting on Federal forests in existing land use plans, while reducing the threat of frivolous lawsuits related to forest management.

The Acting CHAIR (Mr. WOMACK). The time of the gentleman has expired.

Mr. THOMPSON of Pennsylvania. I yield the gentleman an additional 1 minute.

Mr. BENISHEK. In addition, this legislation would allow States and Federal forests to react faster to catastrophic wildfire events, thereby reducing the future risk to public lands.

Finally, this legislation includes a number of collaborative processes for tribal, State, and private contracting, which will lead to healthier and better managed forests.

I understand that many of my friends here today may live in areas with a few forests or low risk of wildfire. I ask all my colleagues here today, especially those not in heavily forested areas, to listen to your friends from forested districts.

Support this bipartisan, commonsense legislation and help improve the health of our forests.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. DUNCAN of Tennessee) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 1735) ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes,'' agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints the following Members to be the conferees on the part of the Senate: Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED (RI), Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE.

The SPEAKER pro tempore. The Committee will resume its sitting.

RESILIENT FEDERAL FORESTS ACT OF 2015

The Committee resumed its sitting.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. I want to thank the chairmen—Mr. CONAWAY, Mr. THOMPSON, and Mr. BISHOP—for their leadership on this issue.

I stand here today in support of creating more jobs and improving the health of our Nation's forests through sustainable forest management.

H.R. 2647, the Resilient Federal Forests Act of 2015, is a bipartisan bill that will address the growing economic and environmental threats to the catastrophic wildfires. This piece of legislation is hugely important for my district and the entire southeastern region of the United States.

Florida is home to a multitude of national forests, including the Apalachicola, Osceola, and Ocala, which span more than 1.2 million acres in north central Florida. These forests supply over 10,000 acres per year for timber production, creating jobs, lumber products, pellet mills for green energy, and paper products.

This land also allows for recreational activities like equestrian and motorcycle trails and hunting and fishing. In addition, they produce roughly 600 billion gallons of fresh water, and that is all in my home State.

Due to a lack of proper forest management, the risk of catastrophic wildfires has increased dramatically. These emergencies draw critical funding away from the Bureau of Land Management accounts intended to prevent wildfires, thus creating a chronic problem that is only getting worse.

This bills ends that inefficiency by allowing FEMA to transfer funds to the Forest Service when these disasters occur, ensuring activities like prescribed burns and other management techniques are adequately funded.

This bill improves management practices, helps prevent wildfires, and should be supported by every Member in this Chamber.

Again, I commend Chairmen CONAWAY, THOMPSON, and BISHOP.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BARLETTA), chairman of the Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management.

Mr. BARLETTA. Mr. Chairman, first, let me thank the chairmen of the Natural Resources and Agriculture Committees for working with our committee on title IX of the bill.

Title IX authorizes the President to declare a major disaster for wildfires on Federal lands and provide assistance to the Departments of the Interior and Agriculture for extraordinary wildfire suppression costs in excess of the 10-year average. These provisions protect FEMA's Disaster Relief Fund and preserve FEMA's wildfire assistance that is currently available to State, local, and tribal governments through the Stafford Act.

Because this provision was not included in the reported bill, a legislative history document has been developed to articulate the congressional intent for title IX, as well as how it is expected to be implemented.

Mr. Chairman, I will insert this legislative history document into the RECORD.

(Chairman Bill Shuster, Committee on Transportation and Infrastructure, July 9, 2015)

H.R. 2647: RESILIENT FEDERAL FORESTS ACT OF 2015, TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

LEGISLATIVE HISTORY

Definition of ''Major Disaster'': By bifurcating the definition of ''Major Disaster'' in the Stafford Act, the Committee preserves the existing definition, and the programs that flow therefrom, and adds an additional definition for ''Major Disaster for Wildfire on Federal Land,'' for which a separate and distinct declaration, process and assistance have been established pursuant to the new Title VIII of the Stafford Act. ''Major Disaster for Wildfire on Federal Land'' meets the definition ''disaster relief'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Request for Declaration of a Major Disaster for Wildfire on Federal Land: There are four distinct requirements that must be met before the President may issue a declaration for a major disaster for wildfire on federal land.

(1) Each request must be made in writing by the Secretary making the request on behalf of that Department.

(2) The requesting Secretary must certify that in that current fiscal year, the Department's wildfire suppression operations account received no less than an amount equal to the 10-year average. This amount cannot include any carry over from previous years and must include any rescissions or reductions. Also, future 10-year averages must take into account the total amount expended on wildfire suppression, including appropriations and assistance provided under Title VIII of the Stafford Act.

(3) The requesting Secretary must certify that all funds available for wildfire suppression operations will be obligated within 30 days and there are wildfires on federal lands continuing to burn that will require firefighting beyond the resources currently available.

(4) The requesting Secretary must request a specific amount which is the estimate of funds needed to address the current wildfires on federal lands.

The Committee does not intend for the respective Secretary to have to make a request for each fire they anticipate will exceed the wildfire suppression operations appropriations. As the definition for ''Major Disaster for Wildfire on Federal Lands'' includes ''wildfire or wildfires'', it is intended that the respective Secretary's request will include all known fires that will require extraordinary resources beyond those remaining in the wildfire suppression operations account of that specific federal land management agency. Each Secretary will make a request for the resources required by that particular department.

Assistance Available for a Major Disaster for Wildfire on Federal Land: The only assistance available for a declaration of a major disaster for wildfife on federal land is the transfer of available funds from a new account established for these purposes to the requesting Secretary in the amount requested.

The Committee intends for the funds appropriated into the new account established by the President for major disaster for wildfire on federal land assistance will be designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The declaration and assistance available for a major disaster for wildfire on federal lands are based on the existing major disaster declaration process delegated by the President to be administered by the FEMA Administrator. The Committee expects the process for a major disaster for wildfire on federal land will be managed in a similar manner through a delegation of the President's authority to the FEMA Administrator. Further, the Committee expects that the account established by the President for a major disaster for wildfire on federal land will be a dedicated sub-account of FEMA's Disaster Relief Fund. However, pursuant to the legislative language, none of these funds can be comingled or transferred between these accounts.

Once assistance is transferred to the Department of the Interior or the Department of Agriculture, it is not required that the assistance be used only for those wildfires identified in the request. The assistance may be used for wildfires that begin after the declaration or were not identified in the request. Funds transferred may be used for all wildfire suppression operations eligible activities. The Committee anticipates these will be no year funds, available until exhausted.

It is entirely foreseeable that a wildfire that begins on or severely impacts federal lands requiring assistance under Title VIII of the Stafford Act could continue to grow, impacting state, local, tribal governments and certain non-profit properties and infrastructure. The provision of assistance under Title VIII of the Stafford Act in no way impacts the ability of state, local and tribal governments and certain non-profits to apply for assistance under FEMA's other disaster programs, if eligible, including the Fire Management Assistance Grant Program, an emergency declaration, or a traditional major disaster declaration.

Prohibition on Transfers: No longer can the Department of the Interior and the Department of Agriculture borrow from non-fire suppression accounts to fund the extraordinary needs of wildfire suppression operations.

SECTION-BY-SECTION

Section 901. Wildfire on Federal Lands: This section defines a major disaster for wildfire on federal lands.

Section 902. Declaration of a Major Disaster for Wildfire on Federal Lands: This section establishes the procedure for requesting a declaration of a major disaster for wildfire on federal lands and provides for assistance.

Section 903. Prohibition on Transfers: This section prohibits the transfer of funds between wildfire suppression accounts and other accounts not used to cover the cost of wildfire suppression operations.

Mr. BARLETTA. After watching the floodwaters of Hurricane Irene and

Tropical Storm Lee destroy the homes and upset the lives of my constituents, my first priority has been to protect the programs that come to their aid, namely the disaster relief fund.

This is a program that helps families get back into their homes, businesses reopen their doors, and local municipalities clear the streets so that our communities can recover when the next big storm strikes.

I have seen the disaster relief fund provide assistance when it is needed most. Our constituents rely on Federal disaster assistance. It should not be jeopardized under any circumstances.

Again, let me thank Chairman BISHOP and Chairman CONAWAY for working with the Transportation and Infrastructure Committee.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, can I inquire as to how much time remains?

The Acting CHAIR. The gentleman from Pennsylvania (Mr. THOMPSON) has 3 minutes remaining. The gentleman from Minnesota (Mr. PETERSON) has 13 minutes remaining.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Chairman, I rise in strong support of this legislation, and I thank the gentleman from Pennsylvania for yielding me this time.

This bill, Mr. Chairman, will streamline the Forest Service planning, allowing for more forest thinning, reducing wildfire damage, and creating much stronger Federal forests. More national forest thinning means fewer forest fires.

I served for 22 years on the Natural Resources Committee. Several years ago, I was told that there were 6 billion board feet of dead and dying trees in the national forests; yet we were cutting less than 3 billion board feet a year. This was leading to a tremendous buildup of fuel on the floor of these forests, leading to millions more acres being burned because we weren't cutting enough trees.

In the late eighties, we were harvesting 10 to 11 billion board feet a year. We had 3 to 6 million acres lost to forest fires each year at that time. Now, we are harvesting a little over 1 billion board feet a year, and the acreage lost to forest fires has gone way up: 10 million acres lost in 2006, 9 million in 2011, and on and on and on. It is a shame.

Allowing this renewable resource to be used, everything made with wood—houses, all types of wood products, everything else made from wood—would be cheaper. This would help lower-income people most of all.

If we allow more trees to be cut, thousands of jobs could be created not just for loggers, but also in construction and in businesses making wood products. This also would help lower-income people most of all.

We shouldn't just let these forests burn. We should use them to help people. If you want more forest fires, vote against this bill, but if you want to help preserve our national forests and make them healthier and help the economy in the process, then you should vote for this bill.

This is a very moderate response to what has become a big and fast growing problem. We should not give in to extremists and oppose this bill. This is good legislation, and I commend Chairman PETERSON, Chairman CONAWAY, and Chairman THOMPSON for bringing this very intelligent, sensible legislation to the floor.

Mr. PETERSON. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chairman, I would like to clear up some misconceptions about H.R. 2467 and take a little time to tell you what this bill really is and what it is not.

Contrary to a statement put out by the President and some of my colleagues on my side of the aisle, this is not a complete abrogation of environmental protections or NEPA process on our Federal lands.

This is a streamlined process for a very, very small portion of Federal forest land subject to catastrophic natural disasters and already subject to expensive collaborative, resource advisory committee, or wildfire protection plans—a very narrow subset of our Federal forests.

For the folks back East, I would like to remind them that, out West, forest land occupies a great chunk of our States.

□ 1545

Over half of my State of Oregon is Federal forestland. Most of that is managed by the Forest Service or the BLM.

Three-fourths of my State is distinctly rural, little access to this postrecession recovery. Frankly, indeed, these guys were in a recovery for the last 20, 30 years, when timber harvesting came to a screaming halt under our so-called forest plans. Their recovery, their prosperity, is irrevocably entwined with smarter, healthier forest policy that promotes resiliency, which this bill does, and sustainability, which this bill does.

This bill is narrowly crafted to build upon the growing trust, hopefully, between old environmental and timber adversaries by showing what can be done with good forest policy in a collaborative framework on our Federal forestlands.

Currently, dead, diseased, wildfire-subjected Federal forestland contributes millions of tons of carbon annually to our atmosphere. Rotting trees are carbon polluters. Burning forests are carbon polluters.

Our forests need to be cleaned up and made healthy again. If you care at all about climate change or the health of our Federal forests or, hopefully, the health of rural communities around America, you should be for this narrowly crafted bill to collaboratively build a sustainable forest policy.

I would like to reiterate that this bill only pertains to a narrow set of projects and lands, including areas affected by or likely to be affected by these natural disasters.

This only deals with lands subject to collaborative processes or under these federally sanctioned resource advisory committees already in place or covered by community wildfire protection plans. In other words, these are areas that already have had extensive proactive management discussions on these lands with community partners across the environmental and timber resource spectrum. This is exactly where a streamlined NEPA process should be placed.

Contrary to information you have received, this is not eliminating environmental impact statements. It does permit a small exclusion of 5,000 to 15,000 acres for a narrow type of project.

The Forest Service is currently spending hundreds of millions of dollars on NEPA compliance, the single biggest factor in limiting the amount of work the agency can get done on the ground.

It also has an innovative approach to restoring forests after a wildfire. No permanent roads are allowed to be built, current stream buffers stay in place unless the regional forester has a compelling reason to change them, and reforestation is required with an eye to creating more successional habitat, something our environmental community has wanted for a long time.

You can't accelerate the process here. Where are you going to do it? Didn't we accelerate the process a little after Sandy or Katrina?

You know, some of our colleagues, some of my citizens, several of my constituents out west are feeling that there is a lack of fairness in our disaster policy.

It is common practice for radical groups to file a litany of alleged grievances on any forest project that is suggested, mostly just to drag out the process and delay good forest policy they disagree with, at great taxpayer expense. Most of these claims are purely procedural.

We must reform this legal gotcha game by forcing these groups to focus on legitimate, substantive claims of impropriety that they feel they can win on. That is fair, and that is what this bonding proposal actually does.

Folks, for people in rural Oregon and rural America, they are being left behind. The timber economy was the major economy for these forested regions for decades. They are not seeing large companies, high-tech manufacturing moving into their remote areas. These are communities that have depended on our renewable natural resources for their livelihood.

Our forests are a catastrophe waiting to happen. They are much less diverse

than they used to be. This drought is about the worst it has been out west in a long, long time. Our forests are tinderboxes waiting to burst aflame.

Let's begin to work collaboratively. Give local communities the tools they need and have to deal with and prevent these catastrophes, frankly, learn how to work together again to build healthier forests and healthier rural communities.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. PETERSON. Mr. Chairman, I don't believe I have any additional speakers. I could yield time to the gentleman from Pennsylvania if he wishes.

Mr. THOMPSON of Pennsylvania. I have some additional speakers. That would be appreciated.

Mr. PETERSON. Mr. Chair, I ask unanimous consent to yield the balance of my time to the gentleman from Pennsylvania to finish out.

The Acting CHAIR. Without objection, the gentleman from Minnesota yields the balance of his time, which is 8 minutes, to the gentleman from Pennsylvania to control.

There was no objection.

Mr. THOMPSON of Pennsylvania. I thank the ranking member for his generosity and his leadership on the important issue of agriculture, and certainly on this bill as well.

Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Chairman, thank you for your work on this critical legislation.

The Resilient Federal Forest Act is key if the Forest Service is to have the flexibility it needs to actively manage our Nation's Federal timberland.

Now, I come from a State where forestry is critically important to our economy and our ecosystem. In fact, forestry is a $13 billion industry in Alabama. Thankfully, my State does not have a serious issue with wildfires due to our active forest management. That said, it does not mean that my area isn't impacted by the wildfire crisis.

The Forest Service and the Bureau of Land Management are forced to spend so much money fighting wildfires that they have to take money away from other nonfire accounts that, ironically, help prevent wildfires, like thinning and controlled burns.

Mr. Chairman, this bill just makes sense. By simplifying the environmental process requirements and reducing burdensome regulations that hinder active forest management on Federal timberland, we can help reduce wildfires and protect our Nation's forests.

So I want to thank the gentleman from Arkansas and others for their work on this bill and the continued leadership on behalf of our Nation's foresters.

Mr. Chairman, I urge my colleagues in this House to support this legislation, and I call on the Senate to act on this bill right away.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oregon, (Mr. WALDEN), an Eagle Scout.

Mr. WALDEN. Mr. Chairman, I want to thank the members of the committee on both sides, my colleagues on both sides of the aisle, for their great work on this legislation. This is really, really important.

My colleague from Oregon (Mr. SCHRADER) spoke eloquently about what our State faces and our rural communities face, and that is why this Resilient Federal Forests Act is so important to beginning to be a game changer, to getting us back into active management of our Federal forestlands, to reducing the threat of wildfire, the cost of wildfire, the destruction of wildfire, and the incredible pollution from wildfire.

As we speak here today on the House floor, brave firefighters are still trying to contain the Corner Creek fire, which has already burned nearly 29,000 acres of forestland near Dayville, Oregon, in my district—29,000 acres already burned. And unfortunately, this fire season in the West has only just begun.

Among the many strong provisions in this bill are streamlining planning, reducing frivolous lawsuits, and speeding up the pace of forest management. Several in particular are helpful to our great State of Oregon.

For national forests in eastern Oregon, this legislation repeals the prohibition on harvesting trees over 21 inches in diameter. Now, there is no real ecological reason for this. It was a temporary measure put in place 20-some years ago, nearly. It remains today. It didn't make sense then, it doesn't make sense now, and it will be repealed.

This flawed one-size-fits-all rule illustrates, I think, just how broken the Federal forest management has become. So it greatly limits the flexibility forest managers have to do what is right for the health and ecosystem of the forests to make them more resilient, more fire tolerant.

This bill also includes legislation I wrote with my colleagues from Oregon, Representatives DeFazio and KURT SCHRADER, pertaining to Oregon's unique O&C Lands. It will cut costs, increase timber harvests and revenue to local counties.

The BLM is also directed to revise their flawed management plan proposals to consider the clear statutory mandate to manage these lands for sustainable timber production and revenue to the counties.

Finally, one look at the fires around the West makes clear that the status quo simply is not working for our forests, for our communities, or for the environment. We need to do better. This Resilient Federal Forests Act will do that. It will bring better and healthier forests and healthier communities.

I thank the committee for taking up this good piece of legislation and encourage my colleagues to approve it.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. ZINKE).

Mr. ZINKE. Mr. Chairman, as a fifth generation Montanan, I grew up in timber country. Our mills and train yards were in full swing, and visitors from around the world flocked to see Glacier Park. Revenues from the timber industry were reinvested in the community, and conservation efforts of the Forest Service helped our timber harvest.

Building a strong tourist economy and a strong timber economy are not mutually exclusive. That is why I support—strongly support—the Resilient Federal Forests Act of 2015. It does what it should do. It encourages local organizations to work together on collaborative projects that revitalize the economy. But not only that, it revitalizes our forests.

Think about it. As we debate this bill today, there are two wildfires in my home State of Montana, just a few miles from where I grew up. And as of today, more than 3.9 million acres across our Nation have burned in wildfires this year alone. That is larger than the entire State of Connecticut.

We are on track for more than double, if conditions don't improve. Just last week, the Forest Service, whom I visited, said we are in the perfect storm. In the words of the former Chief of the Forest Service, Chief Bosworth, we don't have a fire problem as much as we have a land management problem. That is why this bill is so important.

Last week, when traveling across my district, I toured the site of the Glacier Rim fire. This fire is burning the same ground that burned in 2003. I was told by people on the ground that the reason why this fire is burning is the Forest Service was not able to conduct a salvage operation for fear of lawsuits, among other reasons, and those lawsuits left standing timber which cannot be addressed by crews, which only can be addressed by helicopters, and that is a $1 million project. And habitat, it is a member, a part of the core grizzly habitat. It has not burned once; it has burned twice in 15 years.

So we need more scientists in the woods and less lawyers, and I urge my colleagues to join me in a bipartisan effort to support this bill.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Mr. Chairman, I want to thank my colleagues from Pennsylvania and Utah and their committee work on this.

Management reduces catastrophic wildfire. In the high desert rangelands of Nevada, as well as the conifer forests of such mountain ranges as the Sierra Nevadas around Lake Tahoe, the Ruby Mountains around Elko, or the Toiyabes around Austin, Nevada, we have a 100-year resource there. Once it burns, it is 100 years before it comes back by the time you take into account those moisture regimens and everything affiliated with that. And then

when you have years-long processes after it burns to get permission just to go after that, this is great legislation.

I want to thank my colleague from the Razorback State for his work on it and the other folks that have helped him.

One of the reasons that this is so important to our State is, in the last 20 years, just on BLM land, we have burned between 6 and 7 million acres. And guess what. We are dealing with a thing called the sage-grouse listing, where they talk about loss and fragmentation of habitat. It is nobody's fault, mostly lightning-caused fires 40 miles from the end of the nearest dirt road—6 or 7 million acres to catastrophic wildland fire.

More management, more restoration, thinning of fuels, and also the ability to recognize that the funding for this is something that needs to be a FEMA-related thing rather than just through the normal budget process are all great ideas.

I want to thank my colleagues for their help. On behalf of the people of the Silver State, thank you very much.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I want to thank all my colleagues, Ranking Member PETERSON, who all spoke on this very important bill.

H.R. 2647 is a commonsense, bipartisan solution to start fixing a broken system.

Right now, miles of red tape and constant litigation, usually from groups that refuse to come to the table, are preventing our forests from receiving the active management they desperately need. This leads to more catastrophic wildfires and more money diverted from other priorities to fight fires.

This legislation will aid in reversing this cycle. It gives the agencies more flexibility to manage our Federal lands, which protects wildlife habitat and surrounding watersheds, spurs growth in the rural economy, and saves time and saves money.

I want to thank Mr. WESTERMAN for his leadership on this, Chairman CONAWAY, Chairman BISHOP, Ranking Member PETERSON.

I yield back the balance of my time.

□ 1600

The Acting CHAIR (Mr. HULTGREN). The gentleman from Utah is recognized for 15 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the opportunity of being here, talking about this significant bill that is going to increase and improve our status quo.

I yield 5 minutes to the gentleman from Arkansas (Mr. WESTERMAN), to begin our portion of this debate, who is the chief sponsor of this particular bill, who has a personal background, actually, having earned a degree in forestry even from the State of Arkansas.

Mr. WESTERMAN. Mr. Chairman, I rise today in support of H.R. 2647, the Resilient Federal Forests Act. This bipartisan legislation will give the Forest Service tools it needs to better manage our national forests.

As a professional forester, I see that our forests are in decline and lack resiliency.

President Teddy Roosevelt, who worked alongside a fellow Yale forester, Gifford Pinchot, to create the U.S. Forest Service, are the two I would credit as the fathers of our national forest.

Roosevelt said, ''The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value.''

We have problems with our current forest policy that is leaving one of our most treasured natural resources less resilient, decreased, and impaired in value.

It is not only our forests that suffer. Without forests that are healthy, we have poor water quality, poor air quality, less wildlife habitat, less biodiversity. My bill aims to fix these problems, and it aims to fix them through proactive and sound management.

First, our forests are living and dynamic, but we have a problem of delayed decisionmaking or, even worse, no decisionmaking at all. This bill incentivizes collaboration and speeds up the implementation of collaborative projects while safeguarding strong and timely environmental reviews.

We have a problem of not salvaging timber destroyed in catastrophic events, which makes the forest more dangerous, increases future wildfire problems, and makes it difficult for reforestation. This bill sets up requirements for salvage and reforestation. The Forest Service would have to implement greater reforestation in response to catastrophic events.

Typically, less than 3 percent of an area is reforested after a catastrophic event. This is unacceptable. My bill requires 75 percent reforestation within 5 years.

We have a problem in our rural communities that not only depend on our forests for their sustenance, but also provide emergency services, education, and support for the forests and residents who live near the forest.

As our forests are decreased and impaired in value, our forest communities immediately suffer and suffer even more in the future.

My bill gives counties flexibility in spending Secure Rural Schools funding and puts 25 percent of stewardship contracts into the county treasury for our schools and other public services.

There are other policy problems this legislation solves, but none are more important than problems caused by having to spend too much of our Forest Service budget for reactive fire suppression rather than on proactive sound management and fire prevention.

This bill ends the destructive practice of fire borrowing in a fiscally responsible manner. It creates a subaccount under the Stafford Act specifically for fighting wildfire.

I would like to thank Chairmen BISHOP, CONAWAY, and SHUSTER for their assistance with this critical bipartisan bill. Our national forests desperately need scientific management to become resilient again.

In the words of Roosevelt, I call on us to behave well, to treat our forest resources as assets that we will turn over to the next generation increased and not impaired in value.

I look forward to advancing this bill today and call on the Senate to act promptly to ease the burdens of the summer fire season.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 15 minutes.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

Our national forests are a public good that are tasked to provide multiple benefits to the American people. These include clean water, clean air, wildlife habitat, open space, as well as robust recreation and timber economies that provide jobs and partner with Federal land managers to improve forest health.

Everyone agrees that we must increase the pace of restoration work to limit the impacts of catastrophic wildfires and to improve the long-term health of our forests.

H.R. 2647 does contain some new thinking and potentially useful concepts that, if done right, could help the Forest Service achieve its long-term goal of healthy, sustainable forests.

For example, the bill provides incentives for collaboration, which has been identified as a priority by witnesses from both sides of the aisle.

It also proposes some creative ways to finance forest restoration projects developed through collaboration.

H.R. 2647 also offers a potential solution to the devastating impact of fire borrowing, the practice of transferring funds away from forest restoration projects for use in fighting wildfires.

Throughout the debate over forest policy and this particular bill, Democrats, including myself, have urged the majority to deal with how we pay for the largest and most catastrophic wildfires, which represent only 1 percent of wildfires, but consume 30 percent of the entire agency's firefighting budget.

I am glad that the majority acknowledges the urgent need to address the fact that over 50 percent of the Forest Service budget goes to fighting wildfires, squeezing out funds needed for all other critical Forest Service programs, most especially those that focus on forest health.

However, these helpful provisions do not offset the many serious concerns that I still have with this legislation, which was developed without any input from Natural Resources Committee Democrats.

In fact, when the Federal Lands Subcommittee held its hearing, the bill was still in draft form. This process even left the Forest Service without

the opportunity to provide adequate or meaningful testimony.

Instead of working together on a bipartisan basis to improve the health of our national forests, about which we all care, this bill irresponsibly chips away at the environmental safeguards of the National Environmental Policy Act and places tremendous burdens on American citizens seeking to participate in the public review process of Forest Service projects.

For example, H.R. 2647 would ''categorically exclude'' or exempt a wide range of timber and restoration projects from critical environmental analysis and public review. This means that thousands of acres of sensitive ecosystems would be much more vulnerable to degradation and damage.

The changes to the judicial review process raise serious constitutional concerns, eroding some of the bedrock principles of the American legal system that protect the basic rights of citizens to participate in the Federal decisionmaking process and to hold their government accountable.

If this legislation were to become law, a citizen challenging a Federal decision would be required to post a bond equal to the government's cost, expenses, and attorneys' fees.

If plaintiffs lose, the government is paid out of that bond. But if plaintiffs win—and by win, I mean a court has to rule in favor of plaintiffs on all causes of action—plaintiffs simply have their bond returned and are precluded from getting an award of attorneys' fees.

As our colleagues on the Judiciary Committee can attest, this provision flies directly in the face of American legal precedent.

Public lands, including our national forests, belong to all Americans. They are a public good. Bedrock environmental laws, like the National Environmental Policy Act, makes sure that the public voice is heard and that critical habitats are protected not only for species that rely on our national forests and grasslands, but also for American citizens who depend on these lands for their drinking water and economic livelihoods or simply to enjoy their treasured beauty.

I urge my colleagues to vote ''no'' on this legislation, and I reserve the balance of my time.

Mr. BISHOP of Utah. I reserve the balance of my time.

Ms. TSONGAS. Mr. Chair, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chair, I have been working on forest policy for my entire tenure in Congress. I have some of the most productive and fabulous forest lands in the entire Federal system, both Forest Service and BLM lands, under a unique O&C management.

But here we are again headed into a very, very potentially bad fire season, June record heat, no precipitation. We had very little snowpack last winter, and the heavy fuels are already as dry as they get.

We have seen this before. The fires will break out. BLM and Forest Service can't stop fighting the fires. So they will borrow from other accounts, including fuel reduction to protect forest values and communities, forest health, and a myriad of other programs.

This happens year after year after year. It is time to end that, and this bill takes that first step in ending that practice of fire borrowing.

And that is of tremendous benefit to the resource agencies, the resources themselves, and our preparedness and capability of fighting fires. That alone gives this bill tremendous merit.

It deals with some other longstanding issues in Oregon. We adopted something called temporary eastside screens back in 1993, I believe, saying you couldn't cut any tree over 21 inches in diameter.

It makes no biological sense, and it makes no sense to the premier forest scientists in the world, Jerry Franklin and Norm Johnson.

You have nonnative fir trees that are growing there, because of repression of fire for the last 100 years, that are 100 years old. They are over 21 inches.

But they are growing in stands of ponderosas that are 200 years old, and they are going to kill the ponderosa stands, the native trees.

But the Forest Service can't go in and deal with that issue. With this legislation they finally can.

On our unique O&C lands, there is a provision of the Northwest Forest Plan called Survey and Manage, literally crawling around on the forest floor, looking for slugs, snails, calling for owls, and doing all these things 3 years in a row.

This, again, is not necessary, according to the premier scientists, and is incredibly expensive and time-consuming on the part of the Bureau of Land Management.

In fact, the Bureau of Land Management's new plans—each plan, no matter what the output level, would do away with that practice. So this bill does away with that practice, saving the BLM resources and moving ahead with better management.

There are a number of other issues that relate to these O&C lands. I want to thank Chairman BISHOP and Chairman MCCLINTOCK for working with myself, Mr. SCHRADER, and Mr. WALDEN in order to address these issues, extending the comment period, developing new management options.

BLM is refusing, despite the Oregon Delegation's bipartisan request to extend the comment period on these critical management plans. So that itself is also great merit.

There are provisions in the bill that I don't like and don't support.

We will be given an opportunity with the Polis amendment to deal with the bonding issue and the cost recovery issue, which I don't think belongs in this bill.

I have concerns about the magnitude of the CEs for fire recovery and salvage. But, on balance, the other parts of this bill are important to the point where the bill should receive support from people that care about the future of our forests.

Mr. Chair, I have been working on forestry issues for a long time—nearly 30 years. I represent a district with some of the most productive public timberlands in the entire world. I also represent a district that cares deeply—passionately—about the environment and our incredible national forests.

For 30 years I have been trying to find a middle ground on national forest policy—a balanced approach. I believe that having a healthy timber industry, good paying jobs in rural communities, and permanent protection for our nation's most iconic resources—like old growth trees and pristine rivers—are not and should not be mutually exclusive.

Do I think the bill before the House today is a perfect bill? Absolutely not. But when you are working on a contentious, complex, and often emotional issue like national forest policy—there is no such thing as a ''perfect bill.''

The truth is our national forests are burning up at an alarming rate. They are dying from disease and bugs. Our land management agencies don't have the financial resources or tools to deal with existing threats let alone emerging threats, like climate change. The Federal Government spends billions of dollars every year to fight fires on public lands, rather than investing those dollars in forest health and resiliency to reduce wildfire risks.

Our rural and forested communities continue to suffer from double digit unemployment. Even the mills that have retrofitted to process small diameter logs are struggling to make it. And rural counties dependent on timber receipts are failing to keep violent criminals in jail, sheriff deputies on our roads, and kids and teachers in the classroom.

So, again, no. I don't think this is a perfect bill. But, Congress needs to do something to change the status quo for our forests and rural communities. We need to have this conversation and work together to find middle ground.

WILDFIRE FUNDING

And there are some good provisions in this bill. One of the most important provisions attempts to end ''fire borrowing''—a top priority of mine when I was Ranking Member of the Natural Resources Committee and a remaining priority of mine as Ranking Member of the Transportation and Infrastructure Committee that has jurisdiction over FEMA.

Right now, when federal land managers exhaust congressionally appropriated dollars to fight fires, the agencies have to borrow money from other accounts. Often times those accounts fund the very activities—like thinning overstocked plantations, reducing hazardous fuels, or completing work in the Wildland Urban Interface—that can actually help reduce the risk of catastrophic wildfires! That's a terrible way to do business.

Catastrophic wildfires should be treated like other natural disasters and we should stop robbing Peter to pay Paul. The wildfire funding language in this bill—while not perfect—moves us in the right direction.

EASTSIDE SCREENS

This bill also includes provisions that will improve forest management in the Pacific Northwest. The bill would remove the unscientific

and arbitrary "Eastside Screens" that prohibit the Forest Service from cutting any tree in Eastern Oregon and Eastern Washington that is larger than 21 inches in diameter.

Supporters of the Eastside Screens forget that the 21 inch rule was intended to provide interim protection for larger, older trees until scientifically based standards for old growth were established. Well, guess what? After more than two decades those standards have still not been established, handcuffing the Forest Service from carrying out common sense forest projects.

Today, even if there is a non-native, 22-inch diameter Douglas fir tree that is outcompeting and putting at risk a native, 200 year-old stand of ponderosa pine, you can't cut that fir. That would violate the Eastside Screens.

That doesn't make any sense. Yes, we need protection for old growth forests and I was the first to pass permanent, legislative protection for old growth in Western Oregon out of the House last year. But, those protections should be scientific and implementable.

O&C LANDS

The same goes for standards established more than 20 years ago, known as Survey and Manage, that literally has land management personnel on their hands and knees on the forest floor looking for liverworts, fungi, slugs, snails, mosses, and 300 other types of flora and fauna before any forest activity can take place. I am all for robust analysis and considering the impacts of human activity on rare and special species. But we also need to be responsible stewards of taxpayer dollars and aware of the consequences of over-analysis, lengthy delays, and not taking action.

The Bureau of Land Management (BLM) agrees with me. That's why all of the Resource Management Plan alternatives for Western Oregon would eliminate Survey and Manage.

Unfortunately, the BLM still has some work to do on the Resource Management Plans for the statutorily unique O&C Lands. Despite requests from most of the Oregon Congressional Delegation to extend the public comment period to analyze thousands of pages of documentation for the alternatives, the BLM decided not to award an extension.

I want to thank Chairman BISHOP and Chairman MCCLINTOCK for working with me, Rep. WALDEN, and Rep. SCHRADER to include language that would direct the BLM to consider additional alternatives for the O&C Lands—ranging from a sustained yield alternative to a carbon storage alternative—and to extend the public comment period by 180 days. These Resource Management Plans will govern management on the O&C Lands for years to come—perhaps decades—and we must get them right. Taking time to analyze new alternatives and giving the public more time to review and comment is absolutely crucial.

I also want to thank the respective Chairmen for incorporating the Public Domain lands within the O&C land base. These lands in Western Oregon are already managed in the same manner. Reclassifying the Public Domain lands as O&C Lands will improve management efficiency, provide clarity to the BLM, and create additional revenues for the O&C Counties.

But, as I mentioned, this bill isn't perfect. In fact, it includes a number of troubling provisions that should be completely eliminated or substantially modified before being signed into law.

PROVISIONS OF CONCERN

For example, the bill would allow categorical exclusions (CEs) for salvage logging projects up to 5,000 acres in size. That's 20 times larger than the current 250-acre size limitation for salvage logging CEs adopted by the Bush Administration. Unfortunately, the Committee adopted an amendment during markup that eliminated key restrictions on the construction of temporary roads within the salvage project area. These provisions are a non-starter.

The bill allows CEs for projects intended to create early successional habitat. I worked with the pre-eminent scientists in the world on pilot projects in Oregon with similar management goals. But for these projects to work and for there to be social buy-in, there need to be strong sideboards for such projects, like green tree retention requirements and old growth protection.

Language has been added that could exempt the application of herbicides from a full environmental impact statement when used to "improve, remove, or reduce the risk of wildfire." I understand the Forest Service uses herbicides in limited circumstances to address noxious weeds and other threats through manual application. But such application should remain extremely limited, publicly transparent, and restricted to manual application instead of aerial application. There should be no ambiguity in this language and its intent, nor should it expand herbicide application on public lands.

This bill would make it harder for a person with a legitimate grievance against a federal land management agency to sue by requiring that person to post a bond covering the anticipated costs, expenses, and attorneys' fees of the government to defend the lawsuit. I understand you want to limit frivolous lawsuits or lawsuits from parties that don't meaningfully engage in the public process. But this isn't the way to do it. I will be voting for an amendment later today to strike the entire section.

Mr. Chair, this bill has some important, balanced provisions. It also has some controversial, unnecessary provisions. We know that this bill, in its current form, will not be signed by the president. But I want to keep this conversation moving forward and I want to work with my colleagues on both sides of the aisle, House and Senate, to do something meaningful for our rural communities and national forests. I will support this bill today with the understanding that this legislation still needs work, significant improvement, and further compromise.

Mr. BISHOP of Utah. Mr. Chair, I am pleased to yield 2 minutes to the the gentleman from California (Mr. MCCLINTOCK), the chairman of the Subcommittee on Federal Lands, who has helped shepherd this bill through the committee process.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, excess timber comes out of the forest one way or another. It is either carried out or its burned out, but it comes out.

Years ago, when we carried it out, we had healthy forests and a thriving economy. We managed our national forests according to well-established and time-tested forest management practices that prevented vegetation and wildlife from overgrowing the ability of the land to support it.

Revenues from the sale of excess timber provided for prosperous local economies and a steady stream of revenues to the Treasury which could, in turn, be used to further improve the public lands.

But 40 years ago, in the name of saving the environment, we consigned our national forests to a policy of benign neglect. And the results are all around us today, not only the impoverished mountain communities, but an utterly devastated environment.

□ 1615

Our forests are now dangerously overgrown. Trees that once had room to grow and thrive now fight for their lives in competition with other trees from the same ground. In this distressed condition, they fall victim to pestilence, disease, and catastrophic wildfire. My goodness, we can't even salvage dead timber anymore.

This legislation is the first step back towards sound, scientific management of our national forests. It streamlines fire and disease prevention programs. It expedites restoration of fire-damaged lands. It protects forest managers from frivolous lawsuits, and it does so without requiring new regulations, rules, planning, or mapping.

Mr. Chairman, the management of our public lands is the responsibility of Congress. The bromides of the environmental left have proven disastrous to the health of our forests, the preservation of our wildlife, and the welfare of our mountain communities.

This bill begins to reverse that damage and to usher in a new era of healthy and resilient forests and an economic renaissance for our mountain towns.

Ms. TSONGAS. I yield 4 minutes to my colleague from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to H.R. 2647, the so-called Resilient Federal Forests Act of 2015.

Before I address the many concerns with the underlying bill, I must commend my colleagues on the other side of the aisle. They have finally taken a step toward addressing the 600-pound gorilla, that is, the enormous cost and impact of fire borrowing under the Forest Service budget.

I offered an amendment at a committee markup that would have required Congress to address the issue of fire borrowing before this bill could take effect, and we have been calling on House Republicans to address the issue for years. My amendment was rejected, but I am glad it encouraged the sponsors of this legislation to address the cost of wildfires.

The newly added title IX is not a perfect solution, however. By amending the Stafford Act to include wildfires under the definition of natural disasters, this section creates a mechanism to address the very disastrous practice of fire borrowing.

There is a small hitch, nevertheless. Congress would still have to fund this

new disaster relief fund, similar to the process for funding recovery from Superstorm Sandy, which did not go smoothly, to say the least. While this might be a positive step, it does not make H.R. 2647 a good bill.

With regard to title IX, the additional disaster relief fund, hopefully the majority will not rob Peter to pay Paul within the Forest budget in order to fund this disaster relief fund or leave title IX just as an empty hollow and useless gesture that never gets funded.

In the name of forest resiliency and health, H.R. 2647 undermines the NEPA process, discourages collaboration, distorts the intent of the Secure Rural Schools program, creates an extraordinary burden on citizens' access to the courts, and transforms the judicial review process.

This bill, quite frankly, is not about forest health. It is about increasing the numbers of trees removed from the forest.

The White House just communicated its strenuous opposition to H.R. 2647, and let me quote from that communication:

> The administration strongly opposes H.R. 2647. The most important step Congress can take to increase the pace and scale of forest restoration and management of our national forests and the Department of the Interior lands is to fix the fire suppression funding and provide additional capacity for the Forest Service and Department of the Interior to manage the Nation's forests and other public lands. H.R. 2647 falls short of fixing the fire budget problem and contains other provisions that will undermine collaborative forest restoration, environmental safeguards, and public participation across the National Forest System and public lands.

Categorical inclusions that are part of title I are not the product of thoughtful consideration of the legislation. Instead, they pave the way for up to 8 square miles of clear cuts of old-growth trees with little or no environmental review.

Title II reduces to 3 months the time for environmental assessments and environmental impact statements for reforestation or salvage operations following a large-scale fire. The Forest Service testified that this time limit is unrealistic, encouraging snap judgments that can have horrible long-term consequences.

Title III strips away access to the courts that other speakers will speak to as well. You know, think about the group that would dominate the collaborative decisionmaking without any judicial review.

The bill also eliminates the Equal Access to Justice Act for successful litigants and forces them to do a prebond, a one-sided bond requirement to limit, if not eliminate, citizen activism and public participation in a problem that they can help solve rather looking at this as a threat.

I urge a ''no'' vote on the legislation.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, had come to no resolution thereon.

REPORT ON H.R. 2995, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2016

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–194) on the bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

RESILIENT FEDERAL FORESTS ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2647.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1622

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, 12½ minutes remained in general debate.

The gentleman from Utah (Mr. BISHOP) has 9 minutes remaining, and the gentlewoman from Massachusetts (Ms. TSONGAS) has 3½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), a former member of our committee, but someone whose district clearly knows the significance and impact of forestlands and how they should be maintained.

Mr. TIPTON. Mr. Chairman, the challenge that we face in the West is very obvious. Overgrown forests, bark beetle devastation, threat to our watersheds, threat to habitat, threat to public property that sensible people have long called for a solution to be able to have rendered.

I would like to be able to applaud the hard work of Chairman BISHOP, the committee, and particularly the gentleman from Arkansas (Mr. WESTERMAN) in putting commonsense pieces of legislation forward in H.R. 2647, the Resilient Federal Forests Act.

The concept of being proactive rather than being reactive, putting the health of our forests, protection of our watersheds, habitat for wildlife, and saving private property while bringing some control back to our States and our communities is long overdue.

Forward-looking and innovative legislation like the Resilient Federal Forests Act speaks to the very heart of responsible forest management. This is a piece of legislation, which is long overdue. We have seen the impact in pilot projects of healthy forests, the opportunity to be able to get the forests again in a healthy state, creating abundant ground cover and forage for our animals and protecting those watersheds.

This is a commonsense piece of legislation that I would like to encourage my colleagues to be able to support.

Ms. TSONGAS. I yield 2½ minutes to my colleague from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, impartial justice and access to the courts is a right guaranteed to every citizen in this country.

Across the street from this Chamber, Lady Justice sits blindfolded on the steps of the Supreme Court so we can all be reminded that justice should be blind. Today, we are debating yet another Republican bill restricting access to the courts to only those with deep pockets.

H.R. 2647 continues the alarming trend of Republican-sponsored legislation that proposes to limit the average American's access to the courts so polluters that line the pockets of politicians with campaign contributions can continue to profit.

H.R. 2647 requires that a citizen post a bond prior to challenging the United States Government's forest management activities. This bond must cover all the defendant's anticipated cost, expenses, and attorney's fees to be paid if the defendant prevails. In the rare occasion plaintiffs are successful, they will only be able to recover the amount posted in the bond and only if they win exactly on all counts. The government, however, does not have to cover any of the plaintiff's costs.

Requiring the posting of a bond that could be as costly as tens of thousands of dollars undermines citizen access to the courts when a party believes the government failed to follow the law.

The individual consumer, nonprofit organizations, small business, or public interest groups do not have the financial ability to challenge large corporations or, more often, the Federal Government which citizens believe is harming their communities or environment. By allowing citizens to recover their reasonable legal fees when they file suit and win in court, you encourage Americans to participate in public discourse and to hold the government accountable.

Rollbacks to judicial review and imposition of attorney's fees upon plaintiffs, along with legislative interference with key judicial powers contemplated in H.R. 2647, cripple the ability of those concerned with environmental protection to seek representation and redress in the courts.

I urge my colleagues to vote ''no'' on this bill.

Mr. BISHOP of Utah. Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. May I inquire as to how much time I have left?

The Acting CHAIR. The gentlewoman from Massachusetts has 1¼ minutes remaining.

Ms. TSONGAS. Mr. Chair, I want to close by reiterating that, instead of working together on a bipartisan basis to improve the health of our national forests, this bill irresponsibly chips away at the environmental safeguards of the National Environmental Policy Act and places tremendous burdens, as we have just heard, on American citizens seeking to participate in the public review process of Forest Service programs.

I am glad that the majority acknowledges the urgent need to address fire borrowing, but we still have concerns with this proposal and it in no way offsets the many other serious problems with this legislation developed without any input from committee Democrats or meaningful testimony from the Forest Service.

I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself the balance of my time.

I appreciate the opportunity to present this bill. I also thank all the many people who have worked from three different committees on this: Chairman SHUSTER of the Transportation and Infrastructure Committee, Chairman CONAWAY of the Agriculture Committee, as well as those who work on the Natural Resources Committee. I am very grateful for the Democrats, Mr. SCHRADER and Mr. DEFAZIO, who have spoken here already in defense of this bill, and for their help and assistance in this.

As the former Chief of the Forest Service said, we don't have a fire problem in our Nation's forests. We have a land management problem, and it needs to be addressed quickly. That is exactly what the Westerman bill does. It addresses that problem. The status quo, flat out, is not working.

The Forest Service has recommended or recognized that we have at least 58 million acres that are in dire need of assistance right now but can easily be burned in this next fire season.

□ 1630

That is bigger than my home State of Utah, which is still the 11th largest State in the Nation.

If you add the higher-end estimates, then you add more acreage into that, which means you would add the State of Utah and Michigan. One-third of the entire forests we have are in danger of being destroyed if we do not do something immediately.

The Forest Service right now can only address the problem in 3 million acres; 58 is the minimum. That simply means it would take them over 20 years to address the problem. That is more than my lifetime is left here to try and solve this problem.

I realize that I was probably born at a greater distance from the apocalypse than most of the people here; but at the same time, in my lifetime, you can't solve the problem if we keep on with the status quo. That is why this bill is essential, and that is why I appreciate all the speakers who have gone on today saying why this is the perfect first step.

What is so good about it is, as soon as the President signs this thing, the Forest Service can immediately implement everything. These are practices and processes that they have at their disposal. They are ready to move forward with it. All we have to do is give them the tools to immediately do that.

Now, we realize some of the issues that are there. Funding is a significant issue. Funding alone will not solve our problem, but we have addressed that; and I appreciate, once again, Chairman SHUSTER and subcommittee Chairman BARLETTA, who have come up with—from the Transportation and Infrastructure Committee—come up with a good funding mechanism so that we can address that issue and move us forward.

That, by itself, does not solve our problems. We have a land management issue at the same time. We have a problem with litigation, which basically stops the efforts of the Forest Service to do their job in their tracks.

As soon as they become sued, they have to stop moving forward on their program; they have to spend money to defend themselves in a lawsuit, or they have to try and go through efforts to try and cover themselves so they don't get sued in the first place. It does not work.

We have heard a lot of comments about the inability of being able to sue, as a poor private citizen doesn't have the right to sue if we pass our bill. That is ridiculous.

This only deals with areas that have been collaboratively worked on—that means where citizens actually got together and came up with a plan of action on their forest and, as they move forward to that, some special interests groups with a whole lot of deep pockets on their side stops them in their tracks by a lawsuit.

Those are the kinds of groups that are going to have to put up the bond. Those are the kind of groups who can no longer say: We are going to sue you on 25 different issues. We realize only three of them are going to be realistic, but we want you to take the time and effort to spend your Federal moneys to try and defend all those 25.

What we are saying is: Look, if you are going to sue on something, sue on something that is realistic. Don't put the entire world on there, and make sure that you are willing to cede on those particular issues, in those particular areas.

We also have in title I in there that simply says: You can still sue, but you can't get an injunction to stop our work while we go through frivolous lawsuit after frivolous lawsuit.

In the last two administrations, not counting this one, but two prior administrations, we have over 11,000 lawsuits that took place simply to stop the Forest Service from going forward. That has to be addressed. It has to be addressed. The Forest Service recognizes that, and that is why former Forest Service employees—as well as the current ones—realize, if we don't have some kind of litigation reform, we will not solve our problems with forest health.

We also have to give them the tools so they can move quickly on what they need to do. Categorical exclusion is not something that is evil; it is actually something that is essential to move forward. They recognize that they need that tool. That is why I said, as soon as this bill is signed by the President, they can implement what they already know to do.

What we are asking them is to do an environmental review, but you don't have to do review after review after review. If you have done the review the first time, it is sufficient, and they have the wisdom and the ability to do that. Will that destroy our forests? Heavens, no.

What this will do is have the potential of actually saving our forests, being able to allow the Federal forest land to be as resilient, to be as well managed as the State and tribal forest lands are because, in State and tribal forest lands, they don't have to deal with a lot of the issues that stop them from actually solving their problems, but we do on the Federal forest system, unless we move forward.

That is why I appreciate all those who have spoken so far on the need of moving forward on this particular bill. We are in the beginning of a fire season that could be catastrophic. We have witnessed the results of wildfires in the past. We need to do something now, and we have to move forward.

This is a bill that is common sense. It was wonderful to have our hearings, listening to the group of people who are experts in this area, being excited about the opportunity of having the tools the Forest Service needs to do their job, having the funding the Forest Service needs to do their job, and also have the protection from frivolous lawsuits the Forest Service needs to do their job. We must give our Forest Service personnel the tools they need to be successful.

If we don't pass this bill because we want something perfect from on high to come down—first, if we don't pass this bill, we are going to have a devastating situation coming in our forest lands and in our Nation this coming year.

This is an essential step forward. Is it perfect? No. There is a whole lot more that we need to do, and we will still look forward to those issues; we will move forward on these issues, but what this does is move us forward in a significant way.

Does this bill destroy our bedrock environmental laws? Of course not—the last time I heard people talking about bedrock was talking about Wilma and Fred and Barney. I am sorry; those laws didn't save their pet dinosaurs back in those days, either.

We are not going to change anything; we are not going to move forward; we are not going to destroy what we have gained in the past, but what we are going to do is allow the Forest Service to do their job, something they are stopped from doing now because of procedural practices, because of litigation, because of lack of funding. All three of those are addressed in this particular piece of legislation.

It is a great piece of legislation, and it needs to go forward. I urge everyone in here to realize how we must make steps to move forward and pass this bill and get it over to the Senate and onto the President's desk so our Forest Service can do their jobs.

Mr. Chairman, I yield back the balance of my time.

Mr. CARSON of Indiana. Mr. Chair, I rise to discuss Title IX of H.R. 2647, the ''Resilient Federal Forests Act of 2015.''

Each year, several hundred small wildfires occur within the State of Indiana. Most of these fires are extinguished by our local fire departments. While the Hoosier State does not experience the devastating effects of wildfires that the West does, I understand and support the need to ensure that wildfires on Federal lands are treated similar to other major disasters so that they have access to funds outside the discretionary budget caps. It is important that the Department of the Interior and the Forest Service, which manages the Hoosier National Forest in southern Indiana, have access to sufficient funding to suppress wildfires on Federal lands whenever they occur.

Earlier this year, the Committee held a hearing and received testimony that made clear that wildfire funding is an issue that needs to be addressed. As the Ranking Member of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, which has jurisdiction over the Robert T. Stafford Act Disaster Relief and Emergency Assistance Act (Stafford Act), I think it is appropriate to amend the Stafford Act to ensure similar treatment for wildfires on Federal lands.

Some may have concerns that amending the Stafford Act will afford the Department of the Interior and the Forest Service with access to programs and funds intended for other disasters. I agree that these agencies should not be eligible for other Stafford Act assistance programs nor should these agencies have access to funds provided to the Federal Emergency Management Agency for other types of major disasters. But I am confident that the Stafford Act may be amended to treat wildfires on Federal lands as a major disaster without affecting other programs and funding. It is simply a matter of establishing a dedicated funding stream specifically for wildfires on Federal lands to ensure that these agencies have access to funds outside the discretionary budget caps. It is my understanding that this is the intent of Title IX.

I appreciate Ranking Member DEFAZIO's interest and dedication to this issue. Moreover, I thank Chairman SHUSTER for trying to address this matter.

Mrs. MCMORRIS RODGERS. Mr. Chair, I rise today to express support for the Resilient National Forests Act, and to thank Rep. BRUCE WESTERMAN of Arkansas for his work on this important issue.

Last summer my home state of Washington faced the largest wildfire in state history, burning hundreds of thousands of acres.

The amount of damage was unprecedented, but not entirely unexpected.

Decades of over-regulation and frivolous lawsuits have hindered forest management, and we've all paid the price.

In Eastern Washington, the Colville National Forest has been the economic engine for Ferry, Stevens, and Pend Oreille counties—providing jobs, energy, and recreational opportunities. Yet, mills have closed, jobs lost, and of the 945,410 million acres in the Colville National Forest, more than 300,000 are bug infested. This is unacceptable.

Currently, between one-quarter and one-third of all acres of national forest are at risk of catastrophic wildfire and only 2–3 percent are being treated each year. Dead, diseased, and ready-to-ignite timber is just sitting there, rotting away while the U.S. Forest Service and affected communities are powerless to remove it.

As we speak, there are fires burning across the Northwest—in Eastern Washington near my hometown in Stevens County, in the Blue Mountains in Asotin County, and nearby in Central Washington and Northern Idaho.

We have a responsibility to enact legislation that ensures wildfire fighting is properly funded and reduces the risk of future fires.

The Resilient National Forests Act is bipartisan, collaborative, and will produce the best possible outcome for all involved parties.

With this legislation, the Forest Service will have the tools they need to quickly remove dead trees and to effectively manage the forests in Eastern Washington, and across the country.

Mr. Chair, I ask this body join me in voting to keep our promise and preserve America's great resources for generations to come and call for the Senate to follow suit.

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendments in the nature of a substitute recommended by the Committee on Agriculture and the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–21, modified by the amendment printed in part B of House Report 114–192. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Resilient Federal Forests Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

Sec. 101. Analysis of only two alternatives (action versus no action) in proposed collaborative forest management activities.

Sec. 102. Categorical exclusion to expedite certain critical response actions.

Sec. 103. Categorical exclusion to expedite salvage operations in response to catastrophic events.

Sec. 104. Categorical exclusion to meet forest plan goals for early successional forests.

Sec. 105. Clarification of existing categorical exclusion authority related to insect and disease infestation.

Sec. 106. Categorical exclusion to improve, restore, and reduce the risk of wildfire.

Sec. 107. Compliance with forest plan.

TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

Sec. 201. Expedited salvage operations and reforestation activities following large-scale catastrophic events.

Sec. 202. Compliance with forest plan.

Sec. 203. Prohibition on restraining orders, preliminary injunctions, and injunctions pending appeal.

Sec. 204. Exclusion of certain lands.

TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

Sec. 301. Definitions.

Sec. 302. Bond requirement as part of legal challenge of certain forest management activities.

TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

Sec. 401. Use of reserved funds for title II projects on Federal land and certain non-Federal land.

Sec. 402. Resource advisory committees.

Sec. 403. Program for title II self-sustaining resource advisory committee projects.

Sec. 404. Additional authorized use of reserved funds for title III county projects.

TITLE V—STEWARDSHIP END RESULT CONTRACTING

Sec. 501. Cancellation ceilings for stewardship end result contracting projects.

Sec. 502. Excess offset value.

Sec. 503. Payment of portion of stewardship project revenues to county in which stewardship project occurs.

Sec. 504. Submission of existing annual report.

TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES

Sec. 601. Definitions.

Sec. 602. Availability of stewardship project revenues and Collaborative Forest Landscape Restoration Fund to cover forest management activity planning costs.

Sec. 603. State-supported planning of forest management activities.

TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION

Sec. 701. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.

Sec. 702. Management of Indian forest land authorized to include related National Forest System lands and public lands.

TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS

Sec. 801. Balancing short- and long-term effects of forest management activities in considering injunctive relief.

Sec. 802. Conditions on Forest Service road decommissioning.

Sec. 803. Prohibition on application of Eastside Screens requirements on National Forest System lands.

Sec. 804. Use of site-specific forest plan amendments for certain projects and activities.

Sec. 805. Knutson-Vandenberg Act modifications.

Sec. 806. Exclusion of certain National Forest System lands and public lands.

TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

Sec. 901. Wildfire on Federal lands.

Sec. 902. Declaration of a major disaster for wildfire on Federal lands.

Sec. 903. Prohibition on transfers.

SEC. 2. DEFINITIONS.

In titles I through VIII:

(1) CATASTROPHIC EVENT.—The term ''catastrophic event'' means any natural disaster (such as hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak) or any fire, flood, or explosion, regardless of cause.

(2) CATEGORICAL EXCLUSION.—The term ''categorical exclusion'' refers to an exception to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for a project or activity relating to the management of National Forest System lands or public lands.

(3) COLLABORATIVE PROCESS.—The term ''collaborative process'' refers to a process relating to the management of National Forest System lands or public lands by which a project or activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)).

(4) COMMUNITY WILDFIRE PROTECTION PLAN.—The term ''community wildfire protection plan'' has the meaning given that term in section 101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(5) COOS BAY WAGON ROAD GRANT LANDS.—The term ''Coos Bay Wagon Road Grant lands'' means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(6) FOREST MANAGEMENT ACTIVITY.—The term ''forest management activity'' means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands in concert with the forest plan covering the lands.

(7) FOREST PLAN.—The term ''forest plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(8) LARGE-SCALE CATASTROPHIC EVENT.—The term ''large-scale catastrophic event'' means a catastrophic event that adversely impacts at least 5,000 acres of reasonably contiguous National Forest System lands or public lands.

(9) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(10) OREGON AND CALIFORNIA RAILROAD GRANT LANDS.—The term ''Oregon and California Railroad Grant lands'' means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9, 1916 (39 Stat. 218), that are administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a).

(B) All lands in that State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in that State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) PUBLIC LANDS.—The term ''public lands'' has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(12) REFORESTATION ACTIVITY.—The term ''reforestation activity'' means a project or activity carried out by the Secretary concerned whose primary purpose is the reforestation of impacted lands following a large-scale catastrophic event. The term includes planting, evaluating and enhancing natural regeneration, clearing competing vegetation, and other activities related to reestablishment of forest species on the fire-impacted lands.

(13) RESOURCE ADVISORY COMMITTEE.—The term ''resource advisory committee'' has the meaning given that term in section 201(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121(3)).

(14) SALVAGE OPERATION.—The term ''salvage operation'' means a forest management activity undertaken in response to a catastrophic event whose primary purpose—

(A) is to prevent wildfire as a result of the catastrophic event, or, if the catastrophic event was wildfire, to prevent a re-burn of the fire-impacted area;

(B) is to provide an opportunity for utilization of forest materials damaged as a result of the catastrophic event; or

(C) is to provide a funding source for reforestation and other restoration activities for the National Forest System lands or public lands impacted by the catastrophic event.

(15) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

SEC. 101. ANALYSIS OF ONLY TWO ALTERNATIVES (ACTION VERSUS NO ACTION) IN PROPOSED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.

(a) APPLICATION TO CERTAIN ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS.—This section shall apply whenever the Secretary concerned prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(b) CONSIDERATION OF ALTERNATIVES.—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall study, develop, and describe only the following two alternatives:

(1) The forest management activity, as proposed pursuant to paragraph (1), (2), or (3) of subsection (a).

(2) The alternative of no action.

(c) ELEMENTS OF NON-ACTION ALTERNATIVE.—In the case of the alternative of no action, the Secretary concerned shall evaluate—

(1) the effect of no action on—

(A) forest health;

(B) habitat diversity;

(C) wildfire potential; and

(D) insect and disease potential; and

(2) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(A) domestic water costs;

(B) wildlife habitat loss; and

(C) other economic and social factors.

SEC. 102. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to

the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is—

(1) to address an insect or disease infestation;

(2) to reduce hazardous fuel loads;

(3) to protect a municipal water source;

(4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;

(5) to increase water yield; or

(6) any combination of the purposes specified in paragraphs (1) through (5).

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—Except in the case of a forest management activity described in paragraph (2), a forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) LARGER AREAS AUTHORIZED.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 15,000 acres if the forest management activity—

(A) is developed through a collaborative process;

(B) is proposed by a resource advisory committee; or

(C) is covered by a community wildfire protection plan.

SEC. 103. CATEGORICAL EXCLUSION TO EXPEDITE SALVAGE OPERATIONS IN RESPONSE TO CATASTROPHIC EVENTS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a salvage operation as part of the restoration of National Forest System lands or public lands following a catastrophic event.

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) HARVEST AREA.—In addition to the limitation imposed by paragraph (1), the harvest units covered by the categorical exclusion granted by subsection (a) may not exceed one-third of the area impacted by the catastrophic event.

(c) ADDITIONAL REQUIREMENTS.—

(1) ROAD BUILDING.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not include any new permanent roads. Temporary roads constructed as part of the salvage operation shall be retired before the end of the fifth fiscal year beginning after the completion of the salvage operation.

(2) STREAM BUFFERS.—A salvage operation covered by the categorical exclusion granted by subsection (a) shall comply with the standards and guidelines for stream buffers contained in the applicable forest plan unless waived by the Regional Forester, in the case of National Forest System lands, or the State Director of the Bureau of Land Management, in the case of public lands.

(3) REFORESTATION PLAN.—A reforestation plan shall be developed under section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), as part of a salvage operation covered by the categorical exclusion granted by subsection (a).

SEC. 104. CATEGORICAL EXCLUSION TO MEET FOREST PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other purposes, consistent with the applicable forest plan.

(b) PROJECT GOALS.—To the maximum extent practicable, the Secretary concerned shall design a forest management activity under this section to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the forest plan and consistent with the capability of the activity site.

(c) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

SEC. 105. CLARIFICATION OF EXISTING CATEGORICAL EXCLUSION AUTHORITY RELATED TO INSECT AND DISEASE INFESTATION.

Section 603(c)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended by striking ''Fire Regime Groups I, II, or III'' and inserting ''Fire Regime I, Fire Regime II, Fire Regime III, or Fire Regime IV''.

SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RESTORE, AND REDUCE THE RISK OF WILDFIRE.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to carry out a forest management activity described in subsection (c) on National Forest System Lands or public lands when the primary purpose of the activity is to improve, restore, or reduce the risk of wildfire on those lands.

(b) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not exceed 5,000 acres.

(c) AUTHORIZED ACTIVITIES.—The following activities may be carried out using a categorical exclusion granted by subsection (a):

(1) Removal of juniper trees, medusahead rye, conifer trees, piñon pine trees, cheatgrass, and other noxious or invasive weeds specified on Federal or State noxious weeds lists through late-season livestock grazing, targeted livestock grazing, prescribed burns, and mechanical treatments.

(2) Performance of hazardous fuels management.

(3) Creation of fuel and fire breaks.

(4) Modification of existing fences in order to distribute livestock and help improve wildlife habitat.

(5) Installation of erosion control devices.

(6) Construction of new and maintenance of permanent infrastructure, including stock ponds, water catchments, and water spring boxes used to benefit livestock and improve wildlife habitat.

(7) Performance of soil treatments, native and non-native seeding, and planting of and transplanting sagebrush, grass, forb, shrub, and other species.

(8) Use of herbicides, so long as the Secretary concerned determines that the activity is otherwise conducted consistently with agency procedures, including any forest plan applicable to the area covered by the activity.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS FUELS MANAGEMENT.—The term ''hazardous fuels management'' means any vegetation management activities that reduce the risk of wildfire.

(2) LATE-SEASON GRAZING.—The term ''late-season grazing'' means grazing activities that occur after both the invasive species and native perennial species have completed their current-year annual growth cycle until new plant growth begins to appear in the following year.

(3) TARGETED LIVESTOCK GRAZING.—The term ''targeted livestock grazing'' means grazing used for purposes of hazardous fuel reduction.

SEC. 107. COMPLIANCE WITH FOREST PLAN.

A forest management activity covered by a categorical exclusion granted by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land or public lands covered by the forest management activity.

TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

SEC. 201. EXPEDITED SALVAGE OPERATIONS AND REFORESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATASTROPHIC EVENTS.

(a) EXPEDITED ENVIRONMENTAL ASSESSMENT.—Notwithstanding any other provision of law, any environmental assessment prepared by the Secretary concerned pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event shall be completed within three months after the conclusion of the catastrophic event.

(b) EXPEDITED IMPLEMENTATION AND COMPLETION.—In the case of reforestation activities conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall achieve reforestation of at least 75 percent of the impacted lands during the five-year period following the conclusion of the catastrophic event.

(c) AVAILABILITY OF KNUTSON-VANDENBERG FUNDS.—Amounts in the special fund established pursuant to section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b) shall be available to the Secretary of Agriculture for reforestation activities authorized by this title.

(d) TIMELINE FOR PUBLIC INPUT PROCESS.—Notwithstanding any other provision of law, in the case of a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall allow 30 days for public scoping and comment, 15 days for filing an objection, and 15 days for the agency response to the filing of an objection. Upon completion of this process and expiration of the period specified in subsection (a), the Secretary concerned shall implement the project immediately.

SEC. 202. COMPLIANCE WITH FOREST PLAN.

A salvage operation or reforestation activity authorized by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System lands or public lands covered by the salvage operation or reforestation activity.

SEC. 203. PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING APPEAL.

No restraining order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare or conduct a salvage operation or reforestation activity in response to a large-scale catastrophic event. Section 705 of title 5, United States Code, shall not apply to any challenge to the salvage operation or reforestation activity.

SEC. 204. EXCLUSION OF CERTAIN LANDS.

In applying this title, the Secretary concerned may not carry out salvage operations or reforestation activities on National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the reforestation activity is consistent with the forest plan; or

(3) on which timber harvesting for any purpose is prohibited by statute.

TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

SEC. 301. DEFINITIONS.

In this title:

(1) COSTS.—The term ''costs'' refers to the fees and costs described in section 1920 of title 28, United States Code.

(2) EXPENSES.—The term ''expenses'' includes the expenditures incurred by the staff of the Secretary concerned in preparing for and responding to a legal challenge to a collaborative forest management activity and in participating in litigation that challenges the forest management activity, including such staff time as may be used to prepare the administrative record, exhibits, declarations, and affidavits in connection with the litigation.

SEC. 302. BOND REQUIREMENT AS PART OF LEGAL CHALLENGE OF CERTAIN FOREST MANAGEMENT ACTIVITIES.

(a) BOND REQUIRED.—In the case of a forest management activity developed through a collaborative process or proposed by a resource advisory committee, any plaintiff or plaintiffs challenging the forest management activity shall be required to post a bond or other security equal to the anticipated costs, expenses, and attorneys fees of the Secretary concerned as defendant, as reasonably estimated by the Secretary concerned. All proceedings in the action shall be stayed until the required bond or security is provided.

(b) RECOVERY OF LITIGATION COSTS, EXPENSES, AND ATTORNEYS FEES.—

(1) MOTION FOR PAYMENT.—If the Secretary concerned prevails in an action challenging a forest management activity described in subsection (a), the Secretary concerned shall submit to the court a motion for payment, from the bond or other security posted under subsection (a) in such action, of the reasonable costs, expenses, and attorneys fees incurred by the Secretary concerned.

(2) MAXIMUM AMOUNT RECOVERED.—The amount of costs, expenses, and attorneys fees recovered by the Secretary concerned under paragraph (1) as a result of prevailing in an action challenging the forest management activity may not exceed the amount of the bond or other security posted under subsection (a) in such action.

(3) RETURN OF REMAINDER.—Any funds remaining from the bond or other security posted under subsection (a) after the payment of costs, expenses, and attorneys fees under paragraph (1) shall be returned to the plaintiff or plaintiffs that posted the bond or security in the action.

(c) RETURN OF BOND TO PREVAILING PLAINTIFF.—

(1) IN GENERAL.—If the plaintiff ultimately prevails on the merits in every action brought by the plaintiff challenging a forest management activity described in subsection (a), the court shall return to the plaintiff any bond or security provided by the plaintiff under subsection (a), plus interest from the date the bond or security was provided.

(2) ULTIMATELY PREVAILS ON THE MERITS.—In this subsection, the phrase ''ultimately prevails on the merits'' means, in a final enforceable judgment on the merits, a court rules in favor of the plaintiff on every cause of action in every action brought by the plaintiff challenging the forest management activity.

(d) EFFECT OF SETTLEMENT.—If a challenge to a forest management activity described in subsection (a) for which a bond or other security was provided by the plaintiff under such subsection is resolved by settlement between the Secretary concerned and the plaintiff, the settlement agreement shall provide for sharing the costs, expenses, and attorneys fees incurred by the parties.

(e) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections to any plaintiff related to an action challenging a forest management activity described in subsection (a).

TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

SEC. 401. USE OF RESERVED FUNDS FOR TITLE II PROJECTS ON FEDERAL LAND AND CERTAIN NON-FEDERAL LAND.

(a) REPEAL OF MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(b) REQUIREMENTS FOR PROJECT FUNDS.—Section 204 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124) is amended by striking subsection (f) and inserting the following new subsection:

''(f) REQUIREMENTS FOR PROJECT FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary concerned shall ensure that at least 50 percent of the project funds reserved by a participating county under section 102(d) shall be available only for projects that—

''(A) include the sale of timber or other forest products, reduce fire risks, or improve water supplies; and

''(B) implement stewardship objectives that enhance forest ecosystems or restore and improve land health and water quality.

''(2) APPLICABILITY.—The requirement in paragraph (1) shall apply only to project funds reserved by a participating county whose boundaries include Federal land that the Secretary concerned determines has been subject to a timber or other forest products program within 5 fiscal years before the fiscal year in which the funds are reserved.''.

SEC. 402. RESOURCE ADVISORY COMMITTEES.

(a) RECOGNITION OF RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking ''2012'' each place it appears and inserting ''2020''.

(b) TEMPORARY REDUCTION IN COMPOSITION OF COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (1), by striking ''Each'' and inserting ''Except during the period specified in paragraph (6), each''; and

(2) by adding at the end the following new paragraph:

''(6) TEMPORARY REDUCTION IN MINIMUM NUMBER OF MEMBERS.—

''(A) TEMPORARY REDUCTION.—During the period beginning on the date of the enactment of this paragraph and ending on September 30, 2020, a resource advisory committee established under this section may be comprised of 9 or more members, of which—

''(i) at least 3 shall be representative of interests described in subparagraph (A) of paragraph (2);

''(ii) at least 3 shall be representative of interests described in subparagraph (B) of paragraph (2); and

''(iii) at least 3 shall be representative of interests described in subparagraph (C) of paragraph (2).

''(B) ADDITIONAL REQUIREMENTS.—In appointing members of a resource advisory committee from the 3 categories described in paragraph (2), as provided in subparagraph (A), the Secretary concerned shall ensure balanced and broad representation in each category. In the case of a vacancy on a resource advisory committee, the vacancy shall be filled within 90 days after the date on which the vacancy occurred. Appointments to a new resource advisory committee shall be made within 90 days after the date on which the decision to form the new resource advisory committee was made.

''(C) CHARTER.—A charter for a resource advisory committee with 15 members that was filed on or before the date of the enactment of this paragraph shall be considered to be filed for a resource advisory committee described in this paragraph. The charter of a resource advisory committee shall be reapproved before the expiration of the existing charter of the resource advisory committee. In the case of a new resource advisory committee, the charter of the resource advisory committee shall be approved within 90 days after the date on which the decision to form the new resource advisory committee was made.''.

(c) CONFORMING CHANGE TO PROJECT APPROVAL REQUIREMENTS.—Section 205(e)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(e)(3)) is amended by adding at the end the following new sentence: ''In the case of a resource advisory committee consisting of fewer than 15 members, as authorized by subsection (d)(6), a project may be proposed to the Secretary concerned upon approval by a majority of the members of the committee, including at least 1 member from each of the 3 categories described in subsection (d)(2).''.

(d) EXPANDING LOCAL PARTICIPATION ON COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: '', consistent with the requirements of paragraph (4)''; and

(2) by striking paragraph (4) and inserting the following new paragraph:

''(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the county or counties in which the committee has jurisdiction or an adjacent county.''.

SEC. 403. PROGRAM FOR TITLE II SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

(a) SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is amended by adding at the end the following new section:

''SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

''(a) RAC PROGRAM.—The Chief of the Forest Service shall conduct a program (to be known as the 'self-sustaining resource advisory committee program' or 'RAC program') under which 10 resource advisory committees will propose projects authorized by subsection (c) to be carried out using project funds reserved by a participating county under section 102(d).

''(b) SELECTION OF PARTICIPATING RESOURCE ADVISORY COMMITTEES.—The selection of resource advisory committees to participate in the RAC program is in the sole discretion of the Chief of the Forest Service, except that, consistent with section 205(d)(6), a selected resource advisory committee must have a minimum of 6 members.

''(c) AUTHORIZED PROJECTS.—Notwithstanding the project purposes specified in sections 202(b), 203(c), and 204(a)(5), projects under the RAC program are intended to—

''(1) accomplish forest management objectives or support community development; and

''(2) generate receipts.

''(d) DEPOSIT AND AVAILABILITY OF REVENUES.—Any revenue generated by a project conducted under the RAC program, including any interest accrued from the revenues, shall be—

''(1) deposited in the special account in the Treasury established under section 102(d)(2)(A); and

''(2) available, in such amounts as may be provided in advance in appropriation Acts, for additional projects under the RAC program.

''(e) TERMINATION OF AUTHORITY.—

''(1) IN GENERAL.—The authority to initiate a project under the RAC program shall terminate on September 30, 2020.

''(2) DEPOSITS IN TREASURY.—Any funds available for projects under the RAC program and not obligated by September 30, 2021, shall be deposited in the Treasury of the United States.''.

(b) EXCEPTION TO GENERAL RULE REGARDING TREATMENT OF RECEIPTS.—Section 403(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7153(b)) is amended by striking ''All revenues'' and inserting ''Except as provided in section 209, all revenues''.

SEC. 404. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting ''and law enforcement patrols'' after ''including firefighting''; and

(B) by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and''.

SEC. 405. TREATMENT AS SUPPLEMENTAL FUNDING.

Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following new subsection:

''(f) TREATMENT AS SUPPLEMENTAL FUNDING.—None of the funds made available to a beneficiary county or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.''.

TITLE V—STEWARDSHIP END RESULT CONTRACTING

SEC. 501. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) CANCELLATION CEILINGS.—Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) CANCELLATION CEILINGS.—

''(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

''(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF $25,000,000.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of $25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to such cancellation ceiling, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

''(A) the cancellation ceiling amounts proposed for each program year in the agreement or contract;

''(B) the reasons why such cancellation ceiling amounts were selected;

''(C) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

''(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

''(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2) with respect to an agreement or contract under subsection (b), the Chief or the Director, as the case may be, shall transmit a copy of the notice to the Director of the Office of Management and Budget.''.

(b) RELATION TO OTHER LAWS.—Section 604(d)(5) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)(5)) is amended by striking '', the Chief may'' and inserting ''and section 2(a)(1) of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 602(a)(1)), the Chief and the Director may''.

SEC. 502. EXCESS OFFSET VALUE.

Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

''(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.''.

SEC. 503. PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.

Section 604(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)) is amended—

(1) in paragraph (2)(B), by inserting ''subject to paragraph (3)(A),'' before ''shall''; and

(2) in paragraph (3)(A), by striking ''services received by the Chief or the Director'' and all that follows through the period at the end and inserting the following: ''services and in-kind resources received by the Chief or the Director under a stewardship contract project conducted under this section shall not be considered monies received from the National Forest System or the public lands, but any payments made by the contractor to the Chief or Director under the project shall be considered monies received from the National Forest System or the public lands.''.

SEC. 504. SUBMISSION OF EXISTING ANNUAL REPORT.

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), as redesignated by section 501(a)(1), is amended by striking ''report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives'' and inserting ''submit to the congressional committees specified in subsection (h)(2) a report''.

TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES

SEC. 601. DEFINITIONS.

In this title:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State or political subdivision of a State containing National Forest System lands or public lands;

(B) a publicly chartered utility serving one or more States or a political subdivision thereof;

(C) a rural electric company; and

(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(2) FUND.—The term ''Fund'' means the State-Supported Forest Management Fund established by section 603.

SEC. 602. AVAILABILITY OF STEWARDSHIP PROJECT REVENUES AND COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND TO COVER FOREST MANAGEMENT ACTIVITY PLANNING COSTS.

(a) AVAILABILITY OF STEWARDSHIP PROJECT REVENUES.—Section 604(e)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)(2)(B)), as amended by section 503, is further amended by striking ''appropriation at the project site from which the monies are collected or at another project site.'' and inserting the following: ''appropriation—

''(i) at the project site from which the monies are collected or at another project site; and

''(ii) to cover not more than 25 percent of the cost of planning additional stewardship contracting projects.''.

(b) AVAILABILITY OF COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND.—Section 4003(f)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(1)) is amended by striking ''carrying out and'' and inserting ''planning, carrying out, and''.

SEC. 603. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.

(a) STATE-SUPPORTED FOREST MANAGEMENT FUND.—There is established in the Treasury of the United States a fund, to be known as the ''State-Supported Forest Management Fund'', to cover the cost of planning (especially related to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System lands or public lands.

(b) CONTENTS.—The State-Supported Forest Management Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.

(c) GEOGRAPHICAL AND USE LIMITATIONS.—In making a contribution under subsection (b)(1), an eligible entity may—

(1) specify the National Forest System lands or public lands for which the contribution may be expended; and

(2) limit the types of forest management activities for which the contribution may be expended.

(d) AUTHORIZED FOREST MANAGEMENT ACTIVITIES.—In such amounts as may be provided in advance in appropriation Acts, the Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(e) IMPLEMENTATION METHODS.—A forest management activity carried out using amounts in the Fund may be carried out using a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), the good neighbor authority provided by section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), a contract under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), or other authority available to the Secretary concerned, but revenues generated by the forest management activity shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(f) RELATION TO OTHER LAWS.—

(1) REVENUE SHARING.—Subject to subsection (e), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the Knutson-Vanderberg Act; 16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(g) TERMINATION OF FUND.—

(1) TERMINATION.—The Fund shall terminate 10 years after the date of the enactment of this Act.

(2) EFFECT OF TERMINATION.—Upon the termination of the Fund pursuant to paragraph (1) or pursuant to any other provision of law, unobligated contributions remaining in the Fund shall be returned to the eligible entity that made the contribution.

TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION

SEC. 701. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking ''Not later than 120 days after the date on which an Indian tribe submits to the Secretary'' and inserting ''In response to the submission by an Indian tribe of''; and

(2) by adding at the end the following new paragraph:

''(4) TIME PERIODS FOR CONSIDERATION.—

''(A) INITIAL RESPONSE.—Not later than 120 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding—

''(i) whether the request may meet the selection criteria described in subsection (c); and

''(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian tribe under paragraph (2) for activities described in paragraph (3).

''(B) NOTICE OF DENIAL.—Notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided not later than one year after the date on which the Secretary received the request.

''(C) COMPLETION.—Not later than two years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

''(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

''(ii) enter into the agreement or contract with the Indian tribe under paragraph (2).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking ''section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))'' and inserting ''section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)''; and

(2) in subsection (d), by striking ''subsection (b)(1), the Secretary may'' and inserting ''paragraphs (1) and (4)(B) of subsection (b), the Secretary shall''.

SEC. 702. MANAGEMENT OF INDIAN FOREST LAND AUTHORIZED TO INCLUDE RELATED NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following new subsection:

''(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

''(1) AUTHORITY.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographic area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land ceded to the United States by treaty, Federal forest land within the boundaries of a current or former reservation, or Federal forest land adjudicated to be tribal homelands.

''(2) REQUIREMENTS.—As part of the agreement to treat Federal forest land as Indian forest land under paragraph (1), the Secretary concerned and the Indian tribe making the request shall—

''(A) provide for continued public access applicable to the Federal forest land prior to the agreement, except that the Secretary concerned may limit or prohibit such access as needed;

''(B) continue sharing revenue generated by the Federal forest land with State and local governments either—

''(i) on the terms applicable to the Federal forest land prior to the agreement, including, where applicable, 25-percent payments or 50 percent payments; or

''(ii) at the option of the Indian tribe, on terms agreed upon by the Indian tribe, the Secretary concerned, and State and county governments participating in a revenue sharing agreement for the Federal forest land;

''(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

''(D) recognize all right-of-way agreements in place on Federal forest land prior to commencement of tribal management activities; and

''(E) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

''(3) LIMITATION.—Treating Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (1) shall not be construed to designate the Federal forest land as Indian forest lands for any other purpose.

''(4) DEFINITIONS.—In this subsection:

''(A) FEDERAL FOREST LAND.—The term 'Federal forest land' means—

''(i) National Forest System lands; and

''(ii) public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))), including Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and Oregon and California Railroad Grant lands.

''(B) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i); and

''(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(ii).''.

TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS

SEC. 801. BALANCING SHORT- AND LONG-TERM EFFECTS OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING INJUNCTIVE RELIEF.

As part of its weighing the equities while considering any request for an injunction that applies to any agency action as part of a forest management activity under titles I through VIII, the court reviewing the agency action shall balance the impact to the ecosystem likely affected by the forest management activity of—

(1) the short- and long-term effects of undertaking the agency action; against

(2) the short- and long-term effects of not undertaking the action.

SEC. 802. CONDITIONS ON FOREST SERVICE ROAD DECOMMISSIONING.

(a) CONSULTATION WITH AFFECTED COUNTY.—Whenever any Forest Service defined maintenance level one or two system road within a designated high fire prone area of a unit of the National Forest System is considered for decommissioning, the Forest Supervisor of that unit of the National Forest System shall—

(1) consult with the government of the county containing the road regarding the merits and possible consequences of decommissioning the road; and

(2) solicit possible alternatives to decommissioning the road.

(b) REGIONAL FORESTER APPROVAL.—A Forest Service road described in subsection (a) may not be decommissioned without the advance approval of the Regional Forester.

SEC. 803. PROHIBITION ON APPLICATION OF EASTSIDE SCREENS REQUIREMENTS ON NATIONAL FOREST SYSTEM LANDS.

On and after the date of the enactment of this Act, the Secretary of Agriculture may not apply to National Forest System lands any of the amendments to forest plans adopted in the Decision Notice for the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (commonly known as the Eastside Screens requirements), including all preceding or associated versions of these amendments.

SEC. 804. USE OF SITE-SPECIFIC FOREST PLAN AMENDMENTS FOR CERTAIN PROJECTS AND ACTIVITIES.

If the Secretary concerned determines that, in order to conduct a project or carry out an activity implementing a forest plan, an amendment to the forest plan is required, the Secretary concerned shall execute such amendment as a nonsignificant plan amendment through the record of decision or decision notice for the project or activity.

SEC. 805. KNUTSON-VANDENBERG ACT MODIFICATIONS.

(a) DEPOSITS OF FUNDS FROM NATIONAL FOREST TIMBER PURCHASERS REQUIRED.—Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b(a)), is amended by striking ''The Secretary'' and all that follows through ''any purchaser'' and inserting the following: ''The Secretary of Agriculture shall require each purchaser''.

(b) CONDITIONS ON USE OF DEPOSITS.—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking ''Such deposits'' and inserting the following:

''(b) Amounts deposited under subsection (a)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting before subsection (d), as so redesignated, the following new subsection (c):

''(c)(1) Amounts in the special fund established pursuant to this section—

''(A) shall be used exclusively to implement activities authorized by subsection (a); and

''(B) may be used anywhere within the Forest Service Region from which the original deposits were collected.

''(2) The Secretary of Agriculture may not deduct overhead costs from the funds collected under subsection (a), except as needed to fund personnel of the responsible Ranger District for the planning and implementation of the activities authorized by subsection (a).''.

SEC. 806. EXCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Unless specifically provided by a provision of titles I through VIII, the authorities provided by such titles do not apply with respect to any National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area; or

(3) on which timber harvesting for any purpose is prohibited by statute.

SEC. 807. APPLICATION OF NORTHWEST FOREST PLAN SURVEY AND MANAGE MITIGATION MEASURE STANDARD AND GUIDELINES.

The Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines shall not apply to any National Forest System lands or public lands.

SEC. 808. MANAGEMENT OF BUREAU OF LAND MANAGEMENT LANDS IN WESTERN OREGON.

(a) GENERAL RULE.—All of the public land managed by the Bureau of Land Management

in the Salem District, Eugene District, Roseburg District, Coos Bay District, Medford District and the Klamath Resource Area of the Lakeview District in the State of Oregon shall hereafter be managed pursuant to title I of the Act of August 28, 1937 (43 U.S.C. 1181a through 1181e). Except as provided in subsection (b), all of the revenue produced from such land shall be deposited in the Treasury of the United States in the Oregon and California land-grant fund and be subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(b) CERTAIN LANDS EXCLUDED.—Subsection (a) does not apply to any revenue that is required to be deposited in the Coos Bay Wagon Road grant fund pursuant to sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181–f through f–4).

SEC. 809. BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLANS.

(a) ADDITIONAL ANALYSIS AND ALTERNATIVES.—To develop a full range of reasonable alternatives as required by the National Environmental Policy Act of 1969, the Secretary of the Interior shall develop and consider in detail a reference analysis and two additional alternatives as part of the revisions of the resource management plans for the Bureau of Land Management's Salem, Eugene, Coos Bay, Roseburg, and Medford Districts and the Klamath Resource Area of the Lakeview District.

(b) REFERENCE ANALYSIS.—The reference analysis required by subsection (a) shall measure and assume the harvest of the annual growth net of natural mortality for all forested land in the planning area in order to determine the maximum sustained yield capacity of the forested land base and to establish a baseline by which the Secretary of the Interior shall measure incremental effects on the sustained yield capacity and environmental impacts from management prescriptions in all other alternatives.

(c) ADDITIONAL ALTERNATIVES.—

(1) CARBON SEQUESTRATION ALTERNATIVE.—The Secretary of the Interior shall develop and consider an additional alternative with the goal of maximizing the total carbon benefits from forest storage and wood product storage. To the extent practicable, the analysis shall consider—

(A) the future risks to forest carbon from wildfires, insects, and disease;

(B) the amount of carbon stored in products or in landfills;

(C) the life cycle benefits of harvested wood products compared to non-renewable products; and

(D) the energy produced from wood residues.

(2) SUSTAINED YIELD ALTERNATIVE.—The Secretary of the Interior shall develop and consider an additional alternative that produces the greater of 500 million board feet or the annual net growth on the acres classified as timerland, excluding any congressionally reserved areas. The projected harvest levels, as nearly as practicable, shall be distributed among the Districts referred to in subsection (a) in the same proportion as the maximum yield capacity of each such District bears to maximum yield capacity of the planning area as a whole.

(d) ADDITIONAL ANALYSIS AND PUBLIC PARTICIPATION.—The Secretary of the Interior shall publish the reference analysis and additional alternatives and analyze their environmental and economic consequences in a supplemental draft environmental impact statement. The draft environmental impact statement and supplemental draft environmental impact statement shall be made available for public comment for a period of not less than 180 days. The Secretary shall respond to any comments received before making a final decision between all alternatives.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall affect the obligation of the Secretary of the Interior to manage the timberlands as required by the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a–1181j).

TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

SEC. 901. WILDFIRE ON FEDERAL LANDS.

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking ''(2)'' and all that follows through ''means'' and inserting the following:

''(2) MAJOR DISASTER.—

''(A) MAJOR DISASTER.—The term 'major disaster' means''; and

(2) by adding at the end the following:

''(B) MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.—The term 'major disaster for wildfire on Federal lands' means any wildfire or wildfires, which in the determination of the President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

''(i) on Federal lands; or

''(ii) on non-Federal lands pursuant to a fire protection agreement or cooperative agreement.''.

SEC. 902. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

"TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

"SEC. 801. DEFINITIONS.

''As used in this title—

''(1) FEDERAL LAND.—The term 'Federal land' means—

''(A) any land under the jurisdiction of the Department of the Interior; and

''(B) any land under the jurisdiction of the United States Forest Service.

''(2) FEDERAL LAND MANAGEMENT AGENCIES.—The term 'Federal land management agencies' means—

''(A) the Bureau of Land Management;

''(B) the National Park Service;

''(C) the Bureau of Indian Affairs;

''(D) the United States Fish and Wildlife Service; and

''(E) the United States Forest Service.

''(3) WILDFIRE SUPPRESSION OPERATIONS.—The term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal lands (or on non-Federal lands pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management account or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

"SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.

''(a) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal lands exists.

''(b) REQUIREMENTS.—A request for a declaration by the President that a major disaster for wildfire on Federal lands exists shall—

''(1) be made in writing by the respective Secretary;

''(2) certify that the amount appropriated in the current fiscal year for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, net of any concurrently enacted rescissions of wildfire suppression funds, increases the total unobligated balance of amounts available for wildfire suppression by an amount equal to or greater than the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years;

''(3) certify that the amount available for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary will be obligated not later than 30 days after such Secretary notifies the President that wildfire suppression funds will be exhausted to fund ongoing and anticipated wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based; and

''(4) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based.

''(c) DECLARATION.—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal lands exists.

"SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.

''(a) IN GENERAL.—In a major disaster for wildfire on Federal lands, the President may transfer funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal lands (and non-Federal lands pursuant to a fire protection agreement or cooperative agreement).

''(b) WILDFIRE SUPPRESSION OPERATIONS ACCOUNT.—The President shall establish a specific account for the assistance available pursuant to a declaration under section 802. Such account may only be used to fund assistance pursuant to this title.

''(c) LIMITATION.—

''(1) LIMITATION OF TRANSFER.—The assistance available pursuant to a declaration under section 802 is limited to the transfer of the amount requested pursuant to section 802(b)(4). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

''(2) TRANSFER OF FUNDS.—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Account.

''(d) PROHIBITION OF OTHER TRANSFERS.—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

''(e) REIMBURSEMENT FOR WILDFIRE SUPPRESSION OPERATIONS ON NON-FEDERAL LAND.—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

''(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and

''(2) transfer the amounts received as reimbursement to the wildfire suppression operations account established pursuant to subsection (b).

''(f) ANNUAL ACCOUNTING AND REPORTING REQUIREMENTS.—Not later than 90 days after the end of each fiscal year for which assistance is received pursuant to this section, the respective Secretary shall submit to the Committees on Agriculture, Appropriations, the Budget, Natural Resources, and Transportation and Infrastructure of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, the Budget, Energy and Natural Resources, Homeland Security and Governmental Affairs, and Indian Affairs of the Senate, and make available to the public, a report that includes the following:

''(1) The risk-based factors that influenced management decisions regarding wildfire suppression operations of the Federal land management agencies under the jurisdiction of the Secretary concerned.

''(2) Specific discussion of a statistically significant sample of large fires, in which each fire is analyzed for cost drivers, effectiveness of risk management techniques, resulting positive or negative impacts of fire on the landscape, impact of investments in preparedness, suggested corrective actions, and such other factors as the respective Secretary considers appropriate.

''(3) Total expenditures for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as the such Secretary considers appropriate.

''(4) Lessons learned.

''(5) Such other matters as the respective Secretary considers appropriate.

''(g) SAVINGS PROVISION.—Nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.''.

SEC. 903. PROHIBITION ON TRANSFERS.

No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such Act, that is not used to cover the cost of wildfire suppression operations.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 114–192. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–192.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 203.
Strike title III.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, my amendment would strike a harmful and politically driven provision on the underlying bill that has the effect of limiting stakeholder input and curbing equal access to justice, a core constitutional principle in our Republic, and effectively removes an important check we have on arbitrary actions by Presidents and administrations.

Absent my language, the underlying bill would hand President Obama a blank slate in determining how we run our Western lands. My bill will restore that balance and allow civil society stakeholders and local residents to be able to challenge illegal Federal actions.

While I respect and appreciate the impetus for many parts of this bill and support them, particularly those aimed at incentivizing collaborative development management plans and fixing the flawed funding structure for wildfire response—very, very important in my district—the provision that I am striking in my amendment is truly a poison pill for many on my side of the aisle who care deeply about equal access to justice and many on the other side of the aisle who don't want to hand President Obama an unchecked control over Federal lands.

In districts like mine, which are made up of 62 percent Federal land, the Forest Service owns huge amounts of open space that we use, enjoy, is a driver of our tourism economy; we recreate as hikers, skiers, hunters, bikers; it is used commercially by loggers, utility providers, and many, many other groups.

I can attest to the fact that these groups, these stakeholders that I mentioned whose livelihood and enjoyment depend on these lands, are extremely valuable when it comes to providing practical, varied input into managing our Federal lands.

This bill, however, would discourage and limit the depth and diversity of public input by expediting the development of forest management plans while removing the legal venues that exist for protest after a management plan has been implemented, meaning not only does the provision, like the one I am trying to strike, cripple the transparency and effectiveness by limiting the form of expertise we have in planning our Federal lands, it also has the potential to repeal some critical rights, like the right to protest and legal recourse for potential wrongdoing.

The provisions I move to strike would effectively eliminate the ability of citizens, nonprofits, local residents, independent advocacy organizations, and others to file lawsuits against potentially illegal or improper forest management tools that the executive branch is using.

By creating a harmful bonding requirement, which would really exclude judicial access for everybody—except the very wealthiest corporations and people—and a prejudicial fee-shifting requirement that enables the government to act with impunity at the clear expense of the plaintiff, we really break down the core principle of equal access to justice, which is our right.

By prohibiting the courts from issuing any restraining orders, preliminary injunctions, or injunctions pending repeal in cases of postdisaster operations after broadly defined events, we are only compounding the damage.

Again, Mr. Chairman, my colleagues on the other side of the aisle's move to block the court's ability to make sound, thoughtful, and transparent decisions if the executive branch acts illegally really will come at the expense of our local stakeholders for those of us who live in and around Federal land.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I think it is important to realize there is nothing, absolutely nothing in the base bill that prohibits any individual or group from filing a lawsuit.

What it does do is discourage frivolous lawsuits.

I yield 1 minute to the gentleman from Montana (Mr. ZINKE) to expand on that.

Mr. ZINKE. Mr. Chairman, I stand in opposition to the amendment. We have to reward collaboration and working together.

What this bill does not do is discourage NEPA. What it does do, though, is it brings people together to work together. That is what I was sent to Washington, D.C., to do; and that is what all of us were sent to do, is work together and move the ball up the field. It does not prevent anyone from filing a lawsuit.

What it does do, however, on frivolous lawsuits—and the numbers are clear. Between 1989 and 2008, over 1,125 lawsuits were submitted. Almost in every case, those lawsuits ended up costing the Forest Service that we are so concerned about the money they are spending—number one is forest fires; number two is litigation.

We want the same thing. We want more scientists, less lawyers in the woods, and healthy forests once again to be part of our country; yet what happens is the collaborative effort—and we made the definition of collaborative very vague so everyone can participate, everybody—it does not prevent anyone from suing.

What it does do is, if you are not going to be involved in the collaborative effort, if you are not going to spend the time and the resources, then you have to post a bond, and that bond only covers what the Forest Service would have to defend. We could have made it a lot aggressive, and we didn't.

Mr. Chairman, I stand in opposition.

Mr. POLIS. Mr. Chairman, I would like to inquire as to how much time remains on both sides.

The Acting CHAIR. The gentleman from Colorado has 1½ minutes remaining. The gentleman from Utah has 3¾ minutes remaining.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chairman, I thank Mr. POLIS.

As my colleague stated, title III would require anyone who challenges a

project on forest land in the Federal court system to put up a bond covering all litigation expenses of the government. Plaintiffs would only get their bond back if they prevailed on all their claim.

Further, it would not allow litigants to recover attorney's fees under the Equal Access to Justice Act. While my colleagues across the aisle have said it doesn't prevent anyone from coming forward, we do know that the impact would be that it would prevent any plaintiffs, except those large companies with deep pockets, from bringing lawsuits against these projects, essentially keeping out the average American citizen from having their voice heard.

I strongly support this amendment.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

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Mr. MCCLINTOCK. Mr. Chairman, Eric Hoffer once said that every great cause becomes a movement, which becomes a business, which becomes a racket. That is what has happened with environmental litigation.

Through many hearings, we have discovered that most of the groups litigating collaborative projects sue just to raise money or to defeat necessary projects through delay. That is their right. No one begrudges them it.

But that does not include frivolous litigation designed solely to run out the clock on salvage projects or to nullify by delay the painstaking work of collaborative groups which often, in good faith, spend endless hours and considerable resources in negotiating a plan that is fair to all.

I oppose this amendment, and I urge my colleagues to do the same.

Mr. POLIS. Mr. Chairman, I have many of my constituents who are living in holdings on Federal lands. What happens if Federal land management policy changes their rights-of-way and makes it harder to access where they live? Where are they supposed to come up with the hundreds of thousands or millions of dollars that it would take to bond under this scenario to figure out whether what the Federal Government did was legal or not?

That is why we need to fix this, Mr. Chairman. And I urge my colleagues to support my amendment to defend the constitutional rights of families who live in and around Federal land.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the chance to actually hear from the gentleman from California as well as from the gentleman from Montana.

You see, what happens and what has failed to be discussed here is this section only applies to whether it has been a collaborative process.

So real people, citizens, will spend years working together to develop a collaborative project. And then too frequently outside fringe groups that don't live in the area, but that do have big pockets, wait for those projects to be announced.

Then they start to litigate, which has a chilling effect on any kind of collaborative work, and it makes the hundreds of hours that those citizens worked to come up with their projects simply moot.

That has happened in California. I have been there to see those projects that were stopped by frivolous lawsuits. It is the same thing that happens in Montana and in northern Idaho. In that particular district, of all of those lawsuits he mentioned, over 70 percent of those were stopped because of frivolous lawsuits.

Now, we are not stopping anyone from suing. What we are saying is you put up a bond if you are serious about it and you don't use this as a way of simply stopping a process that has been worked out by the citizens and the Forest Service at the same time. That is what this means, and that is what is going to be taken away.

That is why this is so essential and why this part has to be part of this bill. It has to move forward or our Forest Service does not have the tools it needs to preserve our forests and to protect our people and to protect our landscape.

This amendment cannot pass. It would destroy every effort of the Forest Service to actually move forward into the future. We oppose it. We oppose it vigorously and in all due respect.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–192.

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, after line 21, insert the following new section:

SEC. 505. FIRE LIABILITY PROVISION.

Section 604(d) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)) is amended by adding at the end the following new paragraph:

''(8) MODIFICATION.—Upon the request of the contractor, a contract or agreement under this section awarded before February 7, 2014, shall be modified by the Chief or Director to include the fire liability provisions described in paragraph (7).''.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. TIPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Mr. Chairman, Congress has previously authorized fire liability provisions for stewardship contracts. My amendment simply provides the same fire liability provisions for long-term stewardship contracts awarded by the Forest Service prior to February 7, 2014.

These contracts have valid concerns over their potential liability, and it is prohibitively expensive to obtain liability insurance to cover the costs of large forest fires.

The amendment provides these contractors with the same protections as all Federal timber sales and integrated resource timber purchasers and other integrated resource stewardship contracts that they already have. I urge my colleagues to support the amendment.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to this amendment, which would change the parameters of contracts that have already been awarded through a competitive bidding process.

Stewardship end result contracting is a critical tool used to achieve land management goals across our national forests and grasslands.

In addition to making the authority for stewardship contracting permanent, last year's farm bill directed the Forest Service to make the first liability provisions in integrated resource timber contracts equal to liability provisions typically found in timber sale contracts. Earlier this year the Forest Service issued rulemaking carrying out this directive.

This was a commonsense change, and I agree with the sponsors of this amendment that this is a worthwhile change. However, their amendment would retroactively extend the updated liability requirement to contracts that were awarded before the farm bill was signed into law.

The Forest Service would, therefore, have to modify existing contracts, which is not only a burden for the agency and the contract awardees, but it is unfair to companies that did not participate in the competitive bidding process because of their understanding of the fire liability requirements.

Congress should not change contracts that have already been awarded through the competitive bidding process. For that reason, I oppose the adoption of this amendment.

I reserve the balance of my time.

Mr. TIPTON. Mr. Chairman, we are talking about fairness. We just had an amendment that was presented by my

colleague from Colorado that talked about fairness, and I think Chairman BISHOP spoke very eloquently in regards to allowing that process to be able to work through the private sector.

Yet, when we are talking about forest health, Mr. Chairman, wouldn't it be an appropriate thing to make sure that we have a level playing field when it comes to liability?

If we want to be able to get in and actually protect those forests, to be able to protect those watersheds, to be able to protect endangered species and the other wildlife in the forests, let's make sure that we have a process to be able to do that so that that liability is not going to become a liability to something that I believe we all share as common ground, and that is the health of our forests.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–192.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, after line 15, insert the following:

SEC. 703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self -Determination and Education Assistance Act (25 U.S.C. 450 et seq).

The Acting CHAIR. Pursuant to House Resolution 347, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I rise in support of my amendment that allows the Forest Service to establish a pilot program to execute contracts with tribes under the Indian Self-Determination and Education Assistance Act, known as 638 contracts. 638 contracts allow tribes to manage and implement Federal programs in Indian Country.

When I was the New Mexico Secretary of Health, I witnessed how successful and beneficial these contracts could be in efficiently delivering services to tribes and their members. Through these contracts, tribes operate hospitals, health clinics, mental health facilities, and a variety of other community health services.

Having tribes manage and operate programs in their communities not only recognizes tribal self-determination and self-governance, but it also helps ensure that tribal needs are being met through traditionally and culturally appropriate methods.

Although several agencies have the authority to execute 638 contracts, such as the Bureau of Land Management, the Bureau of Reclamation, the Bureau of Indian Affairs and Indian Health Services, the Forest Service does not currently have this authority. Several tribes have expressed to me that they would like to see the Forest Service have the authority.

Many of the pueblos in New Mexico have land in tribal forests that are adjacent to national forests, and we know that wildfires and pests can quickly affect entire regions, regardless of who owns the land.

In fact, the Las Conchas wildland fire, which is one of the largest wildfires in New Mexico's history, started on June 26, 2011, in the Santa Fe National Forest. It burned more than 156,000 acres in New Mexico, including land belonging to the Pueblos of Santa Clara, Ohkay Owingeh, San Ildefonso, Pojoaque, Jemez, Cochiti, and Kewa.

It is imperative that the Forest Service and tribes actively work together to co-manage forests. I urge Members to support my amendment, which will improve the Forest Service's ability to partner with tribes in order to work on projects that impact tribal lands and forests.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition, although I may not be in opposition to this particular bill.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chairman, I would like to ask the gentlewoman from New Mexico, as this bill works its way through the process of ultimately being signed and implemented, if she would be willing to work with us to make sure this contracting authority in the future has no unintended consequences.

I yield to the gentlewoman for a response.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, absolutely. I appreciate that offer. Thank you.

Mr. BISHOP of Utah. I appreciate that.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in support of this amendment. I want to thank the ranking member from the Conservation and Forestry Subcommittee for bringing this amendment forward.

This amendment obviously allows the Forest Service to create a pilot program that would execute contracts with tribes to perform administrative, management, and other functions of the program for the Tribal Forest Protection Act of 2004.

Allowing the Forest Service to execute contracts would recognize the government-to-government relationship that tribes have with the Federal Government, and it would be in line with the intent of the Tribal Forest Protection Act of working with tribes as partners.

I certainly would encourage my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, I want to particularly thank the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for yielding and for introducing this important amendment.

Mr. Chairman, there is an old saying that I know you have all heard, which is that the shadows of those who live on their land are the best protectors and the best stewards of that land.

My wife and I have had the good fortune to plant over 100,000 trees on our land, with the help of the kids, and I want you to know they are doing well.

I am supportive of this amendment because I think it is high time that the American Indians and the Alaska Natives, who are the first stewards of our lands, be allowed to better exercise their sovereignty and their self-determination in caring for the forests they have called home for untold centuries.

We already have 638 contracts that allow the tribes to manage Federal lands in Indian Country. This amendment simply adds a partnership with the U.S. Forest Service to that list.

By approving this measure, we help create jobs, protect our forests all across Indian Country, and we all become better stewards of our Nation's great resources.

I urge my colleagues to join us in support of this important amendment.

I want to again particularly thank Ms. LUJAN GRISHAM for her leadership on this important issue. I thank the chairman of the committee for his support of it as well. And I thank the gentleman from Pennsylvania (Mr. THOMPSON).

I urge my colleagues to adopt this amendment.

Mr. BISHOP of Utah. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Utah has 4 minutes remaining, and the gentlewoman from New Mexico has 1½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTMORELAND. Mr. Chairman, I rise in support of this amendment as it goes along with the collaborative efforts we are trying to include

in the bill with tribal and State governments.

I just want to thank the gentlewoman for proposing this amendment, and I rise in full support of it.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

□ 1700

AMENDMENT NO. 4 OFFERED BY MR. KILMER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114–192.

Mr. KILMER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following new section:

SEC. 807. LANDSCAPE-SCALE FOREST RESTORATION PROJECT.

The Secretary of Agriculture shall develop and implement at least one landscape-scale forest restoration project that includes, as a defined purpose of the project, the generation of material that will be used to promote advanced wood products. The project shall be developed through a collaborative process.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. KILMER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, before I speak to this amendment, I actually wanted to start by expressing my appreciation to the chairman for his work on this important legislation.

I grew up in Port Angeles, Washington. I saw firsthand how a downturn in the timber industry impacted our region's economy and the livelihood of families who lived there. Those experiences were a major influence in my decision to pursue a career in economic development and now in public service. It is a big reason I have been working on harvest issues that impact the region that I represent.

On the Olympic National Forest, I have been proud to help stand up a collaborative, bringing together a group of stakeholders from all across the spectrum to figure out how we can make real progress to rebuild the trust that we need to restore our forests and to promote harvest levels and to support our local communities.

We have begun to see some successes come out of that. I am sure committed to working to help take actions that lead to better outcomes for our forests and for the local economies that rely on them as an important asset.

I think the bill that is before us today is an honest effort to address the real challenges that are facing our Federal forests. Importantly, the underlying bill includes language that would make real progress toward ending the harmful practice of fire borrowing.

Now, I have got some concerns about this bill that are going to keep me from supporting it today, but I am very hopeful that this is just a first step in a process that leads to compromise legislation that we can send on to the President and get signed into law to help our forests and to help our communities. I would welcome the opportunity to be a part of that process.

Mr. Chair, the amendment that I have offered today is focused on an initiative that would support innovative wood products, including cross-laminated timber. CLT products offer increased use of responsibly harvested wood that could mean more jobs in rural areas of Washington State and all other States.

These are renewable resources, rather than steel or concrete, that would make our buildings greener. These new wood products are strong and fire resistant and may actually be safer in an earthquake than nonwood alternatives.

We can change the way our Nation constructs buildings by utilizing these new sturdy wood products. More importantly, we can lead the way on a global timber revolution that can bring lower costs, environmentally friendly building materials to market, providing more job opportunities in rural America.

My amendment is pretty simple. It would direct the Secretary of Agriculture to develop a significant forest restoration project with the goal of generating the kind of material we can use for these advanced wood products. I would urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I actually rise in support of this amendment as chairman of the Subcommittee on Conservation and Forestry of the Committee on Agriculture.

It is consistent with the U.S. Forest Service's recognition of the important role that advanced wood products can play, particularly in building construction. New and innovative technologies are yielding building products that are greener, stronger, fire resistant, and even safer in response to earthquakes than nonwood alternatives.

The bottom line is, when it comes to good, healthy forest management, it is just not some of the barriers we are dealing with today in terms of harvesting; it is also about driving the market and increasing the value.

It is a three-legged stool for healthy forests. I am very pleased with the underlying bill. I think that is helping on step one. I think this amendment helps us in terms of pushing the market value and the value of timber, and it is certainly consistent with many of the steps that we took within the farm bill in terms of research for advanced wood products.

I just am very pleased to support this amendment.

Mr. KILMER. Mr. Chair, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chair, I rise in support of this amendment. While it does nothing to address our underlying concerns with the bill, the promotion of advanced wood products is an important priority, and I commend my colleague from Washington, Mr. KILMER, for taking on this issue.

The amendment directs the Forest Service to establish a pilot project to promote the production of advanced wood products. Production of these products, like cross-laminated timber, or CLT, is a growing market with many practical applications. Growing this market here in the United States is an important economic development opportunity, and I thank Mr. KILMER for his efforts in promoting this opportunity.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTERMAN. Mr. Chairman, I rise in support of the concept of this amendment. The gentleman brings out a very important fact that we do need forest products to be able to utilize the resources coming off our forests in order to do healthy management.

There are many forest products that can be made from smaller diameter materials that are already out there. We have the science behind it. A landscapewide collaborative project that uses these lower value products would be a good thing to do.

I do challenge the gentleman to support the whole bill so that we could put this into practice, should it be passed, because it would be of benefit to the bill and to healthy forests across the country if such projects were implemented.

Mr. KILMER. Mr. Chair, I have no other speakers, so I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, as we finish the last amendment to this very good bill, the gentleman from Washington full well knows how devastating it could be to his community if we do not pass this particular bill and wildfires actually attack his constituents and his area.

That is why it is extremely important—as we take this last opportunity to speak towards this bill and this particular amendment—to recognize that this is a bipartisan bill, bipartisan sponsorship, passed by a bipartisan

vote in our committee, passed in a bipartisan vote in the Committee on Agriculture.

This is a good bill that will move us forward, and it is essential to move forward. I appreciate all the support we have had from both sides of the aisle moving this particular piece of legislation forward. I urge support of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. KILMER).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the request for a recorded vote on amendment No. 1 printed in part C of House Report 114–192 offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 247, not voting 5, as follows:

[Roll No. 427]

AYES—181

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—247

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Cuellar
Lofgren
Payne
Peters
Roe (TN)

□ 1736

Messrs. CONAWAY, AMODEI, PAULSEN, MEEHAN, BRADY of TEXAS, and WALKER changed their vote from ''aye'' to ''no.''

Messrs. HECK of Washington, GALLEGO, BUTTERFIELD, NADLER, CLAY, and ASHFORD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CUELLAR. Mr. Chair, on rollcall No. 427, had I been present, I would have voted "no."

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, and, pursuant to House Resolution 347, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. TSONGAS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by 5-minute votes on ordering the previous question on House

Resolution 350, and adoption of House Resolution 350, if ordered.

The vote was taken by electronic device, and there were—ayes 262, noes 167, not voting 4, as follows:

[Roll No. 428]

AYES—262

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—167

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth

NOT VOTING—4

Lofgren
Payne
Peters
Roe (TN)

□ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.''.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 350) providing for consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 6, as follows:

[Roll No. 429]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Diaz-Balart
Lofgren
Payne
Peters
Roe (TN)
Yoho

□ 1753

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 183, not voting 6, as follows:

[Roll No. 430]

AYES—244

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Amodei
Lofgren
Payne
Peters
Roe (TN)
Walden

□ 1801

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

21ST CENTURY CURES ACT

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 6.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 350 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6.

The Chair appoints the gentleman from Nevada (Mr. HARDY) to preside over the Committee of the Whole.

□ 1803

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and

for other purposes, with Mr. HARDY of Nevada in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I include the Committee on Energy and Commerce exchange of letters with the Committee on Ways and Means and the Committee on Science, Space, and Technology.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, July 9, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 6, the ''21st Century Cures Act,'' which your Committee ordered reported on May 21, 2015.

H.R. 6 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will not seek a sequential referral. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 9, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 6, the ''21st Century Cures Act.''

I appreciate your willingness to forgo seeking a sequential referral on H.R. 6 in order to expedite this bill for floor consideration. I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 7, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: I am writing with respect to H.R. 6, the ''21st Century Cures Act.'' As a result of your having consulted with us on provisions in H.R. 6 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 6 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTE ON ENERGY AND COMMERCE,
Washington, DC, July 9, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Washington, DC

DEAR CHAIRMAN RYAN: Thank you for your letter with respect to H.R. 6, the ''21st Century Cures Act.'' I appreciate your willingness to waive consideration of H.R. 6 so that it may proceed expeditiously to the House floor.

I agree that by forgoing consideration of H.R. 6 at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its Rule X jurisdiction. Further, I understand that the Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and I will support such a request.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,
Chairman.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the distinguished chairman of the Health Subcommittee.

Mr. PITTS. Mr. Chairman, I want to first commend Chairman UPTON, Ranking Member PALLONE, Congresswoman DEGETTE, and Ranking Member GENE GREEN of Texas for their outstanding support and leadership on this.

Mr. Chairman, I rise in strong support of H.R. 6, the 21st Century Cures Act, which will help advance the discovery, development, and delivery of new treatments and cures for patients and will foster private sector innovation here in the United States.

I have a whole list of people I would like to thank. I will provide that for the RECORD. I especially want to thank legislative counsel for their tireless efforts, the healthcare staff of the Congressional Budget Office, and the outstanding team on Energy and Commerce. They have been fantastic, working 24/7.

Mr. Chairman, H.R. 6 was reported from Energy and Commerce Committee by a vote of 51–0 and advances conservative and fiscal and regulatory reforms. Every dollar of advanced appropriations in the bill, which will sunset at the end of FY 2020, is offset by other permanent reforms, including billions of dollars in mandatory entitlement savings in Medicare and Medicaid.

This is no ordinary spending, like the kind we usually see in entitlement spending such as Social Security, Medicare, Medicaid, and ObamaCare. This mandatory spending is for 5 years only, and then it sunsets. This mandatory spending is fully paid for with mandatory spending cuts elsewhere that will not stop in 5 years, but are permanent reforms resulting in real savings. By comparison, the Ryan-Murray budget deal for healthcare savings yielded much less.

This innovative hybrid approach allows us to cut mandatory spending and use the savings to fund what would otherwise be a discretionary project, but in this case, it is a 5-year dedicated spending on medical research.

The Congressional Budget Office determined that H.R. 6 will reduce the deficit by $500 million over the first 10 years and at least $7 billion over the second decade. The funds provided to the NIH and FDA will be subject to explicit review and reprogramming through the annual appropriations process. Congress can review the dedicated funding and allocate it for specific initiatives.

Mr. Chairman, by modernizing clinical trials, eliminating duplicative administrative requirements, and perhaps, most importantly, making FDA less bureaucratic by advancing the voice and needs of patients in the drug and device approval process, H.R. 6 will make lasting, positive changes to the entire ecosystem of Cures. Over 250 patient groups have enthusiastically said ''yes'' and endorsed this legislation.

Mr. Chairman, I urge all of my colleagues to think of the patients and vote ''aye'' in support of H.R. 6.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today the House is considering H.R. 6, the 21st Century Cures Act, legislation that will further encourage biomedical innovation and the development of new treatments and cures that will benefit millions.

More importantly, this legislation will ensure that our country remains on the forefront of medical innovation while maintaining the gold standard for approvals of medical products.

Mr. Chairman, this legislation is the product of numerous forums that occurred in Washington and around the Nation that heard directly from patients and advocacy groups about what innovations could make a difference in curing diseases.

It is a truly bipartisan initiative of the Energy and Commerce Committee, and I want to thank Chairman UPTON; Health Subcommittee chairman Mr. PITTS; Ranking Member GREEN; and our sponsor on the Democratic side, Representative DIANA DEGETTE, for working together on this bill.

The legislation includes a number of policy proposals that are meant to advance the work that NIH and FDA are already doing to encourage innovation in medicine, and I want to highlight some of those.

First, it promotes and supports the best biomedical workforce in the world while also increasing the diversity of that workforce by requiring the NIH to ensure participation of scientists from underrepresented communities.

Second, it encourages the development of precision medicine and next generation treatments.

Third, it provides FDA with additional tools to make the drug approval process more efficient, such as streamlined data review and the use of biomarkers in clinical experience to ensure that new treatments can reach patients in a timely manner.

Fourth, it modernizes clinical trials and supports the inclusion of diverse populations in clinical research through the National Institute on Minority Health and Health Disparities.

Fifth, it facilitates the development of important antimicrobials and treatment for rare diseases and clarifies the regulatory pathway for software for medical applications at FDA.

Finally—although not finally—there are many, many more positive developments in this bill, but I do want to mention last, ensuring interoperability of our health system which will lead to better access to health information, coordinated care, and improved outcomes.

Most importantly, Mr. Chairman, 21st Century Cures also provides mandatory funding to both NIH and FDA to carry out the activities in this legislation, funding that is critically needed if Congress wants NIH and FDA to fund innovative ways to cure diseases.

However, I am concerned that the very goal this legislation set out to achieve to encourage biomedical innovation and the development of new treatments and cures is undermined somewhat by a reduction in funding for NIH from $10 billion to $8.75 billion.

This funding level, the larger one, the $10 billion over 5 years in the original bill, enjoyed the unanimous support from the members of the Energy and Commerce Committee and the 230 Members of the House who were cosponsors of H.R. 6.

If Congress is truly committed to advancing and encouraging biomedical innovation, we must ensure that the Federal Government agencies we entrust with facilitating that goal have the resources to do so, and I hope that, at some point, as we move further, we can go back to the $10 billion.

I would also urge my colleagues to reject any attempts to make the critical funding included in the legislation for NIH and FDA discretionary. The NIH ensures the innovation fund was created to be a resource to both NIH, FDA, universities, and researchers, including those just beginning their careers.

Any efforts to make this funding discretionary threatens the commitment made in 21st Century Cures to encourage innovation.

I also want to express, Mr. Chairman, my disappointment over the inclusion of controversial policy riders on what was otherwise a strong bipartisan bill. This inclusion, added to the bill after unanimous passage out of the Energy and Commerce Committee, is a political distraction from the discussion we should be having on the underlying policy.

I hope that, tomorrow, my colleagues will join me in supporting Congresswoman LEE's amendment which will strike those troubling riders from the legislation.

Despite these concerns, I remain totally supportive of the 21st Century Cures Act, as I believe it does take significant steps towards enhancing how we discover and develop innovative new medical treatments in the United States.

Once again, I take great pride in the fact that we were able to do this on a bipartisan basis in our committee and report the bill out unanimously.

Mr. Chairman, I would urge a ''yes'' vote, and I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the vice chair of the full committee, the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, America really is at its best when we are facing challenges, and so many of the challenges that we face today are in the area of health care and healthcare delivery.

Right now, we know we have over 10,000 identified diseases. We only have cures for 500 of those. This is why we need to work to focus the NIH and the FDA on a cures strategy and do this through the legislation that is before us today. Indeed, it is bipartisan, and it carries different components of bipartisan legislation.

One is the SOFTWARE Act that Representative GREEN and I have worked on. Mr. Chairman, getting bureaucracy out of the way and allowing innovation is the goal of the SOFTWARE Act. It would codify the manner in which the FDA approaches health IT, including the wonderful apps that we use to help make us healthy.

The FDA is the agency charged with ensuring the safety and efficacy of drugs and medical devices, but data is not a drug or a device, and it makes no sense to regulate it as such. That is why we bring forward the SOFTWARE Act. We support the bill and encourage others to support it.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN), who is the ranking member of our Health Subcommittee.

□ 1815

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in strong support of the bipartisan landmark legislation, H.R. 6, the 21st Century Cures Act.

Dozens of roundtables and hearings, thousands of responses from stakeholders, and countless hours went into crafting this bill. This legislation is the product of months of bipartisan collaboration with the administration and stakeholders. As a result, H.R. 6 is supported by more than 370 patient groups, physician groups, and research institutions across the country.

The investments and provisions in this bill will accelerate the development of new tools and treatments for the fight against diseases, which have a great cost to our economy and an even greater toll on the patients and families that suffer from them.

After more than a decade of cuts and stagnant budgets, the National Institutes of Health will receive $8.75 billion, and it will not increase the deficit. This influx of investment will be put toward solving today's complex scientific problems and discovering the next generation of medical breakthroughs.

In addition to this much-needed funding for medical research, there are so many provisions in this package worthy of support. The 21st Century Cures Act will deliver hope and new treatments to Americans.

While some of the provisions are technical in nature, their real-world impact is not abstract. Patients and families deserve to have their elected officials respond to their needs, and that is what this bill does.

I want to thank Chairman UPTON, Congresswoman DEGETTE, Ranking Member PALLONE, and Chairman PITTS for their leadership, vision, and determination to speed the medical progress. This is an example of what our constituents want us to do: legislate and solve problems.

It was a privilege to be involved in this landmark effort, and I want to thank the staffs, legislative counsel, and the countless stakeholders who worked tirelessly to craft a bill that lives up to the promises of the 21st Century Cures initiative.

I strongly support H.R. 6 and urge my colleagues to do the same.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Chairman, I rise today to speak about the importance of tomorrow's vote on the 21st Century Cures initiative. This takes the necessary steps forward so that we can deliver safe, effective treatments much more efficiently and creatively across America. This legislation would give NIH, along with the FDA, much-needed additional research dollars.

Specifically, imagine how a significant increase in funding could speed up

treatments and cures for such debilitating diseases such as Alzheimer's and ALS. This legislation gives researchers a fighting chance in the hope of finding a cure for so many diseases and disorders. Investing in research today will pay dividends long into the future and will significantly reduce costs of treatment.

Give families hope. Vote ''yes'' on 21st Century Cures.

Mr. PALLONE. Mr. Chairman, I would ask my chairman to proceed with another Republican because the gentleman seems to have more people.

Mr. UPTON. I yield 1 minute to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Chairman, I am here on the Democrat side, congratulating them for great work on 21st Century Cures.

I was involved in a couple pieces of the legislation that were added, one on antibiotic resistance and a lot on medical devices, because we need to reform the process. The bureaucracy is tough.

So, in streamlining these procedures, we are not questioning or addressing or harming individual safety, but what we are doing is making sure these devices get to where they need it in the quickest possible time.

This is just a small part of the great work of my friends on this side—I hope you don't mind me being over here—and the majority side in that it is a tribute to what we can do when we work together. I am proud to be part of this team.

Mr. PALLONE. I yield 5 minutes to the gentlewoman from Colorado (Ms. DEGETTE), the Democratic sponsor of the bill who has worked so hard to bring us to this day with this bill on the floor.

Ms. DEGETTE. Mr. Chairman, my father-in-law, Lino Lipinsky de Orlov Senior, was a true renaissance man. During World War II, he was a member of the Italian resistance, whose family sheltered Jews and Allied solders in their apartment. An artist by training, he made his way to this country with letters of introduction and became a world-renowned etcher and museum curator.

Most importantly, Lino Senior was a wonderful person. Kind to all and beloved by his family and friends, he reveled in life's small pleasures, creating whimsical drawings for his loved one's birthday cards and recounting tales of Italian youth, from idyllic summers on Capri to his escapades in the Resistance.

So, Mr. Chairman, it was more than a tragedy when in 1988, we lost Lino Senior to ALS, or Lou Gehrig's disease. ALS is a debilitating disease that weakens and atrophies muscles, leaving those with the disease the inability to perform even the most mundane tasks, much less the ability to create great art.

Last week, at Craig Rehabilitation Hospital in Denver, I met a young man stricken with ALS who was already confined to a wheelchair. He was there to support our bill, the 21st Century Cures. But what struck me was, in the 25-plus years since we lost Lino Senior, there has been no cure. There has been no real treatment for patients who receive this diagnosis.

ALS has been well known and thoroughly evaluated for a long time—after all, it gets its nickname from one of the most popular athletes of the 1920s—but we have made virtually no progress in finding a cure. This is not for lack of trying.

The ALS community is incredibly active. Plenty of us in this Chamber and people all around the country took part in the ice bucket challenge last year. I thank FRED UPTON for a lot of things, but maybe the thing I should thank FRED for the most was giving me the opportunity to take the ice bucket challenge last year.

Thanks so much, FRED.

There is real hope, however, though, for ALS and for thousands of diseases for which we lack treatments and cures. Thanks to the mapping of the human genome and technological advances like electronic health records, researchers are poised to discover new breakthroughs that promise dramatic improvements for patients.

The bill before us today, 21st Century Cures, will ensure that the great promise of these developments is harnessed by our Nation's premiere research facilities, the National Institutes of Health, and the Food and Drug Administration.

21st Century Cures is a comprehensive bill which will encourage the development of new treatments and cures. It starts by making a major investment in research with the creation of a 5-year, $8.75 billion innovation fund at the NIH. We create this fund to give the leaders the chance to plan strategically and to give longer term support to promising research projects. Ultimately, these investments will help produce new discoveries in the lab.

Cures then helps to take those discoveries and turn them into treatments for patients. We begin by modernizing clinical trials, including new efforts to ensure diverse populations participate in these research projects.

We allow centralized approval for clinical trials and adaptive trial designs to eliminate wasteful duplication of effort.

We include the patient perspective into every facet of discovering, developing, and delivering treatments, so that a conceptual breakthrough can be applied in practical ways.

We encourage new disease registries to pool information and help researchers drill into the data to find the unique and sometimes subtle needs of patient populations.

We help new scientists begin their careers in research so that great minds can tackle our biomedical challenges, and we will unlock the potential of modern technologies by facilitating safe data sharing and using digital medicine. We include many of the proposals in President Obama's precision medicine initiative as part of this.

With this bill, Mr. Chairman, we are going to make sure that in the 21st century, the pace of breakthroughs, treatments, and cures accelerates to meet the challenges of our time. A healthier world is coming, and I look forward to getting there as fast as we all can.

You know, we couldn't have done this without this team, and I want to take my minute to thank so many people who have helped with this. Ranking Member PALLONE's staff: Jeff, Tiffany, Kim, Arielle, Rachel, Eric, Waverly; Ranking Member GREEN's staff: Kristen; Chairman UPTON's staff: Gary, Clay, John, Paul, Carly, Katie, Adrianna, Robert, Josh, Joan, Bits, Mark, Sean, Noelle, Tom, Leighton—they are the majority; they have a lot more staff than we do—Chairman PITTS' staff: Heidi; Representative BURGESS' staff: JP and Daniel; my unbelievable and intrepid staff: Rachel, Elizabeth, Matt, Eleanor, Diana Gambrel, Cole; my wonderful chief of staff who has been with me for 19 years; leg counsel.

Most of all, I want to thank my partner and compatriot, FRED UPTON. You have been fabulous, and I look forward to taking this over the finish line with you.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HARRIS), a member of the Appropriations Committee and a very valuable member as we put this package together.

Mr. HARRIS. Mr. Chairman, curing disease and suffering is something that even this Congress can agree on on both sides of the aisle. This is obvious from tonight's debate.

Preventative measures are important, but there are still diseases that we don't understand how to prevent, much less treat. And the purpose of the cure and innovation fund is, in fact, to accelerate the discovery.

Before I came here, I did research on diseases. Is there anyone in the country who doesn't believe that we will cure diseases like Alzheimer's or ALS? It is only a matter of time and the investments that we place in it. As the gentlewoman from Colorado stated, we have a lot of the pieces in place in order to create these tremendous new discoveries, and this bill gets us on the path.

There is going to be a lot of talk about cost on the floor, but the cost of these diseases is not just measured in dollars. The cost is measured in families in ways that you can't measure in dollars.

Any family who treated a member with Alzheimer's disease, for instance, understands exactly what I mean by that.

Now, a lot of those costs are huge. Alzheimer's alone, for instance, is hundreds of billions of dollars in Medicare and Medicaid expenses over the next 10 years. If we can cure it, we can save those.

Mr. Chairman, it is time to invest in those cures. We simply can't afford not to.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I lost my father April 14 of this year to Alzheimer's. It is a terrible disease. I watched how it affected him. I know that there are millions of Americans and American families that are dealing with Alzheimer's.

The 21st Century Cures Act will focus some resources so we can find a cure for Alzheimer's and we can find a cure for these diseases that are costing American taxpayers so much money.

I want to applaud the chairman, and I want to urge everyone to get behind the 21st Century Cures Act so we can find a cure for diseases like Alzheimer's in memory of my father, John Duncan.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH), who is the ranking member of our Energy Subcommittee.

Mr. RUSH. Mr. Chairman, I rise in support of H.R. 6, the 21st Century Cures Act, and I want to thank Chairman UPTON, Ranking Member PALLONE, Ranking Member GREEN, and Ranking Member DEGETTE for their tireless work and commitment to this issue.

Mr. Chairman, this landmark piece of legislation will help modernize and personalize health care, encourage greater innovation, support research, and streamline the healthcare system to deliver better, faster cures to more and more patients.

Mr. Chairman, we might live in different regions, we might live in different times, we might be of different nationalities, we might even be of different faiths, but when it comes to the overall health of our Nation, we can surely put aside our differences and do the right thing for the American people.

I want to highlight two provisions of my bill, H.R. 2468, the Minority Inclusion in Clinical Trials Act of 2015, that were included in the 21st Century Cures Act.

The first provision will require the National Institute on Minority Health and Health Disparities to include, within its strategic plan for biomedical research, ways to increase representation of underrepresented communities in clinical trials.

□ 1830

The second will ensure that it remains a priority at NIH to increase the inclusion rates of traditionally underrepresented communities within the future biomedical workforce.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. Mr. Chairman, I yield the gentleman such time as he may consume.

Mr. RUSH. Simply put, Mr. Chairman, these provisions addressed persistent systemic and widespread disparities in health outcomes for minority communities.

As you know, many diseases, including cancer, heart disease, stroke, HIV/AIDS, diabetes, lupus, osteoporosis, asthma, sickle cell, and kidney diseases have been studied at length and still afflict minority populations in disturbing numbers and at disturbing rates.

Minorities are disproportionately underrepresented in clinical trials. There are many reasons attributed to this disproportionality, such as a lack of funding.

The chief culprit is that research professionals tend to work toward solutions for the cure of diseases to which they have personal connections and have personal experiences.

Mr. Chairman, I am so glad that the 21st Century Cures Act does address some of these critical issues. I rise in support of the 21st Century Cures Act, and I urge my colleagues on both sides of the aisle to vote in favor of H.R. 6.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a member of the Health Subcommittee.

Mr. BILIRAKIS. Mr. Chairman, I rise in support of the 21st Century Cures Act.

This bill represents meaningful reform for patients with rare or chronic conditions. I would like to highlight one provision I am so proud of, the OPEN Act.

There are 1 in 10 Americans who suffer from a rare disease. That is 10 percent of the country. Over 95 percent of these diseases have no treatments.

Patients like Candace and Laura from the Tampa Bay Area need FDA-approved safe and effective treatments. Laura has no treatment options, and Candace did her own research and took a medication off label and is now in remission.

The OPEN Act will incentivize major market drugs and combination drug products to be repurposed to treat rare diseases and put them on label.

The 30 million Americans with rare diseases need your ''yes'' vote. Vote for this bill. Vote for patients.

Mr. PALLONE. Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a member of the Health Subcommittee.

Mr. LANCE. Mr. Chairman, this is the way Congress should work, in a bipartisan capacity. In my 5 years on the committee, this is the most significant piece of legislation to be voted out of the committee unanimously.

To those of us who are listening on C–SPAN this evening, this is what the American people demand of Congress, bipartisan cooperation.

This bill will save countless lives not only in this country, but across the globe. I am so pleased it includes language coauthored by Congresswoman ANNA ESHOO of California and me exempting future Food and Drug Administration user fees from sequestration.

I urge an extremely positive vote tomorrow. I hope that all of our colleagues will support this to indicate to the Senate of the United States that it should move forward as well so that the legislation can reach the desk of the President of the United States.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON), a member of the Health Subcommittee.

Mr. BUCSHON. Mr. Chairman, I rise today in support of 21st Century Cures, an initiative that gives hope to patients and families who have battled or who will battle one of the 10,000 diseases with no known cures, like my good friend and mayor of Jasper, Indiana, Terry Seitz, who lost his wife and the mother of their two daughters, Ann Seitz, to ALS 5 years ago on Thanksgiving Day, the family's favorite holiday.

As Mayor Seitz put it, 21st Century Cures gives patients and their families the opportunity for hope and the ability to cope. These two things mean the world to those fighting a rare disease who face so much uncertainty about what the future may hold. 21st Century Cures turns hopelessness into hope.

Mr. Chairman, we have a real opportunity today to improve the lives of these patients across the country, and we need to seize it.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. ELLMERS), a member of the Health Subcommittee.

Mrs. ELLMERS of North Carolina. Mr. Chairman, I rise today to shed light on why the nonpartisan 21st Century Cures Act is important for patients everywhere.

As a nurse and as part of our team working on this effort over the last year, I can relay that the 21st Century Cures Act is important because of people like my constituent back home, Ellie Helton.

Ellie was a beautiful, courageous constituent of mine. She loved peanut butter cups, the color pink, and most of all her family and her friends. At about this time last year Ellie suffered from a ruptured brain aneurysm that took her life at the tender age of 14.

The 21st Century Cures Act legislation creates an accelerated process by which we discover and develop cures and treatments for patients like Ellie. This legislation is fully offset and will reduce the deficit by more than $500 million over the first decade.

Mr. Chairman, I am so proud to be a Member of Congress who is working on this legislation with all of my colleagues, and I am so proud of our chairman, FRED UPTON, for the work that he has done. This is an incredible effort, and I am so proud to be a part of it.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), who is also a healthcare professional.

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise today to speak on behalf of H.R. 6, the 21st Century Cures Act, and I salute the bipartisan authors of this bill.

I am a cosponsor of this legislation. I am proud of the many hours of work that members of the Energy and Commerce Committee have put in to find common ground. This is a real achievement. 21st Century Cures is a good bill. It has come a long way, but I lend my support with some reservations.

Despite bipartisan agreement in committee to provide robust funding for the research initiatives and policies in this bill, the bill before us shorts the NIH by over $1 billion, and these funds are the very ones that are critical for cures.

It is important that we provide the necessary support that the NIH requires to continue to be the gold standard in research and development.

While we all agree that it is important to speed up research and clinical trials to get treatments to those in need, I want to reiterate my concerns that this focus on speed should not undercut the work that so many have done for years, including many of us here in Congress, to improve diversity in research and clinical trials.

While this bill does include my provision to encourage the inclusion of children and the elderly in clinical trials, more needs to be done to ensure that women and minorities are included as well. This is an effort I led during the FDA reauthorization, and it is one that must not be undercut by the Cures effort.

Finally, I must express my disappointment that once again the House majority has decided to add language to the bill that politicizes the bipartisan effort and attacks women's personal decisionmaking.

It is a distraction from the important work that we are trying to do here, and I strongly urge my colleagues on both sides of the aisle to support the amendment to strip it.

The 21st Century Cures initiative is such an important bipartisan effort to strengthen our medical research and treatment development. It could be stronger, and I stand willing to work with my colleagues to do just that.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. LONG).

Mr. LONG. Mr. Chairman, what an accomplishment it is to have this historic legislation on the House floor.

I want to congratulate the chairman and my Energy and Commerce Committee colleagues for their hard work. We are much closer to moving American medical innovation into the 21st century. Part of that is to keep up with the ability to communicate in a modern way with patients.

As the chairman knows, I have worked very closely with him and his staff during this past year to draft language to update the Food and Drug Administration's oversight of healthcare information on the Internet, especially on social media.

Millions of people use the Internet to find critical health information on treatments and other health topics. Unfortunately, current FDA regulations do not help communicate accurate, meaningful information online about healthcare solutions, such as prescription drugs and medical devices.

There is enormous potential to improve American lives if we can get the FDA to write workable rules and guidance to communicate information where people's attention is focused.

After all, the FDA itself regularly turns to the Internet to announce its activities and inform the public, presumably in a safe and informative way.

I have legislation to do this, and I hope to continue working with the chairman to modernize healthcare communications and, thus, help improve the lives of all Americans.

I look forward to continuing to work with the chairman on the 21st Century Cures to make sure this monumental bill ultimately meets the President's pen and is signed into law.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, I rise today in favor of H.R. 6.

By encouraging innovation and providing more resources for groundbreaking research, we can provide a better future for our children and our grandchildren.

America has a rich history of scientific discovery, from putting a man on the Moon to finding a cure for polio. With the right focus, we can do the same in finding cures for devastating diseases, like cancer and Alzheimer's.

I want to thank Chairman UPTON for his commitment to making Alzheimer's one of the neurological diseases on which the CDC will collect data. 21st Century Cures will improve the lives of all Americans by bringing research from the lab to our families.

I thank the chairman, the committee, and the staff for all of their dedicated work on this.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Indiana (Mrs. BROOKS), a member of the Health Subcommittee.

Mrs. BROOKS of Indiana. Mr. Chairman, I rise today to express my wholehearted support for the 21st Century Cures initiative. This legislation will change lives, and it will save lives.

When Chairman UPTON and Congresswoman DEGETTE introduced this bipartisan initiative, they promised it would be different. They used words like ''bold,'' ''transformative,'' ''profound,'' and ''hope.'' They promised hope, and they promised to change lives. Thankfully, they have delivered on these promises and then some.

21st Century Cures will profoundly transform our Nation's ability to discover, develop, and deliver the cures of tomorrow. It will change and even save lives, lives like that of Fifth District constituent Teresa Altemeyer, who has a form of chronic leukemia.

21st Century Cures can make all of the difference. She recently told me, as one of the many hundreds of thousands of patients living with chronic lingering cancer, ''I am always looking forward to the future for the next therapy that can either hold off my cancer or potentially cure it, and in the past the wait for these medications has been excruciatingly slow.''

Tomorrow I will be missing the funeral of a dear friend, Judy Warren, who died on Sunday from pancreatic cancer. She would have wanted me to be here tomorrow, voting on this bill. It couldn't save her, but it can save Teresa and many others.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the ranking member for yielding.

Mr. Chairman, this legislation, I believe, as Mr. LANCE stated, is proof that we can accomplish great things when we put aside partisanship and unite around a common goal.

To that end, I want to thank all of my wonderful colleagues here today who have worked on this thing for so long. I am new to the committee, and coming into this and being able to be a part of this is really a great honor for me.

□ 1845

I want to thank the chair and the ranking member also for my provision to extend and expand the prior authorization program for prior mobility devices in this bill, providing certainty to Medicare beneficiaries that these critical devices will, in fact, be covered.

I am also excited about the NIH innovation fund, which entails mandatory funding, as was mentioned earlier, and will support scientists like those working at the University of Iowa.

As a result, we will have more groundbreaking advances like the University of Iowa researchers' discovery of a biomarker that could lead to early detection for the risk of preeclampsia in pregnant women, a discovery that could save countless lives.

While I am disappointed that the NIH funding was cut from $10 billion to $8.75 billion, I am hopeful that we can restore this amount as the process moves forward.

Finally, I am really happy that we finally have gotten to a point in this body, at least on this legislation, where we can think longer term and not just short term, not just about the costs for this program this year or even for the next 5 years, but think about all the savings that this will entail down the road as well, something that really happens far too often, I think, in this body and over in the Senate as well.

I thank my colleagues for their work on this issue. I am really very pleased to be a part of the process. Thank you for having me as a member of that committee and to be a part of the process.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from New

York (Mr. COLLINS), a member of the committee.

Mr. COLLINS of New York. Mr. Chair, I rise today in support of H.R. 6, the 21st Century Cures Act. This legislation will modernize and advance our healthcare system to help the millions of Americans battling rare diseases. It increases funding for NIH grants used by scientists at world class universities like those in my district in Buffalo and Rochester, New York.

H.R. 6 streamlines the drug approval process at the FDA, helping get new drugs to market faster. Patients are demanding a fresh approach to drug approval and biomedical research. This legislation provides America's medical innovators the guidance they need to lead a new age of medical innovations.

I want to thank Chairman UPTON and my colleagues on the Committee on Energy and Commerce for their dedication to this cause. I am proud of the work we have accomplished, and I am confident that this legislation accomplishes our goal of incentivizing innovation and defeating disease.

Mr. UPTON. Mr. Chair, I yield 1 minute to another gentleman from New York (Mr. GIBSON), who again had a very positive impact on the legislation that was bipartisan as a part of this bill.

Mr. GIBSON. Mr. Chairman, I rise in support of H.R. 6 on behalf of the many Americans who have been impacted by Lyme disease and other tickborne diseases. Lyme disease is rapidly becoming a public health scourge in the U.S. We simply need to do better at prevention, diagnosis, and treatment.

H.R. 6 includes the text of the Tick-Borne Disease Research Accountability and Transparency Act, which is a truly constituent-driven effort and represents a significant step forward in bringing solutions for our chronic Lyme sufferers.

I would like to thank the physicians, the patient advocates, and researchers that helped in this process, including Dr. Richard Horowitz, Pat Smith, David Roth, Jill and Ira Auerbach, Holly Ahern, Chris Fisk, and other Lyme advocates across the nation, including Representative CHRIS SMITH of New Jersey and my coauthor and friend, Representative JOE COURTNEY of Connecticut.

Finally, I would like to thank Chairman UPTON, Ranking Members PALLONE and DEGETTE, and their dedicated committee staff for working tirelessly to include members' input and manage an open, bipartisan process for this important legislation.

I urge my colleagues to support this bill.

Mr. PALLONE. Mr. Chairman, how much time remains on each side?

The CHAIR. The gentleman from New Jersey has 11 minutes remaining. The gentleman from Michigan has 14½ minutes remaining.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chair, I rise today to support the 21st Century Cures Act and thank the chairman and the Committee on Energy and Commerce to keep America at the forefront of medical innovation by removing barriers that prevent development and delivery of life-improving therapies.

However, this is not only an issue of keeping America competitive; it is a moral issue. The greatest physician in history said in Matthew: ''Whatever you did for one of the least of these brothers and sisters of mine, you did for me.''

I want to share the story of Brennan Simkins, who was diagnosed with childhood cancer. Brennan has had over four stem cell transplants. He is still living today, and he is the student of my wife, who is teaching him piano.

He is truly a miracle and a blessing to us, but he still requires medications. There are medications out there which are caught up in bureaucratic red tape. By passing this bill, we can help patients and families across the country, like Brennan Simkins, get access to the medicines of tomorrow.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. I yield the gentleman an additional 30 seconds.

Mr. ALLEN. I urge my colleagues to support H.R. 6.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Mr. Chair, I appreciate the gentleman from New Jersey yielding some time.

Tomorrow, the House will vote on the 21st Century Cures Act, legislation that will advance medical research at the FDA and the NIH to lead new treatment for cures for countless people. This is necessary.

However, what is not necessary is the dangerous language that Republican leadership quietly tucked in the bill that blocks access to reproductive care. This is unacceptable.

As a member of the Pro-Choice Caucus, I oppose this and other attempts to expand restrictions on reproductive care. We cannot allow this type of antichoice language to keep appearing in what is otherwise important legislation.

Today, it is in legislation to further medical research. Before, it was in legislation to fund community health centers and to protect victims of trafficking. Allowing this policy to move forward will move women's health care backward. We cannot allow these attacks to continue.

Representatives LEE, CLARKE, and SCHAKOWSKY have offered an amendment to strike this destructive antichoice language. Today, I offer them my strong support.

I urge my colleagues to vote in favor of their amendment and to also insist that we need to stop injecting the Hyde language into parts of law it doesn't belong.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chair, I rise today in support of the 21st Century Cures Act. This bill is a bold proposal that would accelerate our scientists' ability to develop lifesaving cures. Our need for action is now. Currently, more than 10,000 known diseases exist in the world; however, we only have treatments for approximately 500.

In my district of southern California, 4-year-old Callan Mullins was born with a severe congenital heart defect. He has undergone four open heart surgeries, suffered numerous strokes, been diagnosed with cerebral palsy; and at the age of 3, doctors delivered the heartbreaking news that he had a brain tumor.

Callan is a fighter and a survivor, but his parents are still seeking answers and medical breakthroughs to ensure that he can live life to its fullest. The Cures Act would offer hope to the millions of Americans like Callan battling devastating illnesses.

I thank Chairman FRED UPTON for his tireless work on this bill. I urge my colleagues to stand with me as we pave the way for lifesaving treatments and cures.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time to close.

Before conclusion of debate, Mr. Chairman, let me just take a minute to recognize Chairman UPTON and Representative DEGETTE for their steadfast dedication to this bill.

This bill would not have been possible without their work for so many years, beginning when they had these forums where they heard from patients and the advocacy groups around the country.

The process that they used to actually obtain information that became the basis for this bill was really unusual and was very, I would say, populist and grassroots in a way that I think I would like to see emulated in the future because it was so successful.

It is further proof, I think, also that when we want to work together to achieve great things, we are capable. I know it hasn't always been easy, and the staff has had to work around the clock and on weekends and during holidays since January, but this is a good bill that I am proud to support.

I just want to thank not only the members, but also the staff of Chairman UPTON and Chairman PITTS. That is Gary Andres, Clay Alspach, John Stone, Carly McWilliams, Paul Eddatel, Robert Horne, Joan Hillebrands, Katie Novaria, Adrianna Simonelli, and Heidi Stirrup.

Let me also thank Representative DEGETTE for her work, her staff as well: Lisa Cohen, Rachel Stauffer, and Elizabeth Farrar; Mr. GREEN's staff: Kristen O'Neill; and, of course, my staff: Jeff Carroll, Tiffany Guarascio, Kim Trzeciak, Eric Flamm, Rachel Pryor, Waverly Gordon, and Arielle Woronoff.

Let me just say this: Obviously, I urge support for this legislation. I hope

that we get a huge vote, but I think the biggest satisfaction that I am going to get when this passes and we work to get it passed in the Senate and to the President's desk is that every Member of Congress knows that, when we go home, there are always events with various advocacy groups.

I think, of course, of the pancreatic cancer group because my mom died of pancreatic cancer about 5 years ago, 7 months after she was diagnosed, which is actually a long time. Many people die within 6 weeks or 2 months after diagnosis because the diagnosis takes so long and occurs too late, effectively.

You go to these various events that the groups have. Sometimes, it is a run; or it is a walk. DIANA DEGETTE mentioned ALS. I went to an ALS walk, I think, about 3 or 4 weeks ago.

The typical response—and I am thinking of this last ALS walk—is that someone will come up to you and say: Why aren't you doing enough to find a cure? Why aren't you spending more money? Why aren't you prioritizing this disease? Why is it so difficult to have a clinical trial or to get involved in a clinical trial?

For 20 years, most of the time, when somebody has brought that up, I haven't really had an easy response because, for many of the diseases, there hasn't been really much progress at all.

Now, the biggest satisfaction I am going to have—and I have already had it over the last few weeks—is when I go back and I go to one of these events and one of the patients or advocate representatives says to me: Well, what are you doing about this?

I will be able to say: Well, we have a bill called 21st Century Cures, and it does a lot of things that could make a difference in terms of what your concerns are.

That, to me, is the greatest satisfaction, really, of our being able to pass this bill tomorrow.

I would urge support on a bipartisan basis.

I yield back the balance of my time.

Mr. UPTON. Mr. Chair, if I might ask, how much time do I have remaining?

The CHAIR. The gentleman from Michigan has 12½ minutes remaining.

Mr. UPTON. I yield myself the balance of the time to close. I won't use 12½ minutes, I don't think.

Mr. Chair, I appreciate you being here tonight and the Members, knowing that we are going to debate a number of amendments and vote on final passage tomorrow morning.

We have all thanked a lot of people here, a lot of great staff, terrific staff, a lot of good Members. I am not sure anyone has actually thanked the leadership on both sides.

I want to thank JOHN BOEHNER, the Speaker, not only for giving us H.R. 6, but his strong support all the way; KEVIN MCCARTHY, our majority leader; STEVE SCALISE, our whip; CATHY MCMORRIS RODGERS, our conference chair; and on the Democratic side, too, NANCY PELOSI, former Speaker, has been terrific; STENY HOYER has been in the trenches every day on this issue, came and participated in our very first roundtable more than a year ago to see this bill move forward. It is, indeed, a bipartisan bill.

Every one of us here, as we think about the 434 of us here in the House, every one of us has taken a different path to get here. We each represent diverse districts, and despite our differences geographically and politically, whether we have an R or a D next to our name, I daresay that there is one thread that indeed binds us all.

We are all here to improve the lives of our friends, our neighbors, and our family members at home.

□ 1900

This is Brooke and Brielle. I am in the middle. So look at just Brooke and Brielle. They and so many of our friends, neighbors, and family members are why we are here today. These two little girls from my district in Michigan are bravely battling SMA. They are two of the brightest stars that I know.

Our 21st Century Cures effort seeks to capture just a sliver of the hope and optimism that countless patients like Brooke and Brielle exude, despite insurmountable odds.

A year and a half ago, we had an idea. We sat down, Republicans and Democrats, and it was time for Congress to do something positive to boost research and innovation and deliver real hope for more cures by expediting the approval of drugs and devices. That is what this bill does.

We traveled the country. We had probably 40 or 50 different roundtable and subcommittee hearings all over the place, and we appreciated Republican and Democratic participation. We visited with patients, researchers, innovators, and health experts from across the health spectrum. We listened, and we put pen to paper, and then we listened some more. And that is why we are here today.

There is not a single person in this Chamber or watching at home tonight who has not been touched by disease in some way, and it is about time that we actually do something about it.

So as we begin debate on this landmark bill, I can't help but think of the patients who are sitting across from their doctors right now about to get news that certainly is going to change their world.

It is not just the disease that makes them feel powerless and vulnerable. The very system designed to help them has not kept pace with scientific advances. They need the next generation of treatment and cures, but they don't have until the next generation to wait.

They aren't interested in debating why the timelines, the failure rates, the size and the costs of conducting clinical trials are at all-time highs. They know that, despite the promise of scientific breakthroughs, they can't get the therapy that might save them. That is why we need this bill.

We have all said too many early good-byes—too many—and we have seen families robbed of a parent that is never going to get to see their child's milestones, like not see them walk down the aisle, maybe not see a graduation, maybe not see a career, maybe not see them raise a family of their own, and we have seen children that are born without the gift of a future. Life is not always fair. We know that, but we have got to try and do better.

The last century and the century before it brought just remarkable medical breakthroughs. From x rays and anesthesia to pacemakers and transplants, the tools to diagnose and treat patients have been transformed over and over and over again; yet for every single disease that we defeat, every condition we cure, there are thousands more still plaguing our people. Of the 10,000 known diseases, 7,000 of which are rare, there are treatments for only 500.

The history of health innovation is indeed remarkable, but now we have got our sights set on this bill, 21st Century Cures. The bill is about making sure that our laws, regulations, and resources keep pace with scientific advances.

So what does it take to vanquish a disease? Yes, often billions of dollars, millions of hours—that is for sure—thousands of researchers, and hundreds—maybe thousands—of failed attempts can go into the development of yet just one single treatment or cure. It is daunting, it seems impossible, but still, patients like Brooke and Brielle hold out hope.

They battle through pain, transcend physical limitations, and live lives filled with joy and optimism. Our brothers and sisters, moms and dads, grandparents and friends, they all keep faith in the future, in spite of suffering. This bill, the 21st Century Cures initiative, is for them. It is for those that we lost, those who grapple with sickness today, and those who will be diagnosed tomorrow.

In this, the greatest century in the world on the greatest country on the planet, Americans deserve a system that is second to none. We can and must do better. It is about hope—hope that the burden for patients and caregivers is less tomorrow than it was yesterday—and it is about time.

So as Brooke and Brielle always say with a smile and a sparkle in their eyes, ''We can, and we will.'' The time for 21st Century Cures is now.

Please join us, Republicans and Democrats, leaders on both sides of the aisle, for the patients that we want to solve these diseases for, by supporting this bill, by working with our colleagues in the Senate, but really listening to the voices that call for us to do something well. This is it, H.R. 6. Please vote for it tomorrow.

I yield back the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Chair, I rise today in support of the 21st Century Cures

Act. I thank Chairman UPTON and my colleagues on the Energy and Commerce Committee for all the work they've done advancing this important initiative.

For the past year and a half, we have been listening to experts and patients across the country detail how we can proactively address America's growing health care needs and areas where cures and therapies are lacking.

The single best thing we can do? Make sure that our ultimate goal should not be to provide lifelong treatment, but to find life-saving cures.

It shouldn't take 15 years and billions of dollars to maybe get a new medical innovation approved. We need to remove the unnecessary barriers between Americans and life-changing innovation.

This means prioritizing resources, cutting through red tape, and empowering scientists and researchers so they can discover, develop and deliver medical breakthroughs. 21st Century Cures does this.

I'm proud to have authored six major provisions in the Cures package. These are bills that modernize HIPAA laws, accelerate the discovery of new cures, create research consortia to treat pediatric disorders, and bring our regulatory framework into the 21st century by embracing technologies that focus on patient-specific therapies and the potential for powerful indicators, like Biomarkers.

Mr. Chair, we have a unique opportunity here today. Today we are offering hope for the millions of Americans suffering from currently incurable and untreatable diseases.

Hope for the Eastern Washington dad with ALS who just wants to see his kids grow up.

Hope for the high school student with cancer waiting for the FDA to approve a clinical trial.

This is our chance to help foster an environment where innovation is accelerated, not stifled. Where discovery and high paying jobs are here in the United States, not abroad.

This is our chance to offer the promise of real solutions to the American people.

Mr. Chair, I ask my colleagues join me in taking advantage of this tremendous opportunity, and passing 21st Century Cures.

Mr. WHITFIELD. Mr. Chair, I rise today in support of H.R. 6, the 21st Century Cures Act, which will help uncover the next generation of ground-breaking cures and treatments for the thousands of diseases that currently have none. H.R. 6 will streamline the delivery process, enhance research and development, and modernize the regulatory system for approving drugs and medical devices. For patients, families, and loved ones affected by serious illnesses, this legislation offers real hope.

Last summer, I was fortunate to meet a young man named Scott Andrew Mosley who lives in my district in Henderson, Kentucky. Scott is 13 years old and was diagnosed with Duchenne's Muscular Dystrophy (DMD) at the age of 6. DMD is a recessive X-linked form of muscular dystrophy, affecting around 1 in 3,600 boys, which results in muscle degeneration and premature death.

DMD begins in the legs and over time attacks all the muscles in the body. Young Scott became unable to walk at the age of 9 because of DMD, but has never complained about the hand he has been dealt. He offers encouraging smiles to everyone he meets, despite knowing he faces a disease without a cure. Last year, a group of gentlemen in the Henderson community rallied together and volunteered to remodel and refit Scott's bedroom with his own shower and equipment necessary to transfer him from bed to bath. These gentlemen volunteered their time, talent, and money to help Scott and his family because it was the right thing to do.

Mr. Chair, as a Member of this esteemed body, I believe it is our duty and obligation to pass the 21st Century Cures Act so that people like Scott Mosley can have hope for a cure for DMD and so many other diseases. Many other Kentuckians and Americans across this country are also in need, and passing the 21st Century Cures Act will bring them hope, and it also is the right thing to do. My thoughts and prayers remain with Scott and the Mosley family, and I thank them for the opportunity to speak on their behalf.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of H.R. 6, the 21st Century Cures Act. Unanimously passed out of the House Energy and Commerce Committee with a 51–0 vote, the 21st Century Cures initiative will encourage innovation in biomedical research and development of new treatments.

With $8.75 billion in mandatory funding over the next five years delivered to the newly created National Institutes of Health and Cures Innovation Fund and $550 million for the Food and Drug Administration over the next five years, it is clear that Congress is committed to investing in health research. Developing a better system of funding towards high-risk high reward research and research by early stage investigators is crucial to finding better health outcomes. With a better focus on infectious disease, precision medicine, and biomarkers, I strongly believe that we will finally address these areas of unmet medical needs, which are often the most pervasive issues in our health system.

The modernization of clinical trials by supporting a more centralized system, moving to more adaptive clinical trial designs, and creating a national neurological disease surveillance system will help to develop better data and provide more patient success stories. The legislation also allows for better sharing of clinical trial information for researchers and scientists for more efficiency across the board. Also, the bill ensures that strategies will be developed to cast a wider net for clinical trials in order to increase minority representation.

Last October, I wrote a letter urging the White House to take into consideration UT-Southwesten's existing particle therapy research infrastructure and expertise in leading cancer treatment research in the U.S. when selecting the planning grant award recipients. The planned center would serve as a research adjunct to an independently created and funded, sustainable clinical facility for particle beam radiation therapy. Currently, the planning grant includes pilot projects that will enable a research agenda in particle beam delivery systems, dosimetry, radiation biology, and/or translational pre-clinical studies.

Mr. Chair, the advanced planning grant the UT Southwestern Medical Center received in February 2015, is exactly the type of medical and technological advancement the DFW Metroplex and country needs and is the type of federal investment we need to continue to lead the world in state-of-the-art medical research. Not only is this grant a major advancement for STEM, it is a crucial step in the right direction for cancer research and those affected by cancer here in the United States.

This legislation provides new funding opportunities for innovative cancer treatment approaches such as the development of America's first Heavy Ion Center for cancer therapy and would pave the way to keep America at the forefront of medical research and state-of-the-art cancer treatment.

While H.R. 6 contains many provisions regarding the biomedical research workforce, clinical trials, FDA improvements, I am most proud of the initiative's provisions regarding mandatory funding for the NIH and FDA. I strongly believe that the Congress has not placed enough importance on scientific research and this is a way to get us back on track. Investing in innovation will yield high rewards for the medical community, especially patients. I am proud to support H.R. 6, the 21st Century Cures Act.

The CHAIR. All time for general debate has expired.

Mr. UPTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. HARDY, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, had come to no resolution thereon.

IRANIAN NUCLEAR AGREEMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Tuesday, July 7, the Obama administration once again ignored a deadline for the Iranian Nuclear Agreement while failing to set a new date to conclude discussions on what could prove to be some of the most important diplomatic negotiations of our lifetimes.

In March of 2015, I joined 367 Members of the House in sending a letter to President Obama requesting that any agreement would be provided adequate congressional oversight and approval. This was a bipartisan effort because both Democrats and Republicans alike recognized the magnitude of the challenges we face in confronting the possibility of a nuclear Iran.

The United States must promote an agreement that first and foremost advances our national security and the security of our allies in the region. A clear indicator of future performance has always been past performance. Unfortunately, Iran has a decades-long history of obfuscation when it comes to their nuclear program.

Mr. Speaker, we must ensure that negotiations do not result in simply delaying Iran from obtaining a nuclear weapon for just a few short years but, rather, a strong deal that would prevent the current regime from ever obtaining a nuclear weapon.

Mr. Speaker, as talks continue into the weekend, I am hopeful that negotiators will remember that no deal is better than a bad deal.

CONGRESSIONAL PROGRESSIVE CAUCUS: CONFEDERATE FLAG

The SPEAKER pro tempore (Mr. HARDY). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. WATSON COLEMAN. Mr. Speaker, earlier today, the distinguished gentlewoman from California introduced a privileged resolution, not too different from the one my friend and colleague Mr. THOMPSON brought to the floor just last week. Mr. Speaker, that resolution called for the immediate removal of the Confederate battle flag from the Capitol grounds. And my colleagues across the aisle moved quickly to banish that resolution to die in committee.

Earlier today, the original home of the Confederacy argued, but agreed, that the Confederate flag and the history it represents belong in a museum. They decided that the flag should not serve as a bright, waving reminder of the discrimination and disparity of treatment for people of color that still lingers in communities across our country—hateful sentiments that resulted in the loss of nine lives at Emanuel AME Church in Charleston.

They decided that that flag should not hang high above the halls of State government, forcing all those who see it to wonder whether the emotions and ideology so closely tied to it are present in the hearts and minds of those who serve in that statehouse.

They decided that the flag had flown long enough, and that taking it down would be one small but critical step in healing the deep divisions present in their State.

They stood against the symbol of bigotry, they stood against years of complacency, and they stood for the principles of equality, justice, and unity for this Nation. They will take that flag down tomorrow.

But Republican leadership in this body refuses to do that. They took the path of cowardice and turned a blind eye to the struggles of generations of Americans. They used backhanded tactics last night to muddle the language of the Interior and Environment Appropriations bill, including language intended to satisfy Members who would rather see that flag fly.

The fallout from that language led to the disappearance of that bill from today's scheduled debate and resulted in the chairman of that subcommittee disowning the final product.

Leader PELOSI's resolution offered another opportunity for my colleagues across the aisle to stand on the right side of history, but they turned that chance down resoundingly.

Mr. Speaker, let's not mince words. While I stand with my brothers and sisters of the South, the Confederacy itself fell far below even common decency for fellow man, violating human rights and taking advantage of every part of the lives of the men and women they enslaved, sometimes for profit and sometimes purely for pleasure.

The Confederacy used extreme violence and terrorism to subjugate millions purely on the basis of the color of their skin, and started the deadliest war ever to take place on U.S. soil to defend a disgraceful system. That flag is a symbol of the Confederacy's effort to keep that system intact. That is why, Mr. Speaker, before the holiday, I stood in this very spot on the floor to denounce the hate, bigotry, malice, discrimination, and division that the Confederate flag stands for.

But I also reminded my colleagues that a symbol, while significant, is only a stand-in for something far stronger. A symbol will never have the strength of a bullet fired from the barrel of a policeman's gun at an unarmed Black man because of ingrained bias. A symbol will never have the impact of a prison sentence that permanently prevents a young person from becoming a full-fledged member of society, a fate far more likely to befall a person of color. A symbol will never eradicate Black and Latino wealth like the predatory loan structures that put their homes underwater in a recession at rates that dwarfed their White peers.

But if we are not even willing to get rid of a symbol, as this body has so clearly expressed its disinterest in doing, how can we possibly move on to the real underlying problems, issues like education for young people, affordable housing, and access and training for jobs.

Removing a symbol is an easy thing to do, an easy thing that would have signaled one country, indivisible, with liberty and justice for all.

Today, Republican Members across the aisle did more than just stand up for that symbol of hate and that symbol of degradation. These Members treated me and those issues that are vitally important and extremely sensitive to me in a manner that was both disrespectful, insensitive, and very hurtful, Mr. Speaker.

□ 1915

Nonetheless, this will not go away. We will continue to raise this issue every day that it is needed, every week that it is needed, every month that it is needed, until my colleagues can recognize that a simple act of decency, the removal of this symbol of hate and disrespect and slavery, a mark on our history that needs to be removed.

Once we do that, Mr. Speaker, once we do that simple, little thing, and that is to stand together in taking down that ugly symbol that that flag represents, then we will be able to get on with the serious and important work that needs to be done to lift up this economy on behalf of all people.

That will be education for all people, and higher education that is affordable for all people, Mr. Speaker. It will be affordable housing. It will be jobs and job training. It will be adequate preschool programs and afterschool programs. It will be recreation programs and character-building programs.

It will be safe communities. It will be equal opportunity for all because that is the country that we live in, and that is the reason that we have this Congress, and that is the reason that I am here.

I, for one, will not be silent on this issue until we see this change that the 21st century demands.

Mr. Speaker, I yield to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentlewoman from New Jersey for yielding, and I stand with her and what she has just said.

Mr. Speaker, sometimes, we forget how privileged we are, the Members of Congress, who have a chance to stand in this hallowed Chamber. We are the representatives of the people. We get elected to speak for the American people. We get elected to act on behalf of the American people.

Very few Americans, throughout the history of our country, have had an opportunity to stand right here where we are today and say that we actually can get things done, not just for the American people, for the people of the world, because there has never been a democracy like the United States of America.

There has never been a country that has had an opportunity to do so much for so many, and there has never been a democracy that has a chance to prove to the world that we know how to get this done and do it right.

Mr. Speaker, as we stand here in this Chamber, we have to admit, we have to be prepared on behalf of the American people to stand up, to step up, to do what is right, and to do what the American people expect us to do.

Now, they know we have to speak for them, but they don't want us just to talk. The time to just talk on so many issues has come and gone.

Mr. Speaker, I think the American public would agree that the time to just talk about what to do about the Confederate battle flag has come and gone. The time to just talk about what to do about the Confederate battle flag came 150 years ago when the chance to heal was upon us.

As President Lincoln said in his second inaugural address: ''With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds.''

If we needed to talk, Abraham Lincoln said it all. Lincoln wanted us to act, to move, to get things done for the American people.

The time to talk came after one after another Black church was suspiciously burned down throughout this country, and we knew something was going on.

That was the time to talk about what we needed to do.

The time to talk was before a man, driven by hate and animosity, on June 17, entered Mother Emanuel AME Church in Charleston, South Carolina, to carry out a vicious plan to start a race war—because we have seen these signs of danger growing for the disregard for life.

That would have been a time to talk and heal, before that man, crazed with hate, walked into Mother Emanuel Church; but, Mr. Speaker, after nine innocent, God-loving, God-fearing Americans were taken from their families, from their church where they were praying, from their country, the time to just talk is over.

It is time for us to step up. It is time for us to stand up because that is why we get elected, to do what the people expect us, on their behalf, to do.

320 million Americans cannot get up and say, It is time to remove the Confederate battle flag from any grounds where we reflect the governance of a democracy. They encharge us to do that, and the time to talk has ended.

When we see on the floor of the House, last night, an opportunity for the Congress to register itself and say, We hear you, America, you want us to act, and you want us to take down that Confederate battle flag in whatever symbolic way we can, including selling that symbol here in the Capitol, we had an opportunity.

In fact, we had an opportunity that was golden because it seemed like we had a bipartisan vote to do exactly that; but, in the dead of night, something happened. Some people decided to hide behind the dark cloud and change what we had just done.

When we take to the floor here, we may only be talking, but as my colleague from New Jersey said, we are going to do much more because the time to talk has just ended. It is time to act. It is time to step up.

We all have an opportunity. We all have an obligation to stand up.

Tomorrow morning, at 10, the Confederate battle flag will finally come down from above the South Carolina Capitol once and for all. Mr. Speaker, the Confederate battle flag has no place but a museum in the 21st century.

Let us all together, those of us privileged to be in this Chamber, along with our fellow Americans, forge a path forward as a Nation that celebrates our bright future, not our dark past. It is time to take the Confederate battle flag down. It is time for us to step up.

It is not a time to hide behind procedural motions, behind votes in the dead of night, and it certainly is not time for us to assemble a bipartisan group of Members to talk about what we need to do about the Confederate battle flag.

It is time to do the work of the people, and they want us to act. There should be no doubt about it. The American people are speaking very forcefully. Don't just talk; act.

Mr. Speaker, I say with great pride, having served in this Chamber for many years, I believe the people's Representatives in the people's House are getting ready to act; and no act during the dead of night, no effort to derail this effort will succeed because the people have spoken and spoken in the words of the nine people who are no longer with us.

We do it with grace, but we will do it with power because we understand this is not a time to just talk; it is a time to act—and we will act.

I thank the gentlewoman for yielding.

Mrs. WATSON COLEMAN. Representative BECERRA, thank you so much for taking your time and being here with us today, and thank you so much for your eloquent words.

Mr. Speaker, I yield to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. Mr. Speaker, I would like to also thank the gentlewoman from New Jersey for allowing me to add my voice to this discussion.

Certainly, all Americans were devastated by the brutal murder of nine people, including Senator Pinckney, while they were attending Wednesday night Bible study at Mother Emanuel AME Church in Charleston. Their killer was motivated by racism, bigotry, and even had pictures of himself displaying Confederate memorabilia.

The people of South Carolina and their political representatives have engaged in serious conversations about race, about healing, and how to deal with their State's history.

South Carolina's Governor signed a bill a few hours ago to take down that Confederate battle flag from the grounds of the State capitol where it has flown for 50 years, and as South Carolina was moving to take down that flag, some right here were moving in the opposite direction.

Earlier today, I took to this House floor to express my outrage that my friends on the other side of the aisle had offered a surprise amendment last night to allow the Confederate battle flag to be displayed in our national parks and at Federal cemeteries, just a couple of days after this body voted to remove that Confederate battle flag from our national parks.

Many of my colleagues, including those participating in this Special Order tonight, joined in speaking out; and as a result, I think we succeeded in stopping them from bringing that amendment to a vote.

We are here now because we recognize that it is not enough to keep the Confederate flag from being displayed or sold at national parks. Right now, here on the grounds of the United States Capitol, where we and our staffs work and visitors from all over come to visit, the Confederate battle flag and other images of the Confederacy are still visible; and that, we believe now, is unacceptable.

I am proud to serve in the United States House of Representatives, which is known as the people's House; yet here in the hallways of our office buildings and elsewhere in the House of Representatives, including this side of the Capitol Building, there are State flags on display which include imagery of the Confederacy.

Many of the residents of the wonderfully diverse district which I represent in California and many other Americans from all across our country find these images offensive, insulting, painful, even threatening.

If we are to truly be representative of the people and if we want the people, all of the people of this great Nation, to feel welcome and comfortable here in the people's House, then we cannot continue to have divisive symbols associated with hatred, with bigotry and oppression on public display.

Therefore, let me add my voice to those of my colleagues in calling for the removal from the House of Representatives of any flag containing any portion of that Confederate battle flag.

Mrs. WATSON COLEMAN. I thank the gentlewoman from California for sharing her wisdom with us and her encouragement.

Mr. Speaker, I really am touched by what we experienced in Charleston, South Carolina, the kind of grace and mercy that the families of those who were felled by this domestic terrorist on the church in Charleston, South Carolina.

I know that, even in this Chamber, there are friends that I have across the aisle who would gladly vote with me and vote with my colleagues to remove that flag and that imagery and that symbolism from any of our government properties if they would simply be given the chance.

In honor and respect of the loss of life and the grace and mercy and the healing and forgiveness that was demonstrated by the families of those who lost their lives in Charleston, South Carolina, and in recognition of the courageous steps that the South Carolinians did in voting to take down that flag and for the Governor to sign that and to watch, tomorrow, when history is being made, to take down that flag, I pray that our House is given the opportunity to vote our conscience because I know that I have colleagues on the other side of the aisle that feel the same way that I do, that believe in the greatness of this country and that believe in justice and liberty for all and believe that those symbols that remind us of the mistakes that we have made belong in the annals of history, to be remembered, but never to be repeated.

Mr. Speaker, I yield back the balance of my time.

□ 1930

CONFEDERATE BATTLE FLAG

The SPEAKER pro tempore (Mr. BABIN). Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized by you and address you here on the floor of the United States House of Representatives, this great deliberative body.

GENERAL LEAVE

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KING of Iowa. Mr. Speaker, I come to the floor tonight to take up a topic that I think is going to be of interest to all Americans, but I can't dive into that topic immediately without first referencing my reaction to these long days of debate that have taken place here in Congress about opening up a subject that had been put away by this country since about 1865.

I grew up as a Yankee well north of the Mason-Dixon line. I saw the Confederate flag in multiple applications. It always was a symbol of southern pride and regional patriotism and a symbol that said to them that the South was proud to be the South, but I never saw it as a racist symbol.

But it had drifted into a symbol of an artifact of history until such time now as it has been seized upon by those who are using it to divide America again.

I regret that they have gone through these days of this ritual of excoriating the Confederate flag. I regret that that has been brought up. And one would think that, if it was that offensive, that they would just let it drift back into history as a relic of history rather than try to resurrect it as a symbol of something that they can't seem to let go of.

But, for us, we are a country that every component of our history has not been as noble as we would like. Every country in the world has had difficulties along the way. We have risen above our difficulties, Mr. Speaker, and we have adjusted to them and have put them behind us.

But we cannot be eradicating or erasing the history of our country. It is important that we do keep it in front of us so that we can evaluate the lessons learned and move forward and make progress. That was the reconstruction era. That goes clear back to right after 1865, and I regret that those old wounds have been peeled open again.

It is ironic that the gentleman would talk about President Lincoln's second Inaugural Address and binding up this Nation's wounds. They have been bound up. They have been healed up. And now they are open again, regretfully, Mr. Speaker. So I will package up that component of my response.

THE SUPREME COURT

Mr. KING of Iowa. I will now shift over to the topic that I came to the floor to address, and that is the topic of the Supreme Court from the marriage decision, the decisions that actually came down from the Supreme Court—I believe it was a week ago last Thursday and Friday.

On Thursday, there was a decision from the Supreme Court on ObamaCare, the King v. Burwell case, where the majority decision of the Supreme Court concluded that the law, as passed by the United States Congress, doesn't mean what it says.

It means instead, according to the majority of the Supreme Court, what they think the President would have liked to have had it said if he had actually been dictating the language there.

But we have to vote, Mr. Speaker, on the language that is in the bill, not the language that should have been in the head of the President and the Speaker of the House at the time.

That is why we have had a Supreme Court who, over the last generation, has been textualist. This has emerged from the Rehnquist court and should have survived and been enhanced under the Roberts court, that the law means what it says and the Constitution means what it says and, furthermore, it needs to mean what it was understood to mean at the time of ratification.

We do have a language that moves and changes and morphs along the way. And the language that is written into the Constitution, into the various amendments that are there and written into our laws, we can't simply say that because we have a different way we utilize language today, that somehow the people who ratified it had a meaning that conformed to the morphed language of the modern world. And I would have thought that Chief Justice Roberts would have been one of those who would have adhered to that.

I can think of times when the Court has said to this Congress: You may have intended one thing, but the language in the bill that you passed and was signed into law actually means something different. So you can either live with the decision of the Court or you can set about changing the language so that the language actually does what you intended it to do. It is a simple understanding of simple construction under the law in the Constitution.

An example, Mr. Speaker, would be the ban on partial birth abortion that passed here in this Congress in the nineties. It went before three Federal courts and then was appealed to the Supreme Court.

And the Supreme Court concluded that the ban on partial birth abortion that Congress had first passed was vague in its description of the act itself and that Congress didn't have findings that partial birth abortion was not necessary to save the life of the mother.

So it was struck down by the Supreme Court, and that means they sent it back to us. They said: Congress, fix that. And I got involved in that.

I want to tip my hat to Congressmen STEVE CHABOT of Ohio, who was the chairman of the Constitution Subcommittee at the time, and JIM SENSENBRENNER, the chair of the full Judiciary Committee. We held hearing after hearing. We rewrote the definition of ''partial birth abortion'' so that it was precise and clear and understandable, and we complied with the Court's directive.

In those hearings, we brought witnesses that put into the CONGRESSIONAL RECORD a mass of evidence that concluded that a partial birth abortion was never necessary to save the life of the mother. We did those things to conform to the directive of the Supreme Court because they read the text of the law.

But today we have a Supreme Court that concludes that—well, the text may say one thing, but we think the President would have preferred it to say something else. And so did most of the people, maybe, that voted to pass ObamaCare, that very partisan piece of legislation. Maybe they intended for it to say something else, too, but it didn't.

So the Supreme Court inserted the words ''or Federal Government'' into the statute that said an exchange established by the State. The Supreme Court essentially wrote into that ''by State or Federal Government,'' alleging that the language was vague.

That is appalling to me, Mr. Speaker, to think that in the United States of America, a country ruled by the rule of law, that we could have a Supreme Court who—no one has a higher charge to read the language, to understand it, to call the balls and strikes, as the Chief Justice has said.

I think he forgot to say that you are supposed to also call whether it is fair or foul. Well, I think it is foul. It is a foul ball for the Supreme Court to think that they can change the language of the law.

If they sent it back here, Congress then had an obligation to adjust the policy to our intent from now, maybe not the intent at the time that it was passed, because those years have moved.

Then subsequent to that, the very next day, Friday—a week ago last Friday, as I recall—the Supreme Court came with a decision, a decision on same sex marriage. I have some experience with this, Mr. Speaker, and it falls along this line.

In 2009, the Iowa Supreme Court, in reading the mirror of our 14th Amendment, which is in our United States Constitution—and the mirror of it is written into the Iowa State Constitution—they concluded that same-sex marriage was the law of the land in Iowa. And their conclusion was that it fell underneath the equal protection and due process clauses of the 14th Amendment—the mirrored component of the 14th Amendment that was in our Iowa constitution.

There are 63 pages in the Varnum v. Brien decision in the Iowa case. I read that decision. I read all 63 pages. But

not only that, I poked through it. I read it. I looked at the ceiling. I contemplated. I looked back down at the words. I tried to absorb the kind of legal rationale that would get you to the point where you could conclude that under equal protection or due process, that marriage really was between one adult and another entity, whatever sex or gender that entity might be. And they wrote that under the protection of the 14th Amendment, the Equal Protection Clause and due process, that, quote, homosexuals have a right to public affirmation, closed quote.

Mr. Speaker, I know of no place in law, I know of no place in society, I know of no place in history where there is an individual, let alone a group of people, a self-labeled group of people that have any claim to public affirmation, public approval conferred by the court. But that was the key to understanding this litigation that has moved forward since 2009.

It brings us into 2015. And we have a decision in the Supreme Court that commands all States, if they are going to recognize any marriage, to recognize same sex marriage and for all States to also provide the reciprocity of recognizing marriages that take place in other States, as those individuals may come through or move into their States. That is that right of reciprocity. It is in the Constitution, reciprocity.

But, Mr. Speaker, for the Supreme Court to essentially create a new right, a right to same sex marriage manufactured out of the 14th Amendment of the Constitution of the United States, that was ratified in 1868—and, by the way, it ties into this dialogue about the Confederate flag and all the rhetoric that we have had in this Congress all week long. It ties into it in this way:

The 13th and 14th Amendments to the Constitution were ratified in the aftermath of the Civil War. They were established, first, the 13th Amendment, to free the slaves because the people in the legislature at the time didn't believe that a clear statute that freed the slaves was going to actually have the impact that a constitutional amendment would. So they passed the 13th Amendment to establish that there will be no slavery in the United States anywhere, ever.

The second was the 14th Amendment, the Equal Protection Clause and the Due Process Clause and the clause says that all persons born in the United States and subject to the jurisdiction thereof shall be American citizens. All of that to ensure not only that the freed slaves would be free and they would have equal access to all their rights of citizenship but that their children would also be citizens and that they would have equal protection under the law. That was the essence of the 14th Amendment.

We are asked to believe that somehow those who wrote and ratified the 14th Amendment in 1868 had secretly put some subtle language into it that they somehow knew we would discover in 2015 that says, there shall be same sex marriage in all of America, and the Supreme Court will find it, and they will impose it upon the rest of the country because they are the enlightened five of nine in black robes.

Well, the Supreme Court has had a terrible record, a terrible record on dealing with large domestic issues. In 1857, Dred Scott, they thought they could resolve the slavery issue. The Supreme Court was stacked in favor of the South. Five from the South and one from Pennsylvania that was sympathetic to slavery. They had a 6–3 operation going on. And they essentially declared that blacks could not be citizens, and they could not be free. They could not be citizens, and they could not be freed by States. And that if a slave owner owned a slave, they owned that slave in any State that that individual might go. That was the decision of Dred Scott.

They thought they had put the issue away. It came back to haunt this country over and over again. And it was part of the conflict that began in the next decade, within 1862, and that brought about the death of 600,000 Americans and split this country apart and it has taken years to put us back together. The Dred Scott decision.

Fast forward 100 years. They took prayer out of the public schools. We honored that decision. We stopped praying at least openly in our public schools. Now the question is: Can a football team without the coach kneel on the grass and pray before a ball game?

We are a First Amendment country. Freedom of religion. And we are dealing with this kind of assault on free religion because the Supreme Court in Murray v. Curlett in 1963 dumped that on us; 1973, Roe v. Wade and Doe v. Bolton. Then you have the Lawrence v. Texas decision.

□ 1945

And it goes on and on and on, Mr. Speaker. Up to this point, the domestic life of America has been dramatically transformed by order of the Supreme Court, the people least connected to the will of the people. When they separate themselves from the text of the statute and the text in the understanding of the Constitution, we are in a place where the Supreme Court then has put themselves above the law, above the Constitution, and above the will of the people.

One of the people that understands that as well as anybody in this United States Congress is my friend from Texas, Mr. LOUIE GOHMERT, who speaks to us often in these Chambers. I know about his marriage, and I know about his conviction to the rule of law and the Constitution.

I yield to the gentleman from Texas, LOUIE GOHMERT.

Mr. GOHMERT. I am very grateful for my very dear friend—not just friend, but dear friend—from Iowa, and I am pleased that he would take the time to talk about this. He is making some great points.

The Dred Scott decision, if you really look at it, was decided by a majority who had great aspirations that the media was going to love what they did. Instead of looking at the words of the Constitution and applying those words, they were playing to the elite media, and the elite media was completely wrong. Slavery was the worst abomination and blot on this Nation's history, and it is tragic that the Supreme Court played an active role in that.

It is tragic that in the seventies, as you pointed out, from the sixties, the seventies, the Roe v. Wade, the Supreme Court has contributed to tens of millions of murders—tragic. But I guess as a former judge and a former chief justice, nothing infuriates me more than for a judge or justice to believe that they are completely above the law. I know what it is to recuse myself. I know what it is for judges who are friends of mine who had strong feelings about a case, but they knew that they would not be fair and impartial and so they had to recuse or disqualify themselves.

With regard to marriage, we had one Justice, Sonia Sotomayor, who has made comments indicating a massive question over her impartiality. But if you take two Justices about which there is no question, they were totally disqualified. They were very partial, and they were opinionated. Going into this opinion, they had long since made up their minds.

In fact, one columnist reported on the last marriage, a same-sex marriage, that Justice Ginsburg performed. She emphasized the word ''Constitution'' when she said, ''I now pronounce these two men married by the powers vested in me by the Constitution of the United States.'' That is a Justice who was completely disqualified.

Do you wonder, well, what actually disqualifies a judge? The law is very clear about that, and Congress does have the authority to dictate the terms by which a judge may sit on the Supreme Court or may sit on a particular case. This law, 28 U.S.C. 455 (a) part—(b) gets into a number of different options—in (a) there is no option. This is an emphatic requirement for a Justice.

We know that Justice Kagan had performed a same-sex marriage before this opinion. So we had two Justices who, under the laws of the United States as allowed by the United States Constitution's clear reading, were disqualified. They were lawbreakers in order to dictate legislation on a social issue over which they have no authority by virtue of the Constitution and the 10th Amendment. Yet they violated the law, they violated the Constitution, and they violated their oath.

It is dishonorable to be a justice in any court and violate your oath, violate the law, and violate the Constitution. But the law is wanting to assure

the American people that we are going to be so far above question that not only do you have to disqualify yourself if you are partial, you are biased, you are prejudiced in a case, but ''if your impartiality might reasonably be questioned'' is the language, then you have to. It is a ''shall.'' You shall disqualify yourself.

Mr. Speaker, two Justices violated the law, violated the Constitution, violated their oath, were dishonorable, and dictated law they have no business dictating.

There is just one final point I would like to make, and I brought this up on C–SPAN yesterday, but I have been giving it some thought. What would be a good way to really get a grip on what nature would indicate? And my friend knows I was there in Iowa with him after that ridiculous decision by the Iowa Supreme Court and the three judges that were up for retention that year were eliminated, as they should have been. But having read that Iowa decision back then, I was amazed that the Iowa Supreme Court said this is a no evidence matter.

We have different standards: substantial evidence, beyond a reasonable doubt, and preponderance of the evidence.

They said this is a no evidence issue. There is no evidence of any kind from any source to indicate a preference for marriage between a man and a woman as opposed to marriage between two men or two women.

I think it is a very important point to say, well, I would be willing to put up everything I will make for the rest of my life, that it would go in to a bet, because I have that much faith in what Moses said and what Jesus said.

Moses said that this is from God, that a marriage is when a man shall leave his father and mother and a woman leave her home and the two will become one flesh. That is a marriage. Jesus repeated: You know the law. Moses give you the law. Here is the law.

And He repeated the very words of Moses, and then He added a line and said: What God has joined together, let no man pull apart.

So I have such faith in the words of Moses and Jesus, I would be willing to stake anything I make the rest of my life that my kids would otherwise get that we could take four couples of man and woman as Moses and Jesus said and find a place that we could place them where they are isolated but they have everything they need to live and have a good, full life, and then take another place, an island or such, and put four couples of men, all men that love each other, and put them in such an isolated island situation where they have everything they need to be comfortable and live, and then have an island where we have four couples of women that love each other, they are going to stay together. And then let's come back however many years you want to wait to come back, at least 25, and you could go 200 years, and let's go back and see what nature has to say about which couple it prefers to sustain a civilization. Which couple is preferred by nature? You and I believe nature is God, as the Founders did. Which one is preferred? And I am willing to bet everything that I make the rest of my life that in those situations where just nature has to take its course, the couples of man and woman will be the one that proliferates and continues to exist and live on to produce further generations.

Mr. Speaker, I think that is what the people of Iowa found so offensive that they had judges that were so completely ignorant of nature and nature's God that they could say that there is no evidence in nature or anywhere else to indicate a preference for a couple between a man and a woman.

I know people have raised issues, but you need to be able to see someone you love in the hospital, you bet. We ought to make sure State legislatures fix that problem. If you love somebody, they are your partner, you care about them and they care about you, you don't want to just stalk anybody you want, but if there is a mutual love, admiration, and respect, you ought to be able to see them in a hospital. You ought to be able to transfer property and leave property. We ought to be able to address those things in the law.

But when it comes to the building block for future generations and future civilizations, I can promise you that if it is not built on couples that are man and woman, as Moses and Jesus said, then that civilization will not endure. It is just the law of nature.

I love the people of Iowa. I love the fact that they came out and let it be known that these judges who were educated far beyond their intellectual capability needed to step down because the people of Iowa could figure out that there was evidence to support marriage being between a man and a woman.

So I appreciate the time the gentleman has yielded to me. Thank you for continuing to stand for what is right, even when we have Supreme Court Justices that violate the law, the Constitution, and their oath.

Mr. KING of Iowa. Mr. Speaker, reclaiming my time, I thank the gentleman from Texas. I appreciate his presentation here tonight and the many times and many hours that he has spent on the floor. I also would say for the record that the gentleman from Texas, Judge LOUIE GOHMERT, who had the temptation to legislate as a judge and understood constitutionally how to go about that, resigned his seat as a judge and ran for the United States Congress because he is, at heart, a legislator with a deep respect and appreciation for the rule of law, the statutory construction, and the Constitution itself.

Congressman GOHMERT did come to Iowa and rode the judge bus. We traveled around from town to town and gave speech after speech. There were some folks to greet us there that weren't very happy with our presence. I don't think their mothers were very proud of them, Mr. Speaker, but I think Louie's mother can be very proud of him.

I look across the Midwest, in the heart of the heartland, and you can't think about the heart of the heartland without thinking of Kansas. I know the gentleman that represents the vast reaches of the western at least two-thirds of Kansas, if not more, has arrived here tonight, and he has demonstrated his faith and his commitment to family in a lot of ways. I have been able to see that.

Mr. Speaker, I am happy to yield to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I appreciate the opportunity to visit tonight about a very radical decision. I appreciate the discussion of my colleagues from Texas and Iowa outlining some of the background.

I was born in 1968, and what this Court would have us believe is that 100 years before I was born, somehow secretly written into this constitutional Amendment was language that invalidated laws in every State of the Union at that time. They want us to believe the authors of this constitutional Amendment, the 14th Amendment, violated their own State laws at the time and just didn't know it. That is silly. That is utter nonsense. And only if you lived in Washington, D.C., in some bubble and spent your weekends or your summers vacationing in Western Europe, not in western Kansas where I am from, could you dream up somehow the Constitution dictated that you would overrule, override, undo—this is five unelected black robe attorneys that are going to dictate to 50 million Americans that you are wrong on the definition of marriage. You are wrong. 2,000 years of human history is wrong. The authors of the 14th Amendment were wrong, and 31 States are wrong. Let me go through that. We are talking about dozens and dozens of States that adopted by a vote of the people.

Again, let's roll back 2 years ago in the Winter decision. This same Court, the exact same Court, said: Do you know what? It is up to the States to decide.

They actually declared themselves wrong 2 years previous to that and set to deny the vote, the right to vote to short-circuit the democratic process. Now recognize, folks have strong opinions.

□ 2000

Even the President of the United States—President Obama and I both agree on this point; there are strong opinions on both sides, but what is happening here is the folks that can't win in the State of Kansas, can't win in 30 other States, have decided that they are going to try to find five people, five people to overrule 50 million.

Let me give you an example. My home State of Kansas, when we passed our Kansas marriage amendment, which I was proud to be the author of, 417,675 men and women voted to declare that marriage is only between a man and a woman. Five lawyers across the street said, You are all wrong—every one of them.

You go to the State of California, in 2008, 7,001,084 Californians were declared to be wrong by five people across the street, five people who have already fled town. They have left town. They won't even stay here; they don't even show up in public. They go behind closed doors, make up their mind, come out, and rule.

This is exactly what our Founders were afraid of with judicial tyranny of folks trying to dictate, to mandate, take their personal biases, and mandate them on California, mandate them—let me pick a State at random—the State of Maine, 300,848 folks in Maine. How about in Alaska? 152,965 people that these 5 people said were wrong.

Total across the entire Nation, there were 51,483,777 people that this court, these 5 people, not the entire court, 5 people decided you 51,483,777 people, you are wrong. Those five were wrong 2 years ago—or at least one of them was wrong. They changed their mind 2 years ago.

If you look at the Holy Father's latest encyclical that has been much discussed, it talks about the rule of law and how if you start violating laws that becomes a pattern—and here, we have a pattern of this Court deciding to ignore the clear Constitution and decide to impose their biases.

As I understand, the dissent was frightening. This is not only imposing their biases against traditional marriage; these five people don't like marriage as 51 million Americans understand that.

In the dissent, it talked about not only that, they have opened the door to plural unions; and it is coming. They referenced a Court case. This is where this Court is headed, and it is totally out of step, not only with 51 million Americans, but with their own Court decision 2 years ago, but also with the whole idea of our Constitution, that somehow it is living and breathing and then five people.

I mean, this is the same margin by which we have had atrocious decisions throughout history of this country. You go not far from this—and my colleague from Iowa knows this—you go not far from here, you go down, I think it is a floor down, where you had a decision by the same U.S. Supreme Court, just a few different folks, decided certain people didn't have rights and made a decision, an atrocious decision. They were wrong. I think the Court is wrong today.

Again, the idea that somehow they know better is the elitism that I think is driving folks crazy, and it is not just on this issue. My colleague from Iowa has pointed out, again and again, it is concerns about immigration, it is concerns about education, it is concerns about spending, about overregulation where you have folks inside a bubble in Washington, D.C., they read every week.

Every day, I guess, they read the New York Times and think they are doing a great job; they read The Washington Post, but they don't read and listen to real Americans. Again, they travel and vacation in western Europe.

Many times, we see them using Court decisions in the arguments that have no basis not only in our jurisprudence, but in our history and are using that which is outside—I have never served in the U.S. Senate; I probably never will, and I have no desire to do that, but I have got to wonder, when each of these five that decided to overrule 51 million, did anybody ask them: Do you think you are smarter than the rest of America? Did anybody ask them?

Actually, when they did ask them, they said: We can't tell you how we are going to rule.

There is no doubt that at least four, perhaps five, of these judges, these attorneys, these lawyers made up their mind before they got the case and said: This is the decision. Here is what we want to reach. Here is the outcome. Let's make something up so we can at least claim there is an argument.

There is no logical argument; there is no legal argument. All there is, is the utter power, the claim that we get to dictate what the rest of America will accept.

As a pro-life American as well, we have to go 42 years ago. A court tried to do the same thing. And at that time, in '73, and I am guessing January 24, 1973, I was a little tyke. Thank goodness I was born before the Roe v. Wade generation. I saw some of those folks run around today, claiming they were part of that generation.

Part of that generation, one-third of those are gone. At that time, the Court said they were going to impose abortion on all of America through all 9 months. Do you know what, they walked away and said: We got it all done.

What they found out is the American people are resilient. When they see outrageous decisions like this, it might take them weeks, it might take them months, it might take them a year, it might take them decades, but they will be pushing back. They will be pushing back and demanding that, when you put your thumb into the eye of 51 million Americans, you put your thumb in the eye of 2,000 years of history, you put your thumb in the eye of millions of millions of children that deserve a dad and a mom, a married dad and a mom, and say: Do you know what, you don't count; you don't count.

That is what this Court is saying. We spend billions of dollars every year trying to replace a mom and a dad. Here we are today because of five people across the street—again, five people deciding for the rest of us. This was not interpretation of the Constitution; this was just utter legal nonsense.

There are two ways to respond to this. One is a Federal marriage amendment. I have introduced that a couple sessions in a row. That is the way you amend the Constitution. The way the left amends the Constitution is they get five votes.

Folks have been worried about a constitutional convention; and I always joke that, well, they have one every time they issue a ruling. This one was a constitutional convention, utter legal fiction and nonsense. They know it; they all know this.

They are probably drinking cocktails tonight, laughing about our comments on the floor saying: Well, yeah, everybody knows that.

So we are just under some fiction. We are trying to figure out, okay, here is the decision we want; here is how we get there. A Federal marriage amendment is one option, but that is difficult.

A second one that we have to worry about—and it was noted in the oral arguments, it was noted in the opinion of the majority and the minority, because of this decision, mark my words, mark the words of the dissenters—is they will use this decision to attack religious liberties of Americans who still believe, 51 million and plenty of others, that marriage is between a man and a woman.

They are not going to stop. Ten years ago, they said they would stop at civil unions. That was all they wanted; then, well, maybe want something else. Now, it is not only do they want marriage, the next one will be to say, if you disagree with me, you not only have to bake a cake, you have to participate in other ceremonies in other ways. It goes on and on.

That is why I have introduced, along with others, the First Amendment Defense Act, which I call upon those who believe in marriage, and even if you don't believe in marriage but believe in the supremacy of the American people rather than five attorneys, we bring that to the floor and defend the rights and liberties of Americans and the thousands, perhaps tens of thousands, perhaps millions of churches that say, Do you know what, we don't agree with that, and we will not have the Federal Government imposing their way—these five people.

Now, I am just one. We got 435 in this body, 100 in the other body, and the Court just said: Do you know what, that doesn't matter.

That is the definition of tyranny, and from tyranny, good things do not come. Our Founders understood that.

When you consolidate power—and as my colleague said: What difference does Congress make anymore?

The decision the day before suggested they get to rewrite the law, and the marriage decision was they get to rewrite the Constitution. This is a fundamental decision on the history of our

country, the history of our Constitution, where the future goes, and the history for and the future for our children.

I appreciate my colleague from Iowa, his efforts for many years. I will not apologize on behalf of 417,675 Kansans who voted for marriage. If those five Justices are asking them to apologize, they will not. They will continue to defend God's lawful marriage, and they will do that proudly and will continue to defend the State, and our U.S. Congress should do the same.

I appreciate my colleague from Iowa's leadership. These are one of these things that it is not easy.

Congressman, I appreciate your leadership on this and not giving up for the right thing.

Mr. KING of Iowa. I thank the gentleman from Kansas, but I would ask if he will yield to a question before he retires.

You mention your constitutional amendment to preserve marriage between a man and a woman. I would ask if you would be prepared to, if you can, from memory, quote that into the RECORD here tonight.

Mr. HUELSKAMP. I am not prepared to quote it. I know what the vote was.

Mr. KING of Iowa. The essence of it, if you could?

Mr. HUELSKAMP. The essence is marriage is reserved between one man and one woman. It is a very simple definition, a very historical definition, and it was adopted by 417,675.

Do you know what was interesting? I never once told the State of Kansas that, if five people wanted it, that was the rule of law in Kansas—no. We had to go through an open process, have the debate, have the campaign, get it through the legislature.

We tried 2 years in a row; it didn't happen. Finally, in 2005, it got on the ballot. It went up. Everybody had their up and down American experiment of democracy and decided.

I will tell you at the time—and Steve understands this, my Congressman—that people said: We don't need to do that. The Court would never overrule that. There is nowhere that is in the Constitution.

It is very clear; marriage is between a man and a woman. That is the thing, marriage predates government. No matter what these five unelected lawyers appointed for life—with full benefits, I might add, and health care—outside of ObamaCare, that is another issue—no matter what they say, they are not changing what a marriage is.

Mr. KING of Iowa. I would like to reiterate this point that as you debated this in Kansas, I am one of the authors of the Iowa's Defense of Marriage Act. Ours says differently than I think all the other States.

All the other States say marriage is between one man and one woman. I insisted that the language say between one male and one female because I didn't want to be in a debate about what a man was and what a woman was.

I didn't know that, within the last couple of months, we would be having that debate nationally, but I think our debate is more specific—however, overruled by the Supreme Court of the State of Iowa.

I didn't get around to mentioning that we voted three of those justices off the bench, swept them off. There were only three up for retention ballot in 2010. We voted them all off of the bench.

I still ask this question, which is, as precise as our language is, I could not divine any right to same-sex marriage in the Constitution, not in the 14th Amendment, not in the Iowa Constitution that is mirrored to the 14th Amendment; but the Supreme Court found it anyway.

Is it beyond the realm of possibility that, if your amendment becomes incorporated into our Constitution that a more liberal court, or this Court itself, might find a way to rationalize their way around no matter how we write it?

Mr. HUELSKAMP. That is absolutely true. I mean, where can they end up?

Again, when it becomes an issue of bias, and our colleague from Texas talked about that, two justices that clearly demonstrated bias in the State of Kansas, that would be a basis for not ruling on the case and perhaps not even being on a court.

I mean, those are illegal. I am not an attorney, but we recognize that would be highly unethical in the State of Kansas, but apparently, that is the way you get things done nationally, to impose your will.

One thing that, again, I mention in passing that we can't forget is what this does for our children, what this does for our children by attempting to fundamentally destroy and redefine marriage.

I have been asked: Well, how does it affect your marriage?

When you make marriage anything, you devalue what really is marriage. The last thing we need to be doing in this society is devaluing families, devaluing marriage, and attacking the basis of our society. Our Founders understood that.

I don't know what these Justices, what their history was growing up, what led them to change their mind and impose that on the rest of America; but that is why our Founders said: Here is the Constitution. You can interpret it, but you shall go no further.

Mr. KING of Iowa. They understand that in Kansas, they understand that in Iowa, and I suspect they understand that in Florida.

As I look over, I see the gentleman from Florida—I am looking at two doctors here—the gentleman from Florida (Mr. YOHO).

I thank the gentleman from Kansas for coming down tonight, as well as the gentlemen from Florida and Texas, and the other folks that might show up.

Mr. Chairman, I am happy to yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I thank my colleague from Iowa, Kansas, and Texas for coming down here to share your thoughts on this important item.

Mr. HUELSKAMP, you brought up about diluting the institution of marriage, and if we keep going down this path, it will be worth nothing.

If we keep diluting the value of our money, it is worth nothing; and if we keep diluting the value of the things that have made our society great, the nucleus family, if we keep doing that, it becomes more washed out.

□ 2015

Roughly 2 weeks ago the Supreme Court's 5–4 decision on Obergefell v. Hodges demonstrated yet again the highest court in the land legislating from the bench.

The ruling was disappointing not only for the fact that the court had not four States to redefine marriage, but even more so because it removes millions of American from the democratic process of choosing for themselves who and what defines marriage.

I personally and millions—you brought up 51 million—hold a traditional view of marriage between one man and one woman. And I am proud to say that I have been married to my wife Carolyn for over 40 years. God bless her because we know that is a tough job.

However, the Constitution grants people, the voters, the ability to decide whether or not to recognize same-sex marriage.

Chief Justice Roberts in his dissent made a valid point, which I am sure is shared by many Americans. He said those who founded our country would not recognize the majority's conception of the judicial role.

And then he continued: They certainly would not have been satisfied by a system empowering judges to override policies, judgments, so long as they do so after a quiet extensive discussion.

With this type of legislation from the bench, what is the point of the States' rights. I think that is what this gets down to because 30 States wanted to define and have the right, according to the 10th Amendment, that it is a State's rights issue.

If you live in that State and they decide what marriage is and you don't like it, you have the freedom to move or challenge us through the State system.

I think it is a sad day in America when we have to, as a country, redefine who we are as a Nation, we have to redefine what marriage is, an institution that has been around and ordained by God for over thousands of years, 2,000-years plus, to come down to this point in our society.

We have got a book that we have lived by, and I am going to hold this up for the viewers. This is, in total, the Declaration of Independence and the Constitution. And you can see it is a very thin book. It is not epic in volume, but, yet, it is an epic in ideology

of what a nation stands for, a nation of laws.

We have the three branches of government. I have been up here for 2½ years, and what I hear over and over again is we are in a constitutional crisis.

And being in Congress for the last 2½ years, I see a lot of dysfunctionality. And if we don't do our job, you get other branches of government fulfilling that job and overstepping their boundaries.

I agree with Justice Antonin Scalia when he stated in his dissent: A system of government that makes the people subordinate to a committee of nonelected lawyers does not deserve to be called a democracy.

Wow. Those are powerful words. A system of government that makes the people subordinate to a committee of nine unelected lawyers does not deserve to be called a democracy.

We cannot allow our Constitution to be eroded, and I will continue to fight for the States' rights and stop this continued Federal power grab.

I look at Justice Roberts, some of the dissension in his ruling, and Roberts forcibly criticized the majority: Sidestepping the democratic process and declaring that same-sex couples have the right to marry when, in his view, such a right has no basis in the Constitution. The court's decision, he complained, orders the transformation of a social institution that has formed the basis of human societies for millennia.

We are redefining that.

And then he goes on to the Kalahari bushmen and to the Han Chinese, the Carthaginians, and the Aztecs. Just who, Roberts laments, do we think we are?

The other three justices echoed Roberts' sentiment, sometimes in even more strident terms.

Justice Scalia characterized the decision as a judicial putsch and suggested that, before he signed on to an opinion like the majority, I would hide my head in a bag. This is from our Supreme Court justices.

I think it is a sad state of affairs that, in the three branches of government, that we are out of balance.

We, as Member of Congress, are the most powerful branch. It is the way our Founders set our country up. It is the longest living democracy and constitutional free republic in the world. The reason for that is the checks and balances.

I would like, Mr. Speaker, to say to you and to my colleagues that our three branches of government are seriously out of balance.

And at times during human history, when the government oversteps its boundaries, whether in total or in the different branches, and they overstep the boundaries of the Constitution, it is not only our duty, but it is our responsibility as Americans and as the people's House in the United States of Congress to stand up and rein in government and hold those other branches accountable.

I look forward to working with my colleagues on the House floor to make sure that we are the ones that stand up and say: Enough is enough. We have had enough.

Mr. KING of IOWA. Mr. Speaker, I thank the fine gentleman from Florida for his presentation, his understanding of this, and his conviction on constitutional issue after constitutional issue, including reminding us this is a constitutional republic that we live in.

I would like to now recognize the husband of Roxanne Babin, the gentleman from Texas whom I get to count as a good friend here in this Congress, who has stood up on principle time and again.

Mr. Speaker, I recognize that we have 8 minutes left in our time. So we will try to judge it accordingly.

I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, I really appreciate the gentleman from Iowa and good friend. I appreciate recognizing my wife in the gallery as well.

I thank the gentleman for yielding time, and I thank him for his leadership on this very important issue.

Mr. Speaker, I stand here today deeply and bitterly disappointed and saddened by the recent actions of five unelected U.S. Supreme Court justices and their decision to defy the will of the American people and disregard the rule of law.

As a strong defender of traditional marriage and State sovereignty, I believe it is absolutely wrong that five unelected members of the U.S. Supreme Court overruled tens of millions of Americans, including many in my home State, the State of Texas, who voted to enact State statutes and State constitutional amendments to define marriage as between one man and one woman.

Under this ruling, five members of the Supreme Court invalidated the votes of over 50 million Americans. That is deeply disturbing and alarming. And the dissenting justices raised this very concern.

Traditional marriage has been under assault as courts and some state legislatures have sought to both redefine marriage as something other than between a man and a woman.

Most seriously, they are now taking action to penalize and discriminate against those who have religious and conscience convictions against the redefinition of marriage.

Over 30 States and tens of millions of Americans acted through the legislative and election process to keep marriage between one man and one woman within their respective States.

Unfortunately, various courts took it upon themselves to sidestep the democratic process and to silence those voices with their reprehensible activist decisions.

By circumventing the votes of American citizens, the Supreme Court's sweeping decision now sets the Government on a collision course with religious freedoms guaranteed in the First Amendment of the United States Constitution.

Americans with religious conviction will now be forced into a position of great uncertainty. If their religious beliefs conflict with same-sex marriage, they may lose their business license and they could be subjected to prosecution or even litigation.

Some are even calling for ending tax exemption status for any church or religious organization that opposes same-sex marriage. This is alarming and it demands action.

We have seen the attacks led by IRS bureaucrats like Lois Lerner on conservative groups in the past, and we can expect the same under these discussions. As elected leaders, we cannot and must not back down.

We have an obligation to fight for the religious protection of our constituencies against such judicial activism and the consequences that will come from it. I have met with local pastors in Texas over the past few weeks, and they are very, very concerned about this ruling.

Congress wants to take immediate action to restore each States' ability to determine their own marriage laws and to protect individuals and institutions with deeply held religious convictions regarding traditional marriage to ensure that they do not face discrimination because of these convictions.

As an unwavering advocate for protecting the traditional marriage, I strongly support and have cosponsored a constitutional amendment to define marriage as between one man and one woman.

We should also pass the First Amendment Defense Act to protect churches, Christian schools and colleges and business owners from being coerced by the government to act against their religious convictions in regards to acceptance of same-sex marriage.

In the 36th Congressional District of Texas, where I have spent my entire life, people are very distressed over the Supreme Court's redefinition of marriage and its impact on their ability to freely practice their faith. They realize, as do I, that, under the Supreme Court's decision, things are going to get worse as this collision course is set in motion.

We will see more lawsuits spring up that challenge the faith of average American families who hold their beliefs dearly, as well as their churches, schools, and charities.

Under such uncertainty, I stand in strong solidarity with my constituents, our local and State leaders, and the like-minded colleagues that I have had the great privilege of listening to tonight and having your time yielded to me. I serve with you folks in Congress that we will never back down on this issue.

I will work tirelessly on all fronts to defend traditional marriage and the

protection of religious liberties granted under our U.S. Constitution.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas, and I appreciate very much his commitment to many causes, especially this cause.

I recognize the gentleman from California that has arrived, and I point out that we are down to 3 minutes.

I yield to the gentleman from California (Mr. LAMALFA) to hear what he might have to say about this topic.

Mr. LAMALFA. Mr. Speaker, I appreciate my colleague from Iowa. Thank you for a little bit of time on this.

It is indeed something I know a lot of people are grieving over with the Supreme Court decision, first on the morality issue.

Those of us that believe in the Bible, that believe in God, feel that the Bible is pretty clear on this subject of homosexuality and the application of marriage.

But even more so, beyond that, it is a choice. People can choose to follow that path of biblical values or they can choose not. They will make that decision, and they will be held accountable for that decision one way or the other.

So what I am looking at is that the court, in this ruling, has usurped the process of the American people in the legislative process and replaced it with the opinions of five court members.

Where that ruling was on Friday, the following Monday, the court upheld that the people would draw their own lines in Arizona and, by extension, California.

So the people's voice is heard on district lines as seen by the court, but the people's voice is ignored when California passed two different initiatives to uphold marriage.

So there is not even consistency on the court on what the Constitution is supposed to mean on the people's voice, and that is very troublesome.

It indicates to me that we are not far from a constitutional crisis with the way this court usurps the people's voice and the legislative process.

So I appreciate the time from the gentleman here tonight. Thank you for your leadership on this important issue.

Mr. KING of Iowa. Mr. Speaker, we have heard from a list of solid constitutionalists here this evening that are not only committed to their oath to support and defend the Constitution, but, also, each committed to their own marriage throughout these years that, if we added them up, it is well over a century of us together. Marilyn and I are 43 years.

I am steeped in the Constitution and the rule of law. I have great respect for the Supreme Court of United States, but I have greater respect for the supreme law of the land, which is the Constitution of the United States.

If the law doesn't mean what it says and if the Constitution can have divined within it certain rights that are imagined only by this court and not imagined by the people that ratified the very language that they are ruling upon, then what have we come to?

I believe that this decision, this Obergefell v. Hodges decision on marriage, right behind the decision of King v. Burwell—that, if the court continues down this path, Mr. Speaker, they will render our Constitution an artifact of history and this country will not respect a court that doesn't respect the language and the text of the Constitution.

□ 2030

We are here to reject and criticize the decision of the Supreme Court that imposes same-sex marriage on all of America and requires each of the States to recognize with reciprocity those marriages. That is a decision this Congress couldn't make for the American people, and it is a decision that should be left up to the States.

Mr. Speaker, I will submit that I am one who is prepared to support the simple elimination of civil marriage because this government has gotten into it so far that holy matrimony will not be protected from the further litigation in this Court unless we separate it from civil marriage itself.

The next litigation that comes will be that that sues our priests and our pastors to command them to conduct same-sex marriages at their altars, and that is where the First Amendment freedom of religion comes into conflict with the distorted view of the 14th Amendment which is part of this Obergefell, and that, Mr. Speaker, will be a constitutional crisis.

I yield back the balance of my time.

A MATTER OF HISTORY

The SPEAKER pro tempore (Mr. RUSSELL). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I heard earlier discussions from my friends—and I literally mean that, friends; I am not being sarcastic, they are friends—talking about the shootings. It sounds like they were certainly racist shootings in South Carolina when an evil man shot brothers and sisters of mine as fellow Christians.

Now there is this big race to go after the Confederate flag. So, Mr. Speaker, I saw this article by Daniel Greenfield and felt like this was worth noting, historically, information that Mr. GREENfield has published this month. Just touching on parts of the article—I started to say "he," but it says "Daniel." Maybe it is a man, maybe it isn't. I don't want to be biased based on a name.

But anyway, in his article he says, talking about President Obama: "When Obama condemned Christianity for the Crusades, only a thousand years too late, in attendance was the Foreign Minister of Sudan, a country that practices slavery and genocide. President Obama could have taken time out from his rigorous denunciation of the Middle Ages to speak truth to the emissary of a Muslim Brotherhood regime whose leader is wanted by the International Criminal Court for crimes against humanity, but our moral liberals spend too much time romanticizing actual slaver cultures.

"It's a lot easier for our President to get in his million-dollar Cadillac with 5-inch thick bulletproof windows, a ride Boss Hogg could only envy"—Boss Hogg being a reference to the name of the show "Dukes of Hazzard"—"and chase down a couple of good ole boys than it is to condemn a culture that committed genocide in our own time, not in 1099, and that keeps slaves today, not in 1815.

"Even while the Duke boys"—again, references to "Dukes of Hazzard"—"the Duke boys were chased through Georgia, President Obama appeared at an Iftar dinner, an event at which Muslims emulate Mohammed, who had more slaves than Robert E. Lee. There are no slaves in Arlington House today, but in the heartlands of Islam, from Saudi mansions to ISIS dungeons, there are still slaves, laboring, beaten, bought, sold, raped, and disposed of in Mohammed's name.

"Slavery does not exist under the Confederate flag eagerly being pulled down. It does exist under the black and green flags of Islam rising over mosques in Iraq, Saudi Arabia, and America today.

"In our incredibly tolerant culture, it has become politically incorrect to watch the General Lee"—talking about a car—"jump a fence or a barn, but paying tribute to the culture that sent the slaves here and that still practices slavery is the culturally sensitive thing to do. In 2015, slavery is no longer freedom, but it certainly is tolerance."

The article goes on: "Slavery was an indigenous African and Middle Eastern practice, not to mention an indigenous practice in America among indigenous cultures."

The author here is talking about, for those who don't understand indigenous cultures, he is talking about Native Americans. There were Native Americans that had slaves, just like in Africa and Middle Eastern practices.

The article goes on: "If justice demands that we pull down the Confederate flag everywhere, even from the top of the orange car sailing through the air in the freeze frame of an old television show, then what possible justification is there for all the faux Aztec knickknacks? Even the worst Southern plantation owners didn't tear out the hearts of their slaves on top of pyramids."

This is a reference that obviously in history we understand Aztecs did pull out hearts of slaves that they sacrificed on top of pyramids.

Anyway, the article says: "The romanticization of Aztec brutality plays a crucial role in the mythology of Mexican nationalist groups like La

Raza promoting the Reconquista of America today.''

I wasn't aware of that, but the article says: ''Black nationalists romanticize the slave-holding civilization of Egypt despite the fact that the narrative of the liberation of the Hebrew slaves from bondage played a crucial role in the end of slavery in America. The endless stories about the 'Amazons' of the African kingdom of Dahomey neatly fit into the leftist myth of a peaceful matriarchal Africa disrupted by European colonialism, but Dahomey ran on slavery.

''The 'Amazons' helped capture slaves for the Atlantic slave trade. White and Black liberals are romanticizing the very culture that captured and sold their forefathers into slavery. 'In Dahomey,' the first major mainstream Black musical was about African Americans moving to Dahomey. By then, the French had taken over old Dahomey and together with the British had put an end to the slave trade.

''The French dismantled the 'Amazons' and freed many of Dahomey's slaves only for the idiot descendants of both groups to romanticize the last noble stand of Dahomey fighting for the right to export Black slaves to Cuba and condemn the European liberators who put a stop to that atrocity.

''If we crack down on romanticizing Dixie, how can we possibly justify romanticizing Dahomey or the Aztecs or Mohammed?

''If slavery and racism are wrong,'' which clearly they are, the article says. ''If slavery and racism are wrong, then they are wrong across the board . . . Dahomey and Mohammed had bought, sold, and killed enough Black lives to be frowned upon.

''If we go back far enough in time, most cultures kept slaves. The Romans and Greeks certainly did. That's why the meaningful standard is not whether a culture ever had slaves, but whether it has slaves today. If we are going to eradicate the symbols of every culture that ever traded in slaves, there will be few cultural symbols that will escape unscathed. But the academics who insist on cultural relativism in 19th century Africa reject it in 19th century South Carolina, thereby revealing their own racism.

''And so instead of fighting actual modern-day slavery in Africa and the Middle East, social justice warriors are swarming to invade Hazzard County.

''Most of the cultures of the past that we admire, respect, and even romanticize had slaves, but when we look back at their achievements and even try to forge some connection to them, it does not have to mean an endorsement of their worst habits. This is a concept that liberals understood but that leftists reject.

''The recent hysteria reminds us that the nuanced reason of the former has been replaced by the irrational, destructive impulses of the latter. The left is so obsessed with creating utopias of the future that, like the Taliban or ISIS, it destroys the relics of past societies that do not measure up to its impossible standards. And then it replaces them with imaginary utopias of the past that never existed.

''As Ben Carson pointed out, we will not get rid of racism by banning the Confederate flag. Even when it is used at its worst by the likes of Dylann Storm Roof, it is a symptom, not the problem. Roof was not radicalized by the dead Confederacy, but by the racial tensions kicked off''—I am not sure I want to say that.

But, anyway, interesting take, but all of this talk about eliminating any references or uses of things that remind us of the horrors, the abomination that slavery was in the United States should be eliminated. That is what we are hearing.

And so, Mr. Speaker, in thinking about that—and the suggestion was made by my friend, another judge from Texas, Judge CARTER, so I had to go look it up. I think there is an entity that was so evil in supporting slavery, in fighting against civil rights, in fighting against the Christian brother that Martin Luther King, Jr., was, fighting against those who wanted equality that the Constitution guaranteed, we ought to look at those symbols, and we ought to look at what they stood for and perhaps ban any political organization from participating in Congress for upholding the abomination that slavery was to this country.

So I was able to get a copy of this platform, this political platform from 1856. This is the number one plank in the platform of this hideous political organization, and this is what they believed and they asserted.

□ 2045

I am reading from the number one plank in their party platform: ''That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution''—then, here it goes—''that all efforts of the abolitionists, or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.''

That was the official number one plank in this hideous political organization's platform from 1856.

They go on. Here is number three: ''That by the uniform application of this Democratic principle to the organization of territories, and to the admission of new States, with or without domestic slavery, as they may elect—the equal rights, of all the States will be preserved intact.''

They are saying they want to preserve slavery in any State that wants to have it.

They finish up by saying: ''Resolved, That we recognize the right of the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery.''

It sounds like something the Ku Klux Klan would have done. They are demanding that they have the right to have slavery, the worst abomination in the history of America, that even Thomas Jefferson put in his original draft of the Declaration of Independence that it was a horrible grievance against the King of England for allowing slavery, this horrible abomination, from ever starting in America.

Well, they didn't learn their lesson. This hideous political organization's platform in 1860 said they were adopting all the things that they had said in 1856 about the right to keep this heinous, offensive slavery intact.

They include this, though, additionally in their platform of 1860: ''Resolved, That the enactment of the State Legislatures to defeat the faithful execution of the Fugitive Slave Law, are hostile in character, subversive of the Constitution, and revolutionary in their effect.''

They want to make it clear that not only were they avid supporters of slavery in America, but that it was their right to own people in America. This disgusting political organization also found the fugitive slave law to be, as they say, hostile in character, subversive of the Constitution.

Again, this sounds like something from the Ku Klux Klan. Will we want the Ku Klux Klan participating here on the floor when this is their history? It is the worst abomination.

The horrors of slavery finally were overcome, largely by abolitionist churches and pastors, people who believed that it had to stop, that people couldn't be treating brothers and sisters in such a way.

It took the life work and even laying down of the life of Martin Luther King, Jr., to push us to the level where brothers and sisters, as he was in Christ, could treat brothers and sisters as equal people. That is where we should have been all along. It is where he was pushing us to be against the hideous type things from 1856 and 1860.

If we are going to eliminate everything that reminds us of a hideous past that supported slavery and the oppression, the horrors that slavery entailed—breaking up of families, molestations, the beatings, just the horrors—John Quincy Adams was right. God could not continue to bless America while we were treating brothers and sisters by putting them in chains and bondage.

He was right. So many abolitionists were right. Daniel Webster was right.

Republicans that stood up to these hideous political organizations were right. There should be no place for slavery in America.

If we are going to have a complete cleansing of this country of anything, any symbol, then this platform from the Democratic Party in 1856 and 1860—and it wasn't the Ku Klux Klan; it sounded like it, and there were a lot of Democrats who were members of the Ku Klux Klan. I don't know that you can find Republicans that were members of the Ku Klux Klan, but there were certainly plenty of Democrats that were.

I think it is time not for the Washington Redskins to change their name, but for the Democratic Party to change its name because all you have to do is go online and look up the history of the Democratic Party. It is one of oppressing African Americans. It is one of supporting slavery and the horrors that occurred in the United States, even up through the 20th century on into the 1860s.

I think we had a Democratic Senator who was a member of the Ku Klux Klan. I think he has got a lot of things named after him. I hope that my friends who will ultimately want to change the name of the Democratic Party because of its horrible history will also want to change the names of things that were named after somebody that was a big supporter of the Ku Klux Klan.

The fact is the families of the victims in Charleston, South Carolina—brothers and sisters in Christ, for those of us who are Christians—wow, did they send a powerful message. I didn't see or hear them demanding the Confederate flag be taken down. I heard them forgive the one—the evil, horrible person—that committed such a vile act on people at a prayer meeting, of all things.

They showed the kind of love Jesus showed, the kind of love that was embodied by Father Damien, whose statue is right down at the southern entrance of this building beneath us right now. The plaque on his statue—God forgive anybody who would ever want to change this, because it is so powerful—are the words of Jesus in John 15:13: ''Greater love hath no man than this, that a man lay down his life for his friends.''

Jesus did that; Father Damien did that; Martin Luther King, Jr., did that—many have so that we could have the freedoms we have today, many of our American military forces have, not just for your freedom, but freedom around the world.

Let's recognize the good with which we have been blessed. Let's stop the name calling, the race baiting, the division politics. Let's fuss and disagree over issues, but let's quit trying to tear this country apart because of things of the past in which not one person in this room would have taken part in.

Let's work together. Fuss, disagree, push for what we believe is best for the country, but let's stop the race baiting because, if we are really going to go there, we have got to end the Democratic Party. Its history is so interwoven with starting, keeping, trying to push slavery on beyond anything that it should have been through.

We don't need to end the Democratic Party. We just need to work together in the present. That doesn't mean we can't disagree. We do all the time. Let's stop the race baiting. Let's look at the example of the victims' families in Charleston, South Carolina, and say: Wow, there are incredible believers and followers of Jesus Christ. That is somebody we can emulate.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of attending a funeral in district.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 9, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 91. To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

H.R. 891. To designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. To designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. To designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

H.R. 728. To designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 56 minutes p.m.), the House adjourned until tomorrow, Friday, July 10, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2103. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Report to Congress entitled ''Corrosion Policy and Oversight Budget Materials for FY 2016'', pursuant to 10 U.S.C. 2228; to the Committee on Armed Services.

2104. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Tioga County, PA, et al.); [Docket ID: FEMA-2015-0001] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2105. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Title V Operating Permit Program Revision; Pennsylvania [EPA-R03-OAR-2015-0119; FRL-9930-30-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2106. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determination of Attainment of the 2006 24-Hour Fine Particulate Standard for the Liberty-Clairton Nonattainment Area [EPA-R03-OAR-2015-0175; FRL-9930-23-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2107. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Kansas; Update to Materials Incorporated by Reference [EPA-R07-OAR-2015-0104; FRL-9926-48-Region 7] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2108. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2015-0345; FRL-9929-58-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2109. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California

SIP, Ventura & Eastern Kern Air Pollution Control Districts; Permit Exemptions [EPA-R09-OAR-2015-0082; FRL-9929-64-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2110. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2014-0841; FRL-9929-60-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2111. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Preconstruction Requirements — Nonattainment New Source Review [EPA-R03-OAR-2014-0833; FRL-9930-31-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2112. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Johnstown Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard [EPA-R03-OAR-2014-0902; FRL-9930-24-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2113. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Submit a Section 110 State Implementation Plan for Interstate Transport for the 2008 National Ambient Air Quality Standards for Ozone [EPA-HQ-OAR-2012-0943; FRL-9930-25-OAR] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2114. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Low Emissions Vehicle Program Revisions [EPA-R03-OAR-2015-0214; FRL-9930-35-Region 3] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2115. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final amendments — National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants [EPA-HQ-OAR-2011-0817; FRL-9927-62-OAR] (RIN: 2060-AQ93) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2116. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the Particulate Matter Less than 2.5 Micrometers (PM2.5) Prevention of Significant Deterioration (PSD) Permitting Program State Implementation Plan (SIP) [EPA-R06-OAR-2014-0626; FRL-9930-27-Region 6] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2117. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Lead and Ozone [EPA-R09-OAR-2015-0297; FRL-9930-28-Region 9] received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2118. A letter from the Executive Director, Patient-Centered Outcomes Research Institute, transmitting the FY 2014 Annual Report of the Institute, pursuant to 42 U.S.C. 1320e; Public Law 111-148, Sec. 1181(d)(10); to the Committee on Energy and Commerce.

2119. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a list of international agreements other than treaties entered into by the United States to be transmitted to Congress within sixty days, in accordance with the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2120. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of February 1, 2015 through March 31, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

2121. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

2122. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's annual report prepared in accordance with Sec. 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

2123. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2124. A letter from the Chairman and President, Export-Import Bank, transmitting a copy of the semi-annual report to Congress from the Office of Inspector General of the Export-Import Bank of the United States for the period ending March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

2125. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the Federal Home Loan Bank of San Francisco's 2014 management report and financial statements, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2126. A letter from the Executive Director, United States Consumer Product Safety Commission, transmitting the Commission's 2013 annual report to the President and Congress, pursuant to Sec. 27(j) of the Consumer Product Safety Act and Sec. 209 of the Consumer Product Safety Improvement Act of 2008; to the Committee on Oversight and Government Reform.

2127. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120328229-4949-02] (RIN: 0648-XD973) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2128. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the Council's 2014 annual report of an independent auditor, pursuant to 36 U.S.C. 10101(b)(1) and 150909; to the Committee on the Judiciary.

2129. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Microloan Program Expanded Eligibility and Other Program Changes [Docket No.: SBA-2013-0002] (RIN: 3245-AG53) received July 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Small Business.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CRENSHAW: Committee on Appropriations. H.R. 2995. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–194). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD:

H.R. 2990. A bill to provide for the conduct of demonstration projects to test the effectiveness of subsidized employment for TANF recipients; to the Committee on Ways and Means.

By Mr. RENACCI (for himself, Mr. TIBERI, Mr. RYAN of Ohio, and Mr. KILMER):

H.R. 2991. A bill to encourage States to engage more TANF recipients in activities leading to employment and self-sufficiency, and to simplify State administration of TANF work requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. HAHN):

H.R. 2992. A bill to award a Congressional Gold Medal, collectively, to the U.S. Merchant Marine of World War II, in recognition of their dedicated and vital service during World War II; to the Committee on Financial Services.

By Ms. MATSUI:

H.R. 2993. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize funding for water recycling projects in areas experiencing severe, extreme, or exceptional drought, and

for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Mr. PERLMUTTER, Ms. TSONGAS, Mr. FATTAH, Ms. ESTY, Mr. YARMUTH, Mr. HIMES, Mr. SWALWELL of California, Ms. NORTON, Mr. VAN HOLLEN, Mrs. NAPOLITANO, Ms. CLARK of Massachusetts, Mr. BLUMENAUER, Mr. ELLISON, Ms. MATSUI, Ms. EDWARDS, Mr. QUIGLEY, Ms. LEE, and Mrs. CAPPS):

H.R. 2994. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 2996. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish wildfire on Federal lands as a major disaster; to the Committee on Transportation and Infrastructure.

By Mr. ROSS (for himself, Mr. CLEAVER, Mr. HIMES, and Mr. DELANEY):

H.R. 2997. A bill to authorize the Secretary of Housing and Urban Development to carry out a demonstration program to enter into budget-neutral, performance-based contracts for energy and water conservation improvements for multifamily residential units; to the Committee on Financial Services.

By Mr. FINCHER (for himself, Mr. STIVERS, Mr. TIBERI, Mr. ROE of Tennessee, Mr. FOSTER, Mr. ISRAEL, Mr. ROYCE, and Mrs. BLACKBURN):

H.R. 2998. A bill to reform uniformity and reciprocity among States that license insurance claims adjusters and to facilitate prompt and efficient adjusting of insurance claims, and for other purposes; to the Committee on Financial Services.

By Mr. TAKANO:

H.R. 2999. A bill to amend title 38, United States Code, to improve the authority of the Secretary of Veterans Affairs to suspend and remove employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety; to the Committee on Veterans' Affairs.

By Mr. CARTWRIGHT (for himself, Mr. CUMMINGS, and Mr. HANNA):

H.R. 3000. A bill to require the Administrator for General Services to obtain an antivirus product to make available to Federal agencies in order to provide the product to individuals whose personally identifiable information may have been compromised; to the Committee on Oversight and Government Reform.

By Mr. WELCH (for himself, Mr. GIBSON, and Mr. CARTWRIGHT):

H.R. 3001. A bill to authorizing certain long-term contracts for Federal purchases of energy; to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA:

H.R. 3002. A bill to prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BUSTOS (for herself, Mrs. KIRKPATRICK, Ms. KELLY of Illinois, Ms. EDWARDS, and Mr. QUIGLEY):

H.R. 3003. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit for hiring individuals who are veterans or members of the Ready Reserve or National Guard, to make permanent the work opportunity credit, and to expand and make permanent the employer wage credit for employees who are active duty members of the uniformed services; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 3004. A bill to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. CARSON of Indiana):

H.R. 3005. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 3006. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLEGO (for himself, Ms. LEE, Ms. NORTON, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. WALZ, Mrs. BEATTY, Mr. CARTWRIGHT, Mr. SERRANO, Ms. SCHAKOWSKY, and Mr. CLAY):

H.R. 3007. A bill to amend title 38, United States Code, to prohibit the display of the Confederate battle flag in national cemeteries; to the Committee on Veterans' Affairs.

By Mr. HONDA (for himself and Mr. COLE):

H.R. 3008. A bill to authorize the Secretary of Education to award grants to promote civic learning and engagement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUNTER (for himself, Mr. SALMON, Mr. FRANKS of Arizona, Mr. BUCK, Mr. GROTHMAN, Mr. MICA, Mr. LAMALFA, Mr. DUNCAN of South Carolina, Mr. COLLINS of Georgia, Mr. BABIN, Mr. CALVERT, Mr. BENISHEK, Mr. JONES, Mr. WOODALL, Mr. GOSAR, Mr. YOHO, and Mr. WEBER of Texas):

H.R. 3009. A bill to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration; to the Committee on the Judiciary.

By Mr. REICHERT:

H.R. 3010. A bill to prohibit assistance provided under the program of block grants to States for temporary assistance for needy families from being accessed through the use of an electronic benefit transfer card at any store that offers marijuana for sale; to the Committee on Ways and Means.

By Mr. SALMON (for himself, Mr. SESSIONS, Mr. WEBER of Texas, Mr. ZINKE, Mr. FRANKS of Arizona, Mr. BRIDENSTINE, Mr. LAMBORN, Mr. CLAWSON of Florida, Mr. ZELDIN, Mr. GOSAR, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. MARINO, Mr. ROSS, Mr. CALVERT, Mr. JODY B. HICE of Georgia, Mr. BRAT, Mr. MARCHANT, Mr. BLUM, Mr. BROOKS of Alabama, Mr. BABIN, Mr. PALMER, Mr. JONES, and Mr. YOHO):

H.R. 3011. A bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed; to the Committee on the Judiciary.

By Mr. SALMON (for himself, Mr. STUTZMAN, and Mr. GOSAR):

H.R. 3012. A bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Ms. MAXINE WATERS of California, and Mr. REED):

H.R. 3013. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. WILLIAMS, Mr. GOHMERT, Mr. BARTON, Mr. SAM JOHNSON of Texas, Mr. ROONEY of Florida, Mr. FLORES, Mr. MARCHANT, Mr. STIVERS, Mr. WEBER of Texas, Mr. CULBERSON, Mr. OLSON, Mr. BABIN, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. REICHERT, Mr. FINCHER, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. BUCSHON, Mr. TOM PRICE of Georgia, Mr. HOLDING, Mrs. WAGNER, and Mr. ROTHFUS):

H.R. 3014. A bill to amend the Controlled Substances Act to authorize physicians, pursuant to an agreement with the Attorney General, to transport controlled substances from a practice setting to another practice setting or to a disaster area; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself, Mr. GUTHRIE, Mr. BARR, Mr. MCKINLEY, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. LONG, and Mr. ROGERS of Kentucky):

H.R. 3015. A bill to require the Administrator of the Environmental Protection Agency to primarily consider, and to separately report, the domestic benefits of any rule that addresses emissions of carbon dioxide from any existing source, new source, modified source, or reconstructed source that is an electric utility generating unit, in any such rule, and in the regulatory impact analysis for such rule, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WENSTRUP (for himself, Mr. BENISHEK, Mr. ROE of Tennessee, Mr. ABRAHAM, Mr. RUIZ, and Ms. BROWNLEY of California):

H.R. 3016. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS:

H.R. 3017. A bill to amend the Internal Revenue Code of 1986 to make the maximum capital gains rate for individuals 15 percent; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. DEUTCH, Mrs. LOWEY, Mr.

ENGEL, Ms. ROS-LEHTINEN, Ms. GRANGER, Mr. ISRAEL, and Mr. ROSKAM):

H. Res. 354. A resolution expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe; to the Committee on Foreign Affairs.

By Ms. PELOSI:

H. Res. 355. A resolution raising a question of the privileges of the House; to the Committee on House Administration.

By Mr. RYAN of Ohio (for himself and Mr. JOYCE):

H. Res. 356. A resolution expressing support for designation of May 30 as ''National Bartter Syndrome Day''; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

71. The SPEAKER presented a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 618, urging Congress to reauthorize the Older Americans Act of 1965 without delay and with adequate funding to reflect the growing populations of Americans who benefit from the Act's programs and services; to the Committee on Education and the Workforce.

72. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 94, urging the Congress of the United States to eliminate the current ban on crude oil exports; to the Committee on Foreign Affairs.

73. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 207, urging the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; to the Committee on Transportation and Infrastructure.

74. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 44, urging Congress and the President of the United States to support the passage of legislation to expedite family reunification for certain Filipino veterans of World War II; to the Committee on Veterans' Affairs.

75. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 102, urging the United States Congress to take such actions as are necessary to designate Grambling State University as an 1890 land-grant institution; jointly to the Committees on Agriculture and Education and the Workforce.

76. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 87, urging the Congress to take such actions as are necessary to amend the employer shared responsibility provisions of the Patient Protection and Affordable Care Act to eliminate penalties on school districts; jointly to the Committees on Energy and Commerce and Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule Xll of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DOLD:

H.R. 2990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States

By Mr. RENACCI:

H.R. 2991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mrs. BROOKS of Indiana:

H.R. 2992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Ms. MATSUI:

H.R. 2993.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. THOMPSON of California:

H.R. 2994.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8, CLAUSE 6

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. CRENSHAW:

H.R. 2995.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. HARDY:

H.R. 2996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and Article I, Section 10, Clause 3 (relating to interstate compacts).

By Mr. ROSS:

H.R. 2997.

Congress has the power to enact this legislation pursuant to the following:

Welfare Clause (Article 1, Section 8, Clause 1); Commerce Clause (Article 1, Section 8, Clause 3)

By Mr. FINCHER:

H.R. 2998.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. TAKANO:

H.R. 2999.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 3000.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution which states ''Congress shall have the power ''to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof''

By Mr. WELCH:

H.R. 3001.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BARLETTA:

H.R. 3002.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the U.S. Constitution

By Mrs. BUSTOS:

H.R. 3003.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CLYBURN:

H.R. 3004.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3005.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States

By Mr. FLEMING:

H.R. 3006.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause I, Congress has the ability to lay and collect taxes and to provide for the general welfare of the United States, and Amendment XVI.

By Mr. GALLEGO:

H.R. 3007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. HONDA:

H.R. 3008.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HUNTER:

H.R. 3009.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. REICHERT:

H.R. 3010.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mr. SALMON:

H.R. 3011.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4—''To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States''

By Mr. SALMON:

H.R. 3012.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 3013.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. SESSIONS:

H.R. 3014.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. WAGNER:

H.R. 3015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WENSTRUP:

H.R. 3016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. WILLIAMS:

H.R. 3017.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Mrs. LOWEY.
H.R. 169: Mr. CRAWFORD.
H.R. 213: Mr. GROTHMAN.
H.R. 223: Mr. ISRAEL.
H.R. 224: Mr. LOWENTHAL and Mrs. CAPPS.
H.R. 225: Mr. FARR, Ms. SLAUGHTER, and Mr. LOWENTHAL.
H.R. 226: Mr. VEASEY and Mr. LOWENTHAL.
H.R. 303: Mr. SCHRADER, Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mr. KILDEE, Mr. BOUSTANY, Mr. BISHOP of Utah, and Mr. COHEN.
H.R. 307: Mr. COHEN.
H.R. 343: Mr. PETERSON.
H.R. 379: Mr. RODNEY DAVIS of Illinois and Mr. MCDERMOTT.
H.R. 427: Mr. EMMER of Minnesota.
H.R. 452: Mr. SALMON.
H.R. 465: Mr. RODNEY DAVIS of Illinois.
H.R. 482: Mr. COLE.
H.R. 539: Mr. VEASEY and Ms. MATSUI.
H.R. 551: Mrs. LAWRENCE, Mr. TED LIEU of California, Mr. HECK of Washington, and Mr. BLUMENAUER.
H.R. 563: Mr. BRIDENSTINE, Ms. KUSTER, and Mr. CARTWRIGHT.
H.R. 642: Mr. BARR.
H.R. 662: Mr. GIBSON.
H.R. 692: Mr. MCKINLEY, Mr. HULTGREN, Mr. DESJARLAIS, and Mr. LABRADOR.
H.R. 699: Mr. GRIFFITH.
H.R. 702: Mr. DAVID SCOTT of Georgia, Mr. JOHNSON of Ohio, Mr. MCHENRY, Mr. RYAN of Ohio, Mr. YOHO, Mr. POSEY, Mr. COOK, Mr. KNIGHT, Mr. DENHAM, Mr. ROHRABACHER, Mr. ALLEN, Mr. NUGENT, Mr. AMODEI, and Mr. ROSS.
H.R. 757: Mr. HASTINGS.
H.R. 765: Mr. MCKINLEY, Mr. CULBERSON, Mr. FITZPATRICK, and Mr. REED.
H.R. 789: Mr. POSEY.
H.R. 814: Mr. THOMPSON of Pennsylvania.
H.R. 836: Mr. DAVID SCOTT of Georgia, Ms. JENKINS of Kansas, Mr. DOLD, Mr. ROONEY of Florida, Mr. WALDEN, and Mr. THORNBERRY.
H.R. 879: Mr. HILL.
H.R. 911: Mr. VALADAO.
H.R. 913: Ms. EDWARDS.
H.R. 918: Mr. HARRIS.
H.R. 953: Mr. NOLAN.
H.R. 957: Mr. ROTHFUS.
H.R. 969: Mr. LYNCH and Mr. TAKAI.
H.R. 980: Mr. WITTMAN.
H.R. 985: Mr. KATKO, Mr. ROGERS of Kentucky, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1000: Mr. RANGEL and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1027: Mr. FARR.
H.R. 1062: Mr. ROTHFUS.
H.R. 1130: Mr. CUMMINGS.
H.R. 1150: Mr. GUINTA, Mr. HUNTER, Mr. LOWENTHAL, Mr. OLSON, and Mr. COLLINS of New York.
H.R. 1171: Mr. PETERSON and Mrs. BUSTOS.
H.R. 1174: Ms. KELLY of Illinois.
H.R. 1185: Mr. COHEN.
H.R. 1192: Mr. VEASEY, Mr. COSTELLO of Pennsylvania, and Mrs. WATSON COLEMAN.
H.R. 1220: Mrs. BLACKBURN, Mr. BUCSHON, Mr. BEYER, Mr. O'ROURKE, Mr. MCCAUL, Mr. KIND, Mr. COSTELLO of Pennsylvania, Mr. ABRAHAM, and Ms. KELLY of Illinois.
H.R. 1222: Mr. CRAMER.
H.R. 1270: Mr. HECK of Nevada.
H.R. 1284: Ms. KUSTER.
H.R. 1288: Mr. PALLONE and Mr. BISHOP of Georgia.
H.R. 1299: Mr. FLORES.
H.R. 1301: Miss RICE of New York and Mr. PETERSON.
H.R. 1312: Mrs. BUSTOS and Mr. VALADAO.
H.R. 1323: Mr. RODNEY DAVIS of Illinois.
H.R. 1356: Mr. DESAULNIER, Mr. WILSON of South Carolina, Mr. BISHOP of Utah, and Mr. JOLLY.
H.R. 1369: Mrs. MILLER of Michigan.
H.R. 1375: Mr. HASTINGS.
H.R. 1384: Mr. JOLLY.
H.R. 1388: Mr. ROTHFUS and Mr. WOODALL.
H.R. 1399: Mr. VALADAO and Ms. ROS-LEHTINEN.
H.R. 1427: Mr. ROTHFUS, Ms. TITUS, Mr. LARSEN of Washington, and Mr. NOLAN.
H.R. 1434: Mr. PAYNE and Mr. RUPPERSBERGER.
H.R. 1453: Mr. RIBBLE.
H.R. 1475: Mr. VALADAO and Mr. PETERSON.
H.R. 1490: Mr. COHEN.
H.R. 1516: Mr. ROTHFUS and Mr. WOODALL.
H.R. 1552: Mr. DESAULNIER.
H.R. 1553: Mr. ROTHFUS.
H.R. 1584: Mr. FORBES.
H.R. 1603: Mrs. WAGNER, Mrs. WALORSKI, and Mrs. MIMI WALTERS of California.
H.R. 1608: Mr. DESANTIS, Ms. JENKINS of Kansas, Mr. BLUM, Mr. SCOTT of Virginia, Mr. VEASEY, Mr. GRAVES of Louisiana, and Mr. GROTHMAN.
H.R. 1610: Mr. LABRADOR, Miss RICE of New York, Mr. SALMON, Ms. STEFANIK, Mrs. WAGNER, and Mr. KATKO.
H.R. 1625: Mr. PETERS.
H.R. 1671: Mr. POE of Texas.
H.R. 1677: Mr. YOUNG of Iowa.
H.R. 1714: Mr. LANCE.
H.R. 1726: Mr. BURGESS.
H.R. 1728: Mr. LYNCH.
H.R. 1736: Mr. ROKITA, Ms. KAPTUR, and Mr. CARSON of Indiana.
H.R. 1737: Mr. ROTHFUS and Mrs. WAGNER.
H.R. 1748: Mr. DENHAM, Ms. FRANKEL of Florida, and Mr. MURPHY of Florida.
H.R. 1752: Mr. FINCHER and Mr. YOUNG of Indiana.
H.R. 1784: Mr. RIBBLE.
H.R. 1786: Mr. KIND, Ms. EDWARDS, Mr. VEASEY, and Mr. MARINO.
H.R. 1801: Ms. KAPTUR.
H.R. 1817: Ms. JENKINS of Kansas.
H.R. 1836: Mr. GOWDY.
H.R. 1854: Mrs. MILLER of Michigan.
H.R. 1887: Mr. KING of New York.
H.R. 1953: Mr. WITTMAN.
H.R. 1988: Mr. CICILLINE.
H.R. 1994: Mr. WALBERG, Mrs. LUMMIS, and Mr. WEBSTER of Florida.
H.R. 1995: Mr. SMITH of Texas.
H.R. 2017: Mr. SHIMKUS.
H.R. 2026: Ms. SLAUGHTER and Mr. ADERHOLT.
H.R. 2043: Mr. GRIFFITH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABRAHAM, Mr. KILMER, Mr. LOBIONDO, and Mr. GIBSON.
H.R. 2058: Mr. BARLETTA, Mr. SHIMKUS, and Mr. FLORES.
H.R. 2061: Mr. CONYERS and Mr. SESSIONS.
H.R. 2096: Ms. JENKINS of Kansas.
H.R. 2102: Mr. RANGEL, Ms. MCCOLLUM, Mrs. KIRKPATRICK, and Mr. NOLAN.
H.R. 2121: Mr. ROSS and Mr. DELANEY.
H.R. 2140: Mr. TROTT.
H.R. 2241: Mr. MEEKS and Mr. CRENSHAW.
H.R. 2281: Mr. CHAFFETZ.
H.R. 2287: Mr. ROTHFUS.
H.R. 2291: Ms. ESTY, Mr. SMITH of Washington, and Mr. CARTWRIGHT.
H.R. 2315: Mr. LOBIONDO, Mr. SESSIONS, Mr. PETERSON, and Mr. BLUM.
H.R. 2342: Mr. NOLAN and Ms. MCSALLY.
H.R. 2380: Mr. COHEN and Ms. EDWARDS.
H.R. 2382: Mr. ROTHFUS.
H.R. 2400: Mr. BOST, Mr. CHABOT, and Mr. SENSENBRENNER.
H.R. 2403: Mr. THOMPSON of Mississippi and Mr. GIBSON.
H.R. 2404: Mr. DESAULNIER and Mrs. WATSON COLEMAN.
H.R. 2405: Mr. NUNES.
H.R. 2406: Mr. MCCLINTOCK.
H.R. 2410: Mr. SWALWELL of California, Mr. MCDERMOTT, and Mr. CÁRDENAS.
H.R. 2434: Mr. RUSSELL.
H.R. 2442: Mr. LANGEVIN.
H.R. 2490: Mr. ROTHFUS.
H.R. 2493: Ms. MATSUI, Ms. ADAMS, and Mr. JOLLY.
H.R. 2494: Mr. RUSSELL and Mr. BEYER.
H.R. 2502: Mr. BOUSTANY.
H.R. 2540: Mr. COLLINS of New York.
H.R. 2563: Mr. TAKANO.
H.R. 2602: Mr. GRIJALVA.
H.R. 2663: Mr. COSTA and Ms. LEE.
H.R. 2669: Mr. JOHNSON of Ohio, Mr. OLSON, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2698: Mr. WILLIAMS.

H.R. 2713: Mr. FARR, Ms. BORDALLO, and Ms. BROWN of Florida.

H.R. 2716: Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. MARCHANT, Mr. MCCAUL, Mr. HARRIS, and Mr. PALMER.

H.R. 2726: Mr. BRIDENSTINE, Mrs. WAGNER, Mr. THOMPSON of California, and Mr. WEBSTER of Florida.

H.R. 2739: Mr. WITTMAN and Mr. TONKO.

H.R. 2742: Mr. PETERSON.

H.R. 2752: Mr. PETERSON.

H.R. 2767: Mr. TED LIEU of California.

H.R. 2775: Mr. HARDY.

H.R. 2800: Mr. BISHOP of Michigan, Mrs. HARTZLER, Mrs. WALORSKI, and Mrs. BLACKBURN.

H.R. 2802: Mr. BARR, Mrs. LUMMIS, Mr. MULVANEY, Mr. RIBBLE, Mr. HULTGREN, Mr. CONAWAY, Mr. HOLDING, Mr. SCHWEIKERT, and Mr. HARDY.

H.R. 2849: Mr. DEFAZIO.

H.R. 2858: Mr. BLUMENAUER and Mr. FITZPATRICK.

H.R. 2887: Ms. WILSON of Florida, Mrs. TORRES, and Mr. PETERS.

H.R. 2896: Mr. FARENTHOLD.

H.R. 2898: Mr. GOSAR.

H.R. 2901: Mr. JOLLY.

H.R. 2903: Mr. COLLINS of Georgia, Mr. BOST, Mr. ZINKE, Mr. GUINTA, Mr. VARGAS, and Mr. AMODEI.

H.R. 2910: Mr. GOHMERT.

H.R. 2920: Mr. SMITH of Washington.

H.R. 2937: Mr. BILIRAKIS, Mr. HUDSON, and Mr. LANCE.

H.R. 2939: Mr. VEASEY.

H.R. 2940: Mr. DENHAM and Mr. KIND.

H.R. 2942: Mr. LAMBORN, Mr. BABIN, Mr. CLAWSON of Florida, Mr. RIBBLE, Mr. GIBBS, Mr. LAMALFA, Mr. JOLLY, Mr. PALMER, Mr. BENISHEK, Mr. BLUM, and Mr. JONES.

H.R. 2944: Mr. RIBBLE, Mr. VAN HOLLEN, Mr. DUNCAN of Tennessee, and Mr. PIERLUISI.

H.R. 2972: Ms. HAHN, Mr. HUFFMAN, and Mr. LEWIS.

H.R. 2976: Mr. SWALWELL of California.

H.R. 2980: Mr. CARNEY and Mr. DOLD.

H.J. Res. 22: Mr. SERRANO and Ms. CLARKE of New York.

H. Con. Res. 19: Mr. PETERSON.

H. Con. Res. 40: Mr. HONDA, Mr. ROSKAM, and Mr. MEEKS.

H. Res. 56: Mr. VISCLOSKY.

H. Res. 207: Mr. HECK of Nevada, Mr. ZELDIN, Mr. CÁRDENAS, and Miss RICE of New York.

H. Res. 294: Ms. ROYBAL-ALLARD.

H. Res. 324: Mr. SHERMAN.

H. Res. 348: Mr. LEVIN and Mr. COSTELLO of Pennsylvania.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, THURSDAY, JULY 9, 2015 No. 106

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky.

PRAYER

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

Let us pray.

Eternal Spirit, keep us from being a nation that forgets You. Remind us that righteousness exalts any nation, but that sin deprives, degrades, and destroys, providing reproach to any people.

Arise, O God. Lift Your hands and lead our lawmakers to accomplish Your purposes. Use them to break the stranglehold of wickedness, providing deliverance for captives and freedom for the oppressed. In You, O God, we find refuge. May we not be brought to shame, for You can make even our enemies be at peace with us. Continue to guide us, strong Deliverer, for we are pilgrims in this land. We are weak, but You are mighty. Guide us with Your powerful hands.

Lord, we praise You for the courage of the South Carolina Legislature.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 9, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. MCCONNELL thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, No Child Left Behind laid the groundwork for important reforms to our education system. But with its authorization expiring in 2007, and with the previous Senate majority failing to replace it with a serious proposal, many of the original requirements stayed in place anyway and gradually became unworkable.

This resulted in a lot of States getting tangled up in endless bureaucracy, reducing their ability to focus on boosting achievement and school performance. That was certainly true in the Commonwealth I represent. Kentucky was actually the first State to petition for some freedom from the law's requirements, and with that additional flexibility came better results.

Kentucky improved its graduation rate, climbing into the top 10 among all States. Kentucky increased the number of students who met statewide standards. Kentucky raised the percentage of students entering postsecondary education programs, increasing that number from about half to more than 68 percent in just a few years' time.

So this additional flexibility has been good for Kentucky but only to a point, because the White House began to tack on more and more requirements as a condition of continued relief from the original law's mandates, leaving many States in an untenable situation. This is how the White House was able to impose Common Core in many places that didn't necessarily want it. In a sense, the flexibility one hand gave, the other has continually taken away.

It is clear that temporary relief, strapped with other Federal mandates, is not a workable choice for States. This is why we need congressional action to replace the broken husks that remain of No Child Left Behind with reforms that build on the good ideas in the original law while doing away with the bad ones.

That is what the bipartisan Every Child Achieves Act before us would, in fact, achieve. It would grow the kind of flexibility we have seen work so well in States such as Kentucky, and it would stop Federal bureaucrats from imposing the kind of top-down, one-size-fits-all requirements that we all know threaten that progress.

Kentucky has already seen success with the limited and conditional flexibility granted to it so far. So just imagine what States such as Kentucky could achieve when fully empowered to do what is right for their students. This is how Kentucky education commissioner Terry Holliday put it in a letter he sent in support of this bill:

I can attest based on our experience that the waiver process is onerous and allows too many opportunities for federal intrusion into state responsibility for education. The long-term health of public education in the United States requires reauthorization and an end to the use of the waiver as a patch on an otherwise impractical system of requirements.

He is, of course, just right, and we have never been closer to achieving the kind of outcome our kids deserve. Many thought Washington could never

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

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solve this issue, but the bill before us was supported unanimously by Republicans and Democrats in committee. Members of both parties are having a chance now to offer and vote on amendments to the bill too. We had several amendment votes yesterday. I expect more today. If our colleagues from either side of the aisle have more ideas to offer, I would ask them to work with Senator ALEXANDER and Senator MURRAY to get them moving.

This is what a Senate that is back to work looks like. With continued bipartisan cooperation, this is a Senate that can prove the pundits wrong again by passing another important measure to help our country and our kids.

Remember, the House of Representatives already passed its own No Child Left Behind replacement just last night, as it has done repeatedly in years past. Now is the time for the Senate to finally get its act together after 7 years of missed deadlines on this issue. A new Senate majority believes that the time for action and bipartisan reform should be now, and with continued cooperation from our friends across the aisle, it will be.

BURMA

Mr. MCCONNELL. Mr. President, on an entirely different matter, a few weeks ago I came to the floor to discuss the importance of Burma's election this fall. I noted that its conduct would tell us a lot about the Burmese Government's commitment to the path of political reform. I said that demonstrating that commitment would be critical to reassuring Burma's friends abroad and that it could even have consequences for further normalization of relations with the United States, at least as it concerns the legislative branch.

So I urged Burmese officials to take every step to ensure an election that would be as free and fair as possible. Yet on June 25, the Burmese Government took a step backward from the path to more representative government.

Let me explain. There is little doubt that Burma's Constitution contains numerous flaws that need to be revised if the government is to be truly representative.

First, it unreasonably restricts who can be a candidate for President—a not so subtle attempt to bar the country's most popular opposition figure from ever standing for that office. But then it goes even further, ensuring an effective military veto over constitutional change—for instance, amendments about who can run for the Presidency—by requiring more than three-fourths parliamentary support in a legislature where the Constitution also reserves one-fourth of the seats for the military.

Let me say that again. The Constitution reserves one-fourth of the seats for the military and requires a three-fourths vote to amend the Constitution—completely jerry-rigged. It is obvious to see why things should change if Burma is to pursue a path of a more representative government.

Allowing appropriate constitutional fixes to pass through the Parliament would have said some very positive things about the Burmese Government's commitment to political reform. But when the measures were put to a vote on June 25, the government's allies exercised the very undemocratic power the Constitution grants them to stymie the reform.

This stands in stark contrast to the support for reform among elected Burmese lawmakers, which is likely higher than 80 percent. So among the people elected by the people, 80 percent favor the reform, and the 25 percent inserted into the process by the military guaranteed that no reform occurred. So even if the actual conduct of the election proves to be free and fair, it risks being something other than, certainly, the will of the people.

When the most popular figure in the country is precluded from being a candidate for the highest office in the land, and when approximately 80 percent of the people's chosen representatives are stymied by lawmakers who are not democratically elected, it raises fundamental questions about the balloting that is coming up this fall and about the Burmese Government's commitment to democracy. In fact, at this point it is unclear if the opposition NLD Party will even participate in this fall's election.

We knew that legal, economic, political, and constitutional development and reform would evolve in that country through fits and starts. This is only realistic, given the baseline from which Burma was starting when Congress agreed to lift some of the sanctions.

Those of us who have followed Burma for a long time also know that, given its history, the military fears change, ethnic unrest, and the uncertainty that a more democratic government might bring. That is well acknowledged, but improving relations with the United States meant both sides would have to take some risks. This was a moment for the military to take another important step on its end, and it was a missed opportunity.

In light of the recent defeat of constitutional reform, I believe that steps such as including Burma in the Generalized System of Preferences Program should be put on hold until after this fall's election. Only after the ballots have been cast and counted in Burma can an appropriate evaluation be made about the pace of reform in the country and whether additional normalization of relations is warranted.

RECOGNITION OF THE MINORITY LEADER

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

REPUBLICAN FILIBUSTERS

Mr. REID. Mr. President, first, I wish to take just a moment to praise the good work being done by the chairman and the ranking member of the HELP Committee. The senior Senator from Tennessee and the senior Senator from Washington have done a remarkably good job to bring this reauthorization to the floor.

Elementary and secondary education is so important, and we are not living up to the standards that we should have. It is important to remember that all of this could have been done a long time ago.

On the floor I mentioned yesterday that Senator Harkin—who I said was a legendary Senator who served here for six terms, plus a number of terms in the House of Representatives—for quite some time was chairman of the HELP Committee, and when he wasn't chairman, he served under the guidance and leadership of Senator Kennedy.

Yesterday I said that the Republican leader came to the floor and was boasting: Oh, we are getting this bill done. It is so great that things are working so well in the Senate.

I mentioned at that time—yesterday—that Senator Harkin tried to bring the bill to the floor. He sent me an email last night, and he said that he on two separate occasions—2011 and 2013—got a bill out of the committee. But what happened? It was blocked coming to the floor by the Republicans—the same group of people who are now boasting that things are working so well here.

Well, Mr. President, I think it is a shame that people come here to the floor and boast about the fact they have spent the last few Congresses trying to ruin Congress and the country. And they have done a pretty good job of it.

We are happy to be on this bill. And there is no motion to proceed, such as I had to do on virtually every bill we brought to the floor. But let's understand that historically. My friend the Republican leader is living in a dream world. In fact, it is fast becoming a theme of this 114th Congress—bringing up legislation that Republicans have blocked in the past. Senator STABENOW from Michigan calls it the filibuster makeup.

Look at the accomplishments about which my friend the Republican leader brags that he has gotten done this year:

Terrorism risk insurance. We would have done that at any time during the last Congress—at any time—and he knows it.

The Clay Hunt suicide prevention bill. That was a bill which was so easy to get done. It was blocked. The Republicans wouldn't let us move forward on it.

Appropriations for the Department of Homeland Security. We were prevented from doing that.

The human trafficking bill. We spent a lot of time on it in this Congress. We

would have done that last Congress easily. We were prevented from doing so.

The repeal of Medicare's sustainable growth rate. We call it SGR. We would have done that at any time, Mr. President. There are no great shakes here. How did we get it done? It wasn't paid for. Why? Because it was a budget gimmick in the first place, during the Bush years.

So to hear my friend the Republican leader coming and boasting about all this stuff getting done, we could have done—most of it could have been done two Congresses ago. Certainly in the last Congress we should have gotten it done.

The extension of the Foreign Intelligence Surveillance Act—the PATRIOT Act. We knew it had to be done. We tried to get it done last Congress but couldn't get it done. We were prevented from doing so.

Now it is the same with the elementary and secondary education bill. I am glad we are on this and glad to complete this other stuff, but let's not try to rewrite history, Mr. President. These things could have been done easily had they not been filibustered here on the Senate floor. Any one of these bills would have easily passed in the last Congress, but every one of them was blocked by Republicans.

MANUFACTURED CRISES

Mr. REID. Mr. President, we hear the phrase ''manufactured crisis'' used a lot here lately. Why? The Republican leader gives people plenty of reason to use the term. He has singlehandedly turned the entire appropriations process into a charade designed to manufacture yet another crisis.

Look no further than what Republicans are doing in the interior, environment appropriations bill. The Republican leader bragged yesterday—today is Thursday, so on Wednesday—that he and his colleagues have ''lined the interior appropriations bill with every rider you can think of to push back against them.''

They have filled that legislation with so-called riders. What is a rider? It is an extraneous provision that has nothing to do with the purpose of the bill—in this instance, a funding bill. So they have filled that legislation, the interior appropriations bill, and other bills that have nothing to do with funding the government with things that are harmful to our country.

For example, in the appropriations bill dealing with the interior, Republicans have included language to permanently dismantle efforts to address climate change by blocking Federal enforcement of a nationwide policy to reduce carbon pollution from existing powerplants.

Climate change is very hurtful to our economy and hurtful to our country.

I was at an event at the White House two nights ago. The President said that if we don't do something about climate change by the year 2100, the seas will have increased by 16 feet. The State of Florida will basically be half underwater.

Prior to 2100, it is already getting bad. Talk to the two Senators from Virginia. Areas that are military installations are now covered with water most of the time. Talk to my friend the senior Senator from Florida, and he will tell you what is happening in Florida now. Talk to the Governor of New York, and he will tell you what happened with Sandy, the hurricane. It is going to happen again because we are doing nothing to prevent climate change from devastating our country. The Presiding Officer is from the State of Nevada, as am I. He knows that bears—not all bears but many bears are not even hibernating in the Sierras anymore because it is not cold enough. Talk to one of the Senators from New Hampshire. The moose are being devastated. Why? Because the cold weather is not killing the gnats, the fleas on the moose, and they are dying. About a third of them are dead.

So climate change is not serious? It is a serious issue. Of course it is.

Republicans have riders in this bill dealing with clean water. They have stuck in language to permanently block implementation of protections for streams and wetlands that have the greatest impact on our Nation's water quality.

Ozone pollution is another rider they slipped in there. They slipped in language to delay efforts to protect people from lung diseases and asthma, among other things.

Hazardous waste cleanup—now, this is unique. They stuck language in this bill affecting Superfund sites. This has been a great program. It has been a great program because people who devastate and pollute the land are asked to pay to clean it up. Republicans have stuck language in here to have the taxpayers clean this up and pay for it. That is stunning to me.

This is a perfect example of Republicans manufacturing a crisis. They have loaded up a necessary funding measure with dangerous provisions that have doomed these bills. Then when Democrats oppose it, the Republican leader will feign outrage and blame Democrats for its failure, hoping to score some type of political victory.

Republicans know an appropriations bill full of riders that roll back environmental protections will be stopped by us and vetoed by the President. This scripted performance is the definition of a manufactured crisis. And the Republican leader said as much last year in an interview with the Hill newspaper Politico. Here is what he said:

> Obama needs to be challenged, and the best way to do that is through the funding process. He would have to make a decision on a given bill, whether there's more in it that he likes than dislikes. A good example is adding restrictions to regulations from the Environmental Protection Agency. Adding riders to spending bills would change the behavior of the bureaucracy.

He promised that last year, and he is a man of his word. He is ruining every one of these appropriations bills with these riders, in spite of more asthma, more heart disease, more cancer.

Instead of passing appropriations bills that keep our government open and funded, the Republican leader is more interested in making Democrats and Republicans not work together and having the President and Democrats very uncomfortable. Sadly, this is how Republicans are governing. This is how they pretend to lead our country. It is embarrassing. I believe it is. Look at the poll numbers to see what is happening. The Republican leader's numbers are the lowest they have ever been recorded.

It doesn't have to be this way. With the help of a handful of reasonable Republicans, we can sidestep this sham and pass meaningful legislation that averts another government shutdown. The first one was promoted and engineered by the Republicans.

I said yesterday and I repeat, Mr. President, to show how shameful that was, two-thirds of the Republicans in the House voted to keep the government closed. I mentioned yesterday how the Republican chairman of the House Committee on Appropriations, Congressman HAL ROGERS—whom people call the Dean of the Kentucky delegation—is calling on his party to work with us Democrats on a long-term solution that avoids a government shutdown. We need Republicans like him here in the Senate.

In just a few months, the government will run out of money. It will have no more money on October 1. Unless we can reach a bipartisan budget agreement, our Nation will face another ridiculous and damaging government shutdown. So I urge my Republican friends—especially Republican leaders in both Houses—to listen to Chairman ROGERS and those other members of the Committee on Appropriations and work together. Put aside these nonserious games and get serious about keeping our government open. It is the only way Congress will avoid another manufactured crisis the Republican leader seems so desperately to desire.

WASHINGTON FOOTBALL TEAM NAME

Mr. REID. Mr. President, finally, yesterday the U.S. District Court for the Eastern District of Virginia affirmed what Native Americans have been saying for decades—the Washington football team name is disparaging. It is racist and morally objectionable, and it should be changed now.

U.S. District Court Judge Gerald Bruce Lee sustained the Patent and Trademark Office's decision that the Washington football team name should not be protected by a Federal trademark registration. That is good news. But how did the Redskins respond? Sorry to use that name. I made a mistake. How did the Washington football

team respond? By saying: Well, our football team is worth a lot of money, and as part of that value, the Redskins name is worth some money.

I mean, does Daniel Snyder have enough money? I think so, without disparaging the group of Indians we have in Nevada—22 separate tribal entities in Nevada. They do not like this. Snyder tried a couple of things—bought them a car and thought they would back off and no longer object. They saw that one coming, and they said: No, you keep the car.

What the judge did yesterday is good news. The Federal Government should not protect a team or company that takes pride in hearing a racial slur every time their name is mentioned.

While the ruling is a step in the right direction, this battle is not over. Ultimately, the response will rest with the owner, Dan Snyder, a multibillionaire. The U.S. Government cannot change his team's name; only he can. For far too long, owner Snyder has tried to hide behind tradition, but yesterday's ruling makes clear that his franchise's name only fosters a tradition of racism, bigotry, and intolerance.

I admire so very much the Republican Governor of South Carolina. She has all the conservative credentials anyone needs, and after that terrible incident at a church in her State, she said the Confederate flag is going to go. Yesterday, after a long debate, as I understand it, the South Carolina Legislature said no more public display of the flag. So tradition is not the name of the game. Fairness—not racism, not bigotry, not intolerance—is the game.

Dan Snyder should do the right thing and change the team's name. There is no place for that kind of tradition in the National Football League, and there is certainly no place for it in our great country.

Mr. President, I apologize to my friend the chairman of the committee for taking so much time.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools ''passing the trash''—helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader and the Republican leader have created an environment in which we can succeed on this bill, and I am grateful to them for that. I listened to their remarks this morning about some things that have gone on in the past in the Senate. My late friend Alex Haley, the author of ''Roots,'' used to say: Find the good and praise it. And so what I would like to do is thank the majority leader for putting the bill on the floor. Only he can do that and give us a chance to debate it. I thank the Democratic leader for creating an environment in which we can have a large number of amendments and succeed.

I thank the Senator from Washington, Mrs. PATTY MURRAY, who suggested the way we proceed today. We fell into some partisan differences in the last two Congresses that made that impossible, and she has, as much as anybody, helped solve that problem.

We are making good progress. We have adopted a number of amendments. We voted on some others. Some have passed, and some have been defeated. People have had a chance to have their say. Senator MURRAY and I have received a large number of amendments—several dozen, actually, that Senators on both sides have offered—that we have agreed to recommend to the full Senate we adopt by consent.

In addition to that, we adopted 29 amendments in the committee consideration, and many of those were amendments from Democratic Members of the Senate. So I think most Senators—in fact, I haven't heard a single one say that they haven't had a chance to have their say on No Child Left Behind.

Yesterday, I put into the RECORD an op-ed from the Washington Post by the Virginia Secretary of Education Anne Holton, who made the argument that States, like Virginia, are well prepared to accept the responsibility for higher standards, better teaching, and real accountability. Over the last 15 years, that has happened in every State.

It reminds us that this bill we are debating only provides 4 percent of the dollars that pay for our 100,000 public schools in the country. We have some other money that the Federal Government spends—4 percent or 5 percent more—for those schools, but this bill spends 4 percent. Most of the money, most of the responsibility, most of the opportunity for success is with parents, classroom teachers, and others who are close to the children.

The consensus we have developed, the bipartisan consensus—again, with the bill Senator MURRAY and I put together and improved by our committee and now being improved on the floor—is that while we keep the important measures of the accountability, so we know what children in South Dakota and Tennessee and Washington State are learning and not learning, so we can tell if anyone is left behind, that we restore to States the responsibility for figuring out what to do about the tests. That has broad-scale support.

Superintendents were in town yesterday from all over the country; they told us that. Governors are calling us; they tell us that. The major teachers organizations in the country tell us we do not need, in effect, a national school board. Those decisions need to be made by teachers who cherish the children in their classroom and the parents who put them there and school board members who care for them and Governors and legislators who are closer to home. So this bill isn't easy to do, but because of that consensus, we are making good progress.

I will submit following my remarks an article from earlier this week from Newsweek entitled, ''The Education Law Everyone Wants to Fix.'' The House of Representatives said it wants to fix it last night. The progress we are making suggests the Senate wants to fix it. We know all across the country Governors, legislators, teachers, school superintendents, and parents want to end the confusion and anxiety in the 100,000 public schools.

We will be having more votes, hopefully today just before lunch, and then we will continue with the bill.

Mr. President, I ask unanimous consent that following my remarks, the article from Newsweek entitled ''The Education Law Everyone Wants to Fix'' be printed in the RECORD.

On a different subject, which I will not elaborate on today, I wish to also include, following my remarks, an article I wrote for the Wall Street Journal yesterday about the cost of going to college. I think it is unfortunate that so many politicians and pundits say that Americans can't afford college when in fact most of them can. It is never easy, but it is important for them to know that for low-income Americans, for example, the first 2 years of college are free or nearly free at a community college; and there are many other ways colleges, universities, the Federal Government, and taxpayers try to make it easy for a larger number of Americans to go to college. That is a debate Senator MURRAY and I are already working on. We will bring the reauthorization of the higher education bill before the Senate hopefully later this year.

Mr. President, I ask unanimous consent that my op-ed from the Wall Street Journal be printed in the RECORD following my remarks.

Mr. President, there are a number of Senators who wish to come to the floor to speak today. I encourage any Senator who hasn't presented their amendment to go ahead and do that. I am

hopeful that soon we will have an agreement to have a number of votes before lunch.

I yield the floor.

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

[From Newsweek, July 3, 2015]

THE EDUCATION LAW EVERYONE WANTS TO FIX

(By Emily Cadei)

When it comes to setting standards for America's public schools, there's a remarkable degree of consensus: The system the federal government has in place—known as No Child Left Behind—doesn't work. Fixing it, however, is about to set off a new round of fierce political combat in Washington, D.C., and draw in 2016 candidates as well.

Both the House and Senate are set to debate the 2001 No Child Left Behind law next week. Passed with bipartisan support—including the unlikely pairing of President George W. Bush and Massachusetts liberal Sen. Ted Kennedy—it sought to set national standards for school and student achievement, and mandated testing to make sure they were keeping up as well as funding incentives to keep schools on track.

But the goals that the 2001 law set turned out to be far too ambitious and, the chorus of critics say, too rigid. ''Teaching to the test'' is a refrain heard across the country. Test results have become an end-all, be-all, complain teachers and parents, Democrats and Republicans, alike.

No Child Left Behind ''simplified all of school accountability to be a performance on a math test or a reading test,'' says Mary Kusler, director of government relations for the National Education Association, which lobbies on behalf of teachers and other education professionals. That, Kusler says, ''has corrupted the education our children are receiving because it has reduced our schools to this reduce and punish system.''

The two parties have very different visions for overhauling the law, however. Those in the middle, the House and Senate leaders that have drafted the legislation, are now faced with walking a tightrope between a measure that will win sufficient Republican support in the House but still get a signature from President Obama. That's no easy task—the law has technically been expired since 2007, but Congress has not been able to muster the political consensus to reauthorize it since then. It's still being implemented, though, because Congress continues to provide funding for the vast majority of its programs.

In the Senate, Tennessee Republican Lamar Alexander, a former Secretary of Education, and Washington Democrat Patty Murray have crafted a proposal that passed their Health, Education, Labor and Pensions Committee unanimously in April. Their legislation would maintain the testing regimen put in place by No Child Left Behind but give states more flexibility in how they use test results to measure performance. That's earned the hearty endorsement of teachers and groups like NBA, as well as business associations—which are usually on opposite sides of the education policy debate. In order to get Democrats on board, Alexander dropped one big Republican priority from the bill—a provision that would link federal funding for students from low-income areas to the individual child, rather than the school district in which they reside, which is how the system works now. Republicans argue this ''portability'' measure gives children and their families an opportunity to go to better schools but Democrats say it will just weaken already struggling schools. It's part of a broader fight over ''school choice'' and whether students can use public funds to go to the school they want—even private school—via things like vouchers. That, says Kusler, defeats the whole purpose of the law, which is aimed at improving low-performing schools and ''serving historically underserved populations.''

The House bill, sponsored by Minnesota Republican John Kline, includes the portability provision Republicans favor. That prompted a veto threat from the White House in February. But even with that provision, Kline's bill has had trouble winning conservative support. Republican leaders initially planned to hold a vote on it in late February but changed their minds at the last minute when it became apparent they didn't have enough GOP support. Members aligned with the Tea Party argue the overhaul still spends too much money and leaves too much power in the hands of the federal government. They're insisting on a vote on an amendment that would give states the option of opting out of No Child Left Behind requirements entirely, a proposal known in shorthand as A-PLUS.

''There's just no conceivable way they can bring the Kline bill onto the floor without bringing up A-PLUS,'' says Dan Holler, spokesman for Heritage Action for America, the advocacy arm of the conservative Heritage Foundation. Holler's group came out in strong opposition to the bill in February and plans to continue to oppose it unless that provision is included in the House bill. He argues that the House needs to pass the most conservative bill possible, given that they'll then have to negotiate a final text with the Senate.

Given how toxic No Child Left Behind has become, 2016 candidates on the campaign trail are going to be hard-pressed to avoid the debate. There could be 100 amendments or more filed in the Senate, which means the four Republican senators running for president will have to weigh in on plenty of thorny questions surrounding education policy as it relates to race, inequality and states' rights.

Even those candidates who won't be voting, however, are bound to be questioned on the topic. Education policy has become a litmus test on the Right, with conservatives rallying against any attempts to nationalize what they believe should be state or local decisions. They've mainly focused on plans for a national curriculum, known as Common Core, which is not part of the No Child Left Behind law. But Common Core is indirectly linked, since states have adopted it to meet the testing and accountability standards that No Child Left Behind created.

Many Republican governors that initially embraced the Common Core standards, including 2016 long shots Chris Christie of New Jersey and Bobby Jindal of Louisiana, have backed away from them amidst the conservative backlash. Former Florida Gov. Jeb Bush is one of the few (along with Gov. John Kasich of Ohio) who has stood by Common Core. He also once offered the Obama administration support in its efforts to reauthorize No Child Left Behind, according to an email the website Buzzfeed published last month. Those education stands are a big reason for conservatives' simmering distrust of this son and brother of past presidents.

The teachers' unions, meanwhile, continue to hold tremendous sway in the Democratic primary, and their endorsements remain up for grabs in 2016. Dark horse candidate Martin O'Malley, the former governor of Maryland, is clearly eyeing that vote, and is scheduled to hold an education event followed by a meeting with the NBA of New Hampshire next week.

The presidential race also offers a rationale to conservative holdouts opposed to the No Child Left Behind reauthorization, which would be effective for as long as five years. With the possibility of a Republican sweeping into the White House, some argue it's best to stick to the status quo for now, and tackle a more ambitious overhaul once a more conservative president is in office (they hope).

But Kusler, for one, is hopeful that the pressure from all sides to fix an unworkable law will ultimately force a political compromise—opposed to kicking the can down the road further. ''I am entirely optimistic that we will get this done. We have never been so close,'' she says. ''We have created a perfect storm here.''

[From the Wall Street Journal, July 6, 2015]

COLLEGE TOO EXPENSIVE? THAT'S A MYTH

(By Lamar Alexander)

Pell grants, state aid, modest loans and scholarships put a four-year public institution within the reach of most.

Paying for college never is easy, but it's easier than most people think. Yet some politicians and pundits say students can't afford a college education. That's wrong. Most of them can.

Public two-year colleges, for example, are free or nearly free for low-income students. Nationally, community college tuition and fees average $3,300 per year, according to the College Board. The annual federal Pell grant for these students—which does not have to be paid back—also averages $3,300.

At public four-year colleges, tuition and fees average about $9,000. At the University of Tennessee, Knoxville, tuition and fees are $11,800. One third of its students have a Pell grant (up to $5,775 depending on financial need), and 98% of instate freshmen have a state Hope Scholarship, providing up to $3,500 annually for freshmen and sophomores and up to $4,500 for juniors or seniors. States run a variety of similar programs—$11.2 billion in financial aid in 2013, 85% in the form of scholarships, according to the National Association of State Student Grant and Aid Programs.

The reality is that, for most students, a four-year public institution is also within financial reach.

What about really expensive private colleges? Across the country 15% of students attend private universities where tuition and fees average $31,000, according to the College Board. Georgetown University costs even more: about $50,000 a year. Its president, John DeGioia, told me how Georgetown—and many other so-called elite colleges—help make a degree affordable.

First, Georgetown determines what a family can afford to pay. It asks the student to borrow $17,000 over four years and work 10–15 hours a week under its work-study program. Georgetown pays the remainder—at a total cost of about $100 million a year.

Apart from grants, work and savings, there are federal student loans. We hear a lot of questions about these loans. Are taxpayers generous enough? Is borrowing for college a good investment? Are students borrowing too much?

An undergraduate today can get a federal loan of up to $5,500 his first year. The annual loan limit rises to $7,500 his junior and senior years. The fixed interest rate for new loans this year is, by law, 4.29%. A recent graduate may pay back the loan using no more than 10% of his disposable income. And if at that rate he doesn't pay it off in 20 years, taxpayers forgive the loan.

Are students borrowing too much? The College Board reports that a student who graduates from a four-year institution carries, on average, a debt of about $27,000. This is about the same amount of the average new

car loan, according to the information-services company Experian Automotive. The total amount of outstanding student loans is $1.2 trillion. The total amount of auto loans outstanding in the U.S. is $950 billion.

But a student loan is a lot better investment. Cars depreciate. College degrees appreciate. The College Board estimates that a four-year degree will increase an individual's lifetime earnings by $1 million, on average.

What about the scary stories of students with $100,000 or more in debt? These represent only 4% of all student loans, and 90% of the borrowers are doctors, lawyers, business school graduates and others who have earned graduate degrees.

About seven million federal student loan borrowers are in default, defined as failing to make a loan payment in at least nine months. That's about one in 10 of all outstanding federal student loans in default—although the Education Department says most of those loans eventually get paid back.

Here are five steps the federal government can take to make it easier for students to finance their college education:

Allow students to use Pell grants year-round, not only for the traditional fall and spring academic terms, to complete their degrees more rapidly.

Simplify the confusing 108-question federal student-aid application form and consolidate the nine loan repayment programs to two: a standard repayment program and one based on their income.

Change the laws and regulations that discourage colleges from counseling students against borrowing too much.

Require colleges to share in the risk of lending to students. This will ensure that they have some interest in encouraging students to borrow wisely, graduate on time, and be able to pay back what they owe.

Clear out the federal red tape that soaks up state dollars that could otherwise go to help reduce tuition. The Boston Consulting Group found that in one year Vanderbilt University spent a startling $150 million complying with federal rules and regulations governing higher education, adding more than $11,000 to the cost of each Vanderbilt student's $43,000 in tuition. America's more than 6,000 colleges receive on average one new rule, regulation or guidance letter each workday from the Education Department.

It is vital that more Americans earn their college degrees, for their own benefit and that of the country. A report by Georgetown University's Center on Education in the Workforce tells us that if we don't, we'll fall short by five million workers with postsecondary education in five years.

Mr. ALEXANDER. Mr. President, 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.

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

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

Mrs. MURRAY. Mr. President, making sure our Nation's students get a quality education is critical for our ability—our country's ability—to lead the world in the years to come, and a good education can be a ticket to the middle class. It is also important for building an economy from the middle out, not just from the top down.

Of course, yesterday the House of Representatives passed their partisan bill to reauthorize the Nation's K–12 education bill. While that is another important step in the process to finally fix the badly broken No Child Left Behind law, I am disappointed that House Republicans have chosen to take a partisan approach in their bill that is unacceptable to Democrats and will never become law.

I appreciate the work that ranking member BOBBY SCOTT put into the House Democratic substitute. I am looking forward to coming together with him as well as Chairman KLINE in a conference. I truly hope House Republicans will be ready to join ranking member BOBBY SCOTT and other House and Senate Democrats, Senate Republicans, and the administration as we work to get this done in a way that works for all students and families. I am looking forward to continuing that work here today in the Senate.

Again, I truly want to thank my colleague, the senior Senator from Tennessee, for working with me on our bipartisan bill, and I appreciate Chairman ALEXANDER's cooperation in working in a bipartisan way through this process. I join him this morning in encouraging our colleagues to file their amendments so we can continue making progress on this important piece of legislation.

Our bipartisan bill, the Every Child Achieves Act, is a good step in the right direction to fix No Child Left Behind. It gives our States more flexibility, while also including Federal guardrails to make sure all students have access to a quality public education. We are not done yet. I want to work to continue to improve and strengthen the bill.

One example, today we will talk about an amendment to help shine a light on inequalities in education that still exist in our country. I thank Senator WARREN for offering her amendment. I look forward to that discussion. That amendment will help States, districts, and schools better analyze student achievement data so they can help their students achieve. So I hope our colleagues will pass that amendment.

I am looking forward to getting started again today to work through this issue and a number of others we have, and I hope to continue to work in a bipartisan way to make sure all students have access to a quality education, again, regardless of where they live or how they learn or how much money they make.

I look forward to today's discussion. Again, I thank our colleagues on the other side of the aisle for working with us to fix this badly broken bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to acknowledge the comments of the Senator from Washington. Before she was here, I commented on her leadership and on how the Democratic leader as well as the Republican leader have created an environment in which we can succeed. We govern a complex country such as ours by consensus, and I think the way we are doing things is a pretty good example of the way we can do that.

I am glad the House of Representatives acted. We have a process for this called conference. We haven't been doing conferences much lately. But she and I both talked with Chairman KLINE and Representative SCOTT. If we should succeed next week, as I believe we will, why then we will have a conference with the House of Representatives, and we will develop a bill we hope the President will be comfortable signing. We are not here just to make a speech. We want to resolve this. As I said in the article I put in earlier, this is the education law everyone wants fixed. In our constitutional system of government, we don't fix it unless the House and Senate agree and the President signs it.

So that is our goal, and we are continuing to make steps, thanks to the leadership of Senator MURRAY and others.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the time until 11:30 a.m. today be equally divided between the two managers or their designees and that it be in order to call up the following amendments: Daines amendment No. 2110, Warren amendment No. 2120, Brown amendment No. 2099, Portman amendment No. 2147, Manchin amendment No. 2103, Kaine amendment No. 2096, Heller amendment No. 2121, Feinstein amendment No. 2087; that the Toomey amendment be modified with the changes at the desk; further, that at 11:30 a.m., the Senate vote in relation to the amendments in the order listed, with a vote in relation to the Toomey amendment, as modified, after disposition of the Brown amendment, with a 60-affirmative vote threshold for adoption of the Daines amendment, and with no second-degree amendments in order to any of the amendments prior to the votes; that there be 2 minutes equally divided prior to each vote, and that upon the disposition of the Feinstein amendment, the Senate vote in relation to the Fischer amendment No. 2079.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2094), as modified, is as follows:

(Purpose: To ensure that States have policies or procedures that prohibit aiding or abetting of sexual abuse, and for other purposes)

At the end of title IX, add the following:

SEC. ___. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

"SEC. 9539. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

''(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency designated under State law, that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the person or agency knows, or recklessly disregards credible information indicating, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor in violation of the law.

''(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the credible information described in such subsection—

''(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

''(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

''(2)(A) the case has been officially closed or the prosecutor with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor;

''(B) the school employee, contractor, or agent has been charged with, and exonerated of, the alleged misconduct; or

''(C) the case remains open but there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

''(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

''(d) Construction.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor in violation of the law in obtaining a new job.''.

Mr. ALEXANDER. Mr. President, for the information of Senators, we expect the first four amendments in this series to require rollcall votes, with the rest of the amendments being adopted by a voice vote.

I thank the Senator from Washington for working with us to create this agreement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2094, AS MODIFIED

Mr. TOOMEY. Mr. President, I wish to speak about my amendment, which is part of the unanimous consent agreement that was just agreed to. I have a number of thank yous I need to go through.

I will start by thanking the cosponsors of this amendment, starting with Senator MANCHIN, who has been with me in this battle for a very long time now. But I wish to thank the other cosponsors, including Senators MCCONNELL, ALEXANDER, COTTON, CAPITO, GARDNER, HELLER, INHOFE, JOHNSON, MCCAIN, ROBERTS, and VITTER.

I am on the floor of the Senate to explain to people what we have done and are going to vote on later today. I believe that this amendment is very constructive, and I am very optimistic and hopeful this will pass.

This amendment is based on a bill that I introduced with Senator MANCHIN over a year and a half ago, which was called the Protecting Students from Sexual and Violent Predators Act. I have spoken about this a number of times because I feel very strongly about this. The fact is that while the overwhelming majority of our school employees across America are wonderful people and some of the great role models of our lives, it is also a fact that there are predators in our schools. That is a sad fact, but it is true. We know this for many reasons, not the least of which is that last year alone there were 459 school employees arrested across America for sexual misconduct with the kids that they are supposed to be protecting.

So far this year we are on a path of arresting people at a rate that exceeds that of last year. We know this is a huge problem.

It came to my attention because of the absolutely horrific story of a young boy named Jeremy Bell. Sadly, that story began in Pennsylvania, where a teacher was molesting the students under his charge. He was molesting little boys. The school figured out what was going on and reported it to the authorities. But as much as they wanted to, the authorities were never able to assemble enough evidence to mount a prosecution. So the school did something despicable. What the school decided to do was to make this predator someone else's problem. So they wrote a letter of recommendation and said: You just leave, take this letter with you, and find employment elsewhere.

Well, this is a pedophile. This is a predator they did this for, and of course he left and became someone else's problem. He was hired in West Virginia as a schoolteacher. Eventually, he became principal, and of course, he serially molested the children in that school, finally culminating in the rape and murder of a little boy named Jeremy Bell.

The practice of sending a letter of recommendation on behalf of a known predator is so appalling that most of us can't imagine anyone would do it. But the sad truth is that it has happened so frequently that it even has a name. It is called passing the trash. In prosecution circles and in the circles of people who are advocates for children who are victims of these horrendous crimes, they know this all too well. Passing the trash is all too common a practice as a way for schools to make these predators someone else's problems.

Well, the initial amendment that I filed this bill, mirroring the legislation that Senator MANCHIN and I introduced, attempted to deal with this problem in two ways. One, in the first place, was to establish a thorough Federal standard for background checks for school employees, and the second was to have a prohibition against passing the trash—to make it illegal for someone to knowingly recommend for hire a sexual predator.

As for the first part, the background check part, we have had disagreements among ourselves as to how to do that and whether to do that. There have been deep disagreements, and despite many conversations with my colleagues, we have not been able to reach an agreement on how to proceed on that. I am disappointed that we have not reached an agreement, but I understand that we don't have the votes to pass that portion. So I have agreed to put that aside for now. I have not agreed to abandon this cause of establishing the most rigorous possible background checks, but we will have that fight another day and hopefully at a time when we have the votes to pass it.

What is really terrific news is that we have reached an agreement on the other part of our legislation, the part that prohibits this despicable, horrendous practice of passing the trash—the very action that enabled the predator to get the job that enabled him, in turn, to rape and kill young Jeremy Bell. Having reached this agreement, I am confident that we will be able to pass this amendment later today. If we do, it will be the first time that the Senate has established that this despicable practice will no longer be tolerated anywhere in the country.

This is a huge victory for America's children. It is as simple as that. When we pass this in the Senate, and when it eventually becomes law, which I am confident it will, the fact is our kids are going to be safer. There are a lot of States that already have some legislation that prohibits passing the trash within their State, but no State can force another State to forbid this practice from coming across the line and into their State. That is why this always needed a Federal response, and I am really thrilled that today I think we are going to have that Federal response.

I need to thank a lot of folks. I see my colleague from West Virginia has joined us, and I will start with him. Senator MANCHIN has been a great partner in this effort since we started over a year and a half ago. I am sure he will have something to add about this entire process.

I also wish to thank the chairman of the committee, Senator ALEXANDER, and Ranking Member MURRAY for all of the help they have provided in getting us to this place. In particular, I have to thank Senator ALEXANDER and his staff, together with my staff. I also have to mention Dimple Gupta, who has worked tirelessly on this issue.

We had many long and often difficult conversations. We started in what seemed like irreconcilable differences about this topic. But because we persisted and everybody approached this in a cooperative fashion, despite the stiff opposition that there was at times, we were able to find common ground.

I also need to acknowledge some outside groups that made it possible for us to find this common ground: the National Children's Alliance, the Association of Prosecuting Attorneys, many child advocate groups across Pennsylvania and across the country, law enforcement groups, and prosecutors. Even the American Academy of Pediatricians has been helpful in getting us here.

I will close with this: This is exactly the way the Senate is supposed to work. This is the way it is supposed to happen. As people who share a common vision, we all want to make sure our kids are in the safest possible environment when they go to school. We started with wildly different views about how to get there. When the Senate is working well, it works exactly as it is working now with regular order on the Senate floor, going through the committee process, and having a ranking member and a chairman who are willing to work with individual Members on their priorities. People came together to figure out where their common ground was, how to get this done, and how to put the interest of their constituents, the American people—and in this case our kids and grandkids—ahead of political considerations.

I am really thrilled that I think we have reached that point on this really important amendment. So I urge all of my colleagues to support this amendment. I hope it will have very broad support. I want to say thanks to all of the colleagues who helped to make this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, let me say to my colleague, Senator TOOMEY from Pennsylvania, that I have enjoyed working with him on many ventures, if you will, but this is one that is particularly gratifying now that we have finally come to an agreement. I think it is bipartisan all the way. I think it will pass. It makes all the sense in the world. It was Jeremy Bell from my State of West Virginia who was the victim of this tragic crime that could have been prevented if we had just known. That is what this is all about. As Senator TOOMEY has said, we are not going to give up on making sure we can find out who these perpetrators are, if they have a record we can follow and trace and keep them out of the school system before they ever begin their careers. That is a situation on which we will continue to be very vigilant.

Again, I thank Senator TOOMEY for his commitment and his hard work. His staff and our staff enjoyed working together. We will continue to work on many endeavors that will benefit most importantly the children of this great country of ours in our respective States.

I thank Senator ALEXANDER and Senator MURRAY for including my amendment—another amendment I will be speaking about—to promote volunteerism and community service. This is an issue about which I feel very strongly. I go all over the State of West Virginia and speak in different parts of the country, and I speak to young people and ask them if they feel as if they own the country.

I say: Do you have ownership? Do you believe this is your country?

They look at me very strangely. They really don't feel as though they have ownership.

I ask them: In the Constitution and in the preamble where it says a government of the people, by the people, and for the people, whom are we speaking about? It is you. It is your government. You own it. What have you done to invest in it? Are you taking care of it? Are you doing preventive maintenance?

I am often reminded of the five promises that were made, which were started by Colin Powell and his five promises committee. It is an idea that my wife and I, when I was Governor of West Virginia, endorsed. We have a five promise program that we still support in West Virginia.

The five promises are simply these:

Every child when they are born into this world should have a loving, caring adult in their life, somebody who unconditionally loves them. Sometimes, unfortunately, it is not always the biological parents or the biological family, but every child deserves to have unconditional love.

Second, every child must have a safe place where harm can't enter their life, where they know they will be kept safe. Every child deserves that.

Third, every child deserves a healthy start. We know that nutrition is important and basically the ability to provide good nutrition. Sometimes, because of economic conditions, the opportunity doesn't always exist. That is a responsibility we have as the greatest country on Earth, the superpower that we are. Every child should have a healthy start.

Fourth, every child should grow to earn a skill, learn a skill, be able to obtain a skill that will carry them to be a successful adult in life.

I will speak about the fifth promise in just a moment.

Giving back to our communities, contributing our time and services to improve our world—this is something everybody can do. We can't use the excuse of ''I am sorry, my family is not wealthy enough for me to do something''—that is not an excuse—or ''I am sorry, I live in a rural area where I just don't have that available to me.'' There is a need everywhere in the world. In every part of this great country, there is a need for people to give something back and do something to contribute, to reach out and help somebody of lesser means, or maybe they don't have any assistance whatsoever in their life. There is an opportunity for every person to give.

I learned from my grandparents. I watched them open up their home and make sure there was always a bed for a stranger, make sure there was always food, and make sure there were a few rules we had to live by. You couldn't swear when there were too many young children around, you couldn't drink, and you had to work and provide something. If that was the case, then my grandparents took care of you and they wanted to share with you. They are pretty simple rules to live by.

Unfortunately, true public service is not there. We for some reason have thought it was somebody else's responsibility to take care of—just offer a government program, a Federal or State program. What happened to reaching across the room, if you will, or reaching across your town or your community or your State to help people? Our world is different, but our commitment to our neighbors shouldn't be. That is one value that doesn't change. One person can still have a meaningful impact on another person's life. We know that.

My amendment with Senator SHAHEEN basically aims to counter this trend by giving every school the flexibility to use their Federal funding on programs that promote volunteerism and community service. That is all. It is optional. It is not mandatory. But if one believes that is such an intricate part of our responsibility as an educator, to make sure these young people have a chance to get into a food bank or a food pantry or a homeless shelter or a senior citizen opportunity to help people in need, or a nursing home—given that chance, they can use some of those resources they will have through this updated bill we are about to pass, which I think is historical and much needed—this amendment will allow them to do that. That is all we have asked for.

I am very appreciative that both Chairman ALEXANDER and Ranking Member MURRAY have accepted this.

My amendment today is part of keeping General Powell's fifth promise. I

spoke about the four promises. The fifth promise is this: Every child should grow to be a loving, caring adult and give something back. We can't teach that one. People have to earn that one. People have to learn that for themselves. Sometimes people are able to get it from where they live, the family they live with, the community around them. Sometimes people see it and they know it is the right thing to do. This is going to provide an opportunity in an educational setting to find one's lot in life, to be able to give something back, to be able to grow into a loving, caring adult. That is what this is all about.

So I believe very strongly in this amendment. I believe very strongly that it is going to help the youth of America to be able to be Americans and what is expected of us as Americans—to help one another.

I would say that an investment in community service pays off both for our students and our communities. In 2013, that 1 year, U.S. taxpayers invested $1.7 billion in our national service programs that we have to date. The total social return on this investment is estimated to be $6.5 billion—almost a 4-to-1 return in the value we receive back as a society. I don't think we can get a better return on an investment than having the youth of America being able to give something back and learn that fifth promise to be a caring, loving adult and be able to carry this tradition on.

With that, I appreciate very much the chairman and the ranking member accepting this amendment. I think it will greatly help the school systems of America to be able to be involved in volunteerism, without social media but truly hands on. So I think this is something we need. I am appreciative, and I thank my colleagues.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from West Virginia. He was just speaking about a need for us to support our young people. In essence, what he was saying is they can use their God-given abilities to be able to give back, and that is what the amendment I wish to speak to is all about.

I appreciate the fact that the chairman and ranking member have agreed to take a look at this amendment. In fact, my understanding is that Senator ALEXANDER is going to be offering this amendment later. This amendment has to do with substance abuse. It has to do with our young people. Unfortunately, we are seeing a younger and younger age of first use of drugs. We are seeing also, unfortunately, more and more young people who struggle with addiction.

In the legislation and in the underlying law, there are provisions for prevention, and that is incredibly important. If we can get our young people not to go down this road, we can avoid some devastating consequences to them and to their future, to their families, and to their communities.

If we look at the use today, in my home State of Ohio—I was just home the day before yesterday at a conference on this issue of heroin use and prescription drug use by our young people. It is growing. It is a huge problem. The No. 1 cause of death now in Ohio is overdose from these drugs. It is no longer car accidents, as it has been in the past. We must focus on this issue, and the most effective way, of course, is through prevention and education, which I strongly support, and it is in the underlying bill.

What is not in the bill, though, is to provide support services for our young people should they be struggling with addiction. This is incredibly important. So the legislation I am offering along with Senator WHITEHOUSE simply provides recovery and support services for our young people who fall victim to the dangers of drugs. We have a responsibility to do this, in my view, again not just to focus, as the underlying legislation does, on drug prevention and early intervention but also to focus on providing these important recovery services to students in schools and communities so they could overcome their addiction and achieve their God-given abilities and again be productive members of society, which the Senator from Pennsylvania and the Senator from West Virginia were speaking about. I encourage my colleagues to support this amendment.

The second amendment I wish to speak about that I understand also may be offered later and included in a package—and I appreciate the chairman and ranking member taking a look at this—has to do with homeless youth. This is an amendment which basically enables us to streamline the current process, where it is very difficult to establish that somebody is homeless. In fact, under our current law, one has to go through quite a process with HUD, the Department of Housing and Urban Development. I am told there are sometimes up to maybe 10 or 12 different documents one has to go through. This streamlines the process and allows the counselors who are already in the schools to be able to make the determination to help get services to these kids.

Homeless youth in America is now at an alltime high. We are told that 1 in 45 children is homeless each year. By the way, that is 1.6 million children. So I hope this amendment, which is amendment No. 2087, to help homeless youth will also be one we will be able to take up here on the floor. Senator FEINSTEIN and I are offering it together. It is one that is bipartisan, and it is one that will help foster greater community collaboration between agencies and departments by streamlining the process and allowing these counselors who are already in the schools to get the training they need to be able to support these kids, to more quickly identify them and provide the services they need.

I thank my colleague from Montana for allowing me to speak about these two very important amendments. I thank Senator MURRAY and Senator ALEXANDER for giving this very serious consideration in the legislation. I hope these amendments can be adopted on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2110 TO AMENDMENT NO. 2089

Mr. DAINES. Mr. President, I ask to set aside the pending amendment in order to call up amendment No. 2110.

The PRESIDING OFFICER. The amendment is set aside.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. DAINES] proposes an amendment numbered 2110 to amendment No. 2089.

Mr. DAINES. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students)

After part B of title X, insert the following:

PART C—A PLUS ACT

SECTION 10301. SHORT TITLE; PURPOSE; DEFINITIONS.

(a) SHORT TITLE.—This part may be cited as the ''Academic Partnerships Lead Us to Success Act'' or the ''A PLUS Act''.

(b) PURPOSE.—The purposes of this part are as follows:

(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

(c) DEFINITIONS.—

(1) IN GENERAL.—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

(2) OTHER TERMS.—In this part:

(A) ACCOUNTABILITY.—The term ''accountability'' means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) DECLARATION OF INTENT.—The term ''declaration of intent'' means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) STATE.—The term ''State'' has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) STATE AUTHORIZING OFFICIALS.—The term ''State Authorizing Officials'' means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) STATE DESIGNATED OFFICER.—The term ''State Designated Officer'' means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

SEC. 10302. DECLARATION OF INTENT.

(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

(1) SCOPE.—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Education Secondary Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(3) REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) AMENDMENT TO DECLARATION OF INTENT.—

(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

(a) IN GENERAL.—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

SEC. 10304. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

Mr. DAINES. Mr. President, as a fifth-generation Montanan, a product of Montana public schools, a husband of an elementary school teacher, and the father of four children, including one of them who has a degree in elementary education, I understand how important a first-rate education is to our kids' future.

As I meet with parents and educators across Montana, they frequently share concerns about the one-size-fits-all student performance and teacher qualification metrics that currently dictate Federal funding as part of No Child Left Behind. While well-intended, many of these metrics have proven difficult for schools in rural areas to achieve.

As the Senate debates the Every Child Achieves Act to reform our Nation's education policies, one of my priorities will be fighting to increase local control over academic standards and education policies and working to push back against burdensome Federal regulations that often place our schools in a straitjacket.

For example, the U.S. Department of Education has incentivized States to adopt common core standards by offering exemptions from No Child Left Behind regulations and making extra Federal education funds accessible through programs such as Race to the Top to States that adopt common core. However, as are many Montanans, I am deeply concerned that the Federal Government's obvious efforts to back States into adopting such programs is an inappropriate interference in education policy decisions that should be made by the States, should be made by the parents, by the teachers, and local school boards.

If we are serious about wanting to make future generations as fortunate as ours, it is critical that we prepare our children to excel in a globally competitive economy. Our children should

receive a well-rounded education that focuses on core subjects, including reading, writing, science, and math, as well as technical and vocational disciplines and training in the arts.

It is clear that the Federal Government's one-size-fits-none approach isn't working. That is why I am introducing the academic partnerships lead us to success amendment, or A-PLUS for short. It is an amendment to the Every Child Achieves Act. I thank the chairman and the ranking member, Senator ALEXANDER and Senator MURRAY, for allowing a vote on this amendment today.

This measure will help expand local control of our schools and return Federal education dollars where they belong—closer to classrooms. With A-PLUS, the States should be freed and will be freed from Washington unworkable teacher standards. States would be free from Washington-knows-best performance metrics. States would be free from Washington's failed test requirements. States would be held accountable by parents and teachers because a bright light would shine directly on the decisions made by State capitals and local school districts.

With freedom from Federal mandates comes more responsibility, transparency, and accountability from the States. It would empower our States, our local schools, our teachers, and our parents to work together to develop solutions that best fit the unique needs of each child. The A-PLUS amendment goes a long way toward returning responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms.

I thank Senators GRASSLEY, CRUZ, VITTER, JOHNSON, LEE, LANKFORD, BLUNT, CRAPO, RUBIO, and GARDNER for sponsoring my A-PLUS amendment, and I ask my other Senate colleagues to join us in empowering our schools to serve our students, not DC bureaucrats, and support this important amendment.

I see my colleague Senator LEE of Utah is here, and I yield my time for his comments on this amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. I thank the Senator.

Mr. President, the work the Senate is engaged in this week is long overdue. The last time the Elementary and Secondary Education Act was updated was 14 years ago. Congress gave the country No Child Left Behind, a policy that by all accounts has been a failure. That is why in 2012 the Obama administration began offering waivers to States, allowing them to opt out of the coercive and ineffective requirements that No Child Left Behind imposed on America's school districts and classrooms. But State and local school boards quickly learned, just as parents and teachers did, these so-called waivers didn't solve the fundamental problems created by No Child Left Behind; they further entrenched that problem. These weren't waivers in any meaningful sense because they came with a new set of strings attached that only reinforced the authority of Washington, DC, to micromanage the policies and the curriculum of classrooms all around the country. They did not give State and local policymakers the freedom and flexibility to use education funding in a way that would best meet the needs of students and truly empower every child to succeed. No. Instead, they forced teachers, school boards, and State officials to choose between the lesser of two evils—either, on one hand, abide by the Federal mandates of No Child Left Behind or, on the other hand, accept the Federal mandates prescribed by common core and Race to the Top.

The underlying bill we will vote on next week makes the same mistake, and unless it is amended, we can expect it in turn to have the same disappointing results. More kids will be trapped in failing schools, their opportunities in life predetermined by their parents' ZIP Code rather than their God-given talents and their own individual desire to learn and succeed. More teachers can be rewarded on the basis of the number of years they have been on the job rather than on the basis of the number of kids they have helped to graduate. And more parents will regrettably but understandably lose faith in the public education system, knowing it is designed to serve the ideological whims of Federal politicians and Federal bureaucrats instead of the educational needs of their children.

That is why I am here this morning to offer my support and to encourage my colleagues to offer their support for an amendment to the proposed reauthorization of the Elementary and Secondary Education Act, an amendment that would help us avoid the serious mistakes of the past.

The basic premise, the basic animating principle behind the bill before the Senate, as it now stands, and the basic premise, basic principle behind No Child Left Behind and common core is that when it comes to running the classroom, Washington bureaucrats and politicians know better than America's teachers, parents, and local school boards. The principle behind the A-PLUS amendment is essentially the opposite; that no one is in a better position to make decisions about a child's education than his or her parents, guardians, teachers, counselors, and principals. If you believe in this principle as I do—and as experience instructs all of us to do—then you must support the A-PLUS Act because it empowers every child's parents, guardians, teachers, counselors, and principals to make the greatest impact on their education and on their lives, and it would do so without eliminating any Federal mandates—coercive and ineffective though they may be—and would simply give States the choice to opt out of them, no strings attached.

Here is how the A-PLUS act works. If a State's legislators determine that the Federal Government's approach to education reform has not improved academic achievement in their State, they have an alternative. They can submit to the U.S. Department of Education a declaration of intent outlining their State-directed education reform initiatives. In States that choose to opt out, education officials will no longer have to spend all of their time complying with onerous one-size-fits-all Federal mandates. Instead, they will have the freedom and flexibility to listen and respond to the needs and recommendations of parents, teachers, principals, and school boards. They will be able to make their education funds go further by consolidating programs and funding sources, and they will be able to improve the educational opportunities to disadvantaged children by designing their State's policies to be more responsive and more targeted.

This amendment isn't about States' rights so much as it is about children's rights, such as the right to a good education. It would secure those rights by empowering America's teachers and parents to pursue innovative policies, such as charter schools and school vouchers and pay-for-success initiatives that have proven to be successful in classrooms all around the country.

The bill the Senate will vote on next week may be well-intentioned in its reauthorization of the Elementary and Secondary Education Act, but it misdiagnoses the problem of the status quo. Our education system needs to be reformed, not in spite of excessive Federal control but because of it. The A-PLUS Act recognizes this fact, and it takes critical steps to rebuild our education policy around it.

I urge my colleagues to support the A-PLUS amendment. The success of America's children depends upon it.

I thank my friend and distinguished colleague from Montana and yield my time back to him.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. I thank the Senator from Utah for his remarks and his insights to empower schools, parents, and States to have more control over their children's future through education. This measure will help expand local control of our schools. It will return Federal education dollars to where they belong; that is, close to the classrooms.

Just before I came down to the floor to speak, I was in my office with some high school students from Montana from communities like St. Regis, Hobson, Missoula, Clyde Park, Stevensville. They are the bright future of our State. As I chatted with them about this amendment, they, too, agreed that by shifting control back to the States, to the local school boards, to the parents, that individual and effective solutions can be created to address the multitude of unique challenges facing our schools and our students across the

country. Through these laboratories of democracy, Americans can watch and learn how students can benefit when innovative reforms are implemented at the local level.

I thank my colleagues, and I urge my Senate colleagues to join us in empowering our schools to serve their students, not DC bureaucrats, and support this important amendment.

I yield back.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Tennessee.

AMENDMENTS NOS. 2147 AND 2121 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Madam President, I ask to set aside the pending amendment to call up the following amendments en bloc: Portman amendment No. 2147 and Heller amendment No. 2121.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes amendments en bloc numbered 2147 and 2121 to amendment No. 2089.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2147

(Purpose: To promote recovery support services for students)

On page 422, line 22, insert ''recovery support services,'' after ''referral,''.

On page 439, line 16, insert ''recovery support services,'' after ''mentoring,''.

AMENDMENT NO. 2121

(Purpose: To ensure timely and meaningful consultation between State educational agencies and Governors in the development of State plans under titles I and II and section 9302)

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540. CONSULTATION WITH THE GOVERNOR.

''(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

''(1) during the development of such plan; and

''(2) prior to submission of the plan to the Secretary.

''(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.''.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 2120, 2099, 2103, 2096, AND 2087 TO AMENDMENT NO. 2089

Mrs. MURRAY. Madam President, I ask to set aside the pending amendment in order to call up the following amendments en bloc as provided for under the previous order and ask that they be reported by number: Warren No. 2120, Brown No. 2099, Manchin No. 2103, Kaine No. 2096, and Feinstein No. 2087.

The PRESIDING OFFICER. The clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc numbered 2120, 2099, 2103, 2096, and 2087 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2120

(Purpose: To amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data)

On page 75, strike line 1 and all that follows through line 4 on page 76 and insert the following:

''(iii) TECHNICAL ASSISTANCE.—Upon request by a State or local educational agency, the Secretary shall provide technical assistance to States and local educational agencies in collecting, cross-tabulating, or disaggregating data in order to meet the requirements of this paragraph.

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

''(ii) Information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1), for all students and disaggregated and cross-tabulated in accordance with the following:

''(I) Such information shall be disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care and, within each category of students described in subsection (b)(2)(B)(xi), cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(II) The disaggregation or cross-tabulation for a category described in subclause (I) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

''(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

''(iv)(I) For all students, and disaggregated and cross-tabulated in accordance with subclauses (II) and (III)—

''(aa) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

''(bb) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

''(II) The information described in subclause (I) shall be disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and, within each such disaggregation category, cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(III) The disaggregation or cross-tabulation for a category described in subclause (II) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

On page 89, between lines 5 and 6, insert the following:

''(5) CROSS-TABULATION PROVISIONS.—

''(A) CROSS-TABULATION DATA NOT USED FOR ACCOUNTABILITY.—Nothing in this subsection shall be construed to require groups of students obtained by cross-tabulating data under this subsection to be considered categories of students under subsection (b)(3)(A) for purposes of the State accountability system under subsection (b)(3) or section 1114.

''(B) CROSS-TABULATED DATA IMPLEMENTATION.—Information obtained by cross-tabulating data under this subsection shall be widely accessible to the public in accordance with paragraph (1)(B)(i)(III) and, upon request, by any additional public means that the State determines.

AMENDMENT NO. 2099

(Purpose: To amend part A of title IV of the Elementary and Secondary Education Act of 1965 to allow funds provided under such part to be used for a site resource coordinator)

On page 447, between lines 16 and 17, insert the following:

''(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

''(i) establishing partnerships within the community to provide resources and support for schools;

''(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

''(iii) strengthening relationships between schools and communities; and

AMENDMENT NO. 2103

(Purpose: To enable local educational agencies to use funds under part A of title IV of the Elementary and Secondary Education Act of 1965 for programs and activities that promote volunteerism and community service)

On page 444, strike line 2 and insert the following:

school; or

''(iii) promote volunteerism and community service;''.

AMENDMENT NO. 2096

(Purpose: To add career and technical education as a core academic subject)

On page 759, line 3, insert ''career and technical education,'' after ''music,''.

AMENDMENT NO. 2087

(Purpose: To provide for additional means of certifying children, youth, parents, and families as homeless)

On page 813, line 8, insert before the semicolon the following: ''; and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison''.

On page 827, strike line 22 and insert the following:

nator.

''(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.''; and

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 1740 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2110

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 2110, offered by the Senator from Montana, Mr. DAINES, which is subject to a 60-affirmative-vote threshold for adoption.

The Senator from Montana.

Mr. DAINES. Madam President, the academic partnerships lead us to success amendment—also called A-PLUS—gives States greater flexibility in allocating Federal education funding and ensuring academic achievement. Here is what it does. States would be allowed to obtain Federal education funding in the form of block grants. States would submit a declaration of intent to the Department of Education to consolidate Federal education programs and funding and redirect sources toward State-directed education reform initiatives. What this does is allow State and local leaders to exercise greater control over the use of Federal education funds to address the needs of local students and target scarce resources to areas of highest need.

I ask my Senate colleagues to join me in empowering our schools to serve their students, not DC Democrats, and support this important amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, this amendment is well-intentioned, unnecessary, won't pass, and undermines the bipartisan agreement we reached to try to move in exactly the direction the Senator from Montana suggested. In addition, the House of Representatives rejected it last night.

I recommend instead that my friends who want more local control of the schools vote for our bipartisan agreement, which ends the common core mandate, ends waivers in 42 States, reverses the trend of national school boards, and which, in my opinion, would be the biggest step toward restoring local control to public schools in the last 25 years.

I urge a ''no'' vote on a well-intentioned, unnecessary idea which won't become law and which might help undermine the bipartisan proposal that has a very good chance of becoming law.

Madam President, I ask unanimous consent that the votes following the first vote in this series be 10 minutes in length.

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

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

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

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

[Rollcall Vote No. 226 Leg.]

YEAS—44

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

NAYS—54

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

NOT VOTING—2

King	Rubio

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

The Senator from Tennessee.

AMENDMENT NO. 2120

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, I ask unanimous consent that the order relating to the Warren amendment be vitiated and the amendment remain pending while Senator MURRAY and I work with Senator WARREN on the language in the bill.

So we won't be voting on the Warren amendment today, but it will remain pending. That leaves votes on two amendments: Senator BROWN's amendment and Senator TOOMEY's amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2099

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2099, offered by the Senator from Washington, Mrs. MURRAY, for Mr. BROWN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I know Senator BROWN is on his way. But I just want to let Senators know that too often our Nation's students show up to school hungry or lacking adequate school supplies. Many of our teachers, as we know, are really struggling to provide students with an education, while they are also dealing with the compounding problems brought on by poverty.

Site resource coordinators, which this amendment addresses, operate through a community school model, are able to bolster the number of resources in schools, and increase the number of services offered to students and their families.

So what this amendment does is that it would further that goal by allowing

title IV funds to be used for site coordinators.

I thank Senator BROWN for offering this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I remind Senators that this and the next vote are 10-minute votes.

The PRESIDING OFFICER. Who yields time?

Mr. ALEXANDER. I yield back the time.

Mrs. MURRAY. I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question occurs on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 227 Leg.]

YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—2

King	Rubio

The amendment (No. 2099) was agreed to.

AMENDMENT NO. 2094, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2094, as modified, offered by the Senator from Pennsylvania, Mr. TOOMEY.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, this amendment is really very simple. It is designed to protect children from sexual predators. We know we have a problem because every year we arrest hundreds of school employees across the country for the sexual abuse of children who are supposed to be in their care.

This measure will help that problem by a very simple requirement that States pass legislation to prohibit knowingly recommending for hire a teacher who has abused children. This is common sense.

I am very grateful to my colleagues for helping us get here, especially Senator MANCHIN. He has been a great partner in this effort for a long time now. I want to thank Senator ALEXANDER and Senator MURRAY for their work in helping us find the common ground that could get to a great bipartisan solution for a real problem.

I yield to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I appreciate the hard work Senator TOOMEY has put in. Our staffs have worked together. I wish to thank Chairman ALEXANDER and Ranking Member MURRAY for their hard work on this. This young man from West Virginia, Jeremy Bell, was the victim of a crime that was preventable if we had known. We did not know. This person who basically was a predator was passed down to West Virginia without West Virginia having any knowledge at all. This will prevent this from happening anywhere in the country.

I urge all of my colleagues to please support this piece of legislation. This amendment is most reasonable. It will protect your children.

Mr. ALEXANDER. Madam President, I ask for 30 seconds for Senator MURRAY and me to make a brief comment.

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

Mr. ALEXANDER. I want to thank the Senator from Pennsylvania and the Senator from West Virginia for working with Senator MURRAY and me and others to come to a conclusion on this. They feel passionately about it. They have worked hard on it. They deserve credit for that. I am glad to be a cosponsor of it, and I plan to vote for it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I join with the chairman in thanking the Senators from Pennsylvania and West Virginia and for working with our staffs to create this new version. I think this amendment gets at a real problem by ensuring that suspected abusers do not transfer to other States and districts. It is a positive step. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 228 Leg.]

YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—2

King	Rubio

The amendment (No. 2094), as modified, was agreed to.

AMENDMENT NO. 2147

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 2147, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. PORTMAN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senator from Virginia be given 1 minute and the Senator from California be given 1 minute to speak prior to the five voice votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

AMENDMENT NO. 2096

Mr. KAINE. Madam President, I rise to speak on amendment No. 2096.

CTE is a core academic subject. I grew up working in my dad's ironworking and welding shop. I ran a school that taught kids to be carpenters and welders in Honduras many

years ago, and what I learned is that high-quality technical education is an important part of the educational spectrum. We downgraded it for a number of years, but there is a renaissance now.

What my amendment would do is it would go into the current Federal law and specify that career and technical education programs are core curricula. Originally, English, math, and science were. This bill broadens what is a core curriculum to include computer science and foreign languages. This amendment would make plain that high-quality career and technical education is a core academic subject.

I wish to thank Senators AYOTTE, MERKLEY, SCOTT, BALDWIN, and WARNER as cosponsor. I also thank the chairman and ranking member for bringing this bipartisan bill to the floor.

This is commonsense and bipartisan. I hope it will pass.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2087

Mrs. FEINSTEIN. Madam President, I rise to speak on amendment No. 2087. It is pretty simple what this amendment would do, and I present it on behalf of Senator PORTMAN and myself. It assures that homeless children have access to HUD housing.

Today, we have 1.3 million children homeless in this country. In my State, we have 310,000. The problem is getting a clear definition of an individual who is homeless. This bill would allow the appropriate authorities in a school to certify that a youngster is homeless, so we don't have a conflict between the HUD certification and the school certification. It is long overdue. I believe it will be helpful. I am very hopeful this amendment will pass with a very big vote.

I thank the Chair, and I thank Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield back our remaining debate time on the final amendments.

The PRESIDING OFFICER. All Democratic debate time is yielded back.

Mr. ALEXANDER. Madam President, I yield back all Republican time.

The PRESIDING OFFICER. All time is yielded back.

VOTE ON AMENDMENT NO. 2147

The question is on agreeing to amendment No. 2147.

The amendment (No. 2147) was agreed to.

VOTE ON AMENDMENT NO. 2103

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2103.

The amendment (No. 2103) was agreed to.

VOTE ON AMENDMENT NO. 2096

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2096.

The amendment (No. 2096) was agreed to.

VOTE ON AMENDMENT NO. 2121

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2121.

The amendment (No. 2121) was agreed to.

VOTE ON AMENDMENT NO. 2087

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2087.

The amendment (No. 2087) was agreed to.

VOTE ON AMENDMENT NO. 2079

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2079.

The amendment (No. 2079) was agreed to.

The PRESIDING OFFICER. The majority leader.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Senate the House message accompanying H.R. 1735.

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

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 1735) entitled ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes,'' and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

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 insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

ORDER OF PROCEDURE

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXVIII, that the time until 1:45 p.m. today be divided between the managers or their designees and that at 1:45 p.m., all postcloture time be expired and that the Senate vote on the motion to invoke cloture on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735; further, if the compound motion is agreed to, Senator REED of Rhode Island or his designee be immediately recognized to offer a motion to instruct the conferees; and that there be 2 minutes of debate equally divided on that motion, and following the disposition of that motion, the Senate resume consideration of S. 1177.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

SANCTUARY CITIES

Mr. VITTER. Madam President, I rise to discuss the very significant issue of sanctuary cities.

Obviously, we have all been startled and saddened by the horrific murder in San Francisco that is a direct result of San Francisco's sanctuary city policy. As a result, I will be filing an amendment today on this bill to address sanctuary city policy.

This is not a new idea for me. It is not a new issue. I have had legislation on this topic since 2009. I have tried to get the attention of the U.S. Senate and the attention of others on this topic numerous times since then. I have only been able to get one vote on an appropriations bill. Unfortunately, my amendment to try to end sanctuary city policy around the country was tabled, with every Democrat, sadly, voting to table the amendment, except my then-Democratic colleague Senator Mary Landrieu.

I hope the very tragic murder of Kathryn Steinle in San Francisco—a wonderful 32-year-old woman—gets all of our attention and causes all of us to focus on this very serious issue. As we all know, her murderer was an illegal alien who was deported five times previously. As we all know, he was an illegal alien who was convicted of felonies seven times previously. As we all know, it is because of San Francisco's sanctuary city law, defying Federal law, that caused local police officials there not to cooperate with U.S. Immigration and Customs Enforcement officials to hold this dangerous criminal for further deportation proceedings.

Obviously, there are a lot of things wrong with our immigration system that this case illustrates. The fact that he could come back into the country so many times, having been deported, is a real red flag. But certainly this also underscores the truly dangerous nature of sanctuary cities policy.

Unfortunately, San Francisco is not alone in promoting this ridiculous policy. There are over 200 cities now that

defy Federal law and provide this safe haven to illegal immigrants, including very dangerous illegal immigrants such as the murderer of Kathryn Steinle. For years, leaders in this city have argued that providing such a sanctuary assists local law enforcement in doing their job. Really? Really? We are going to look at this case in San Francisco and keep up those ridiculous arguments? Let's get real. Let's call these policies to a halt. They are contrary to existing Federal law, but the problem is we have never put teeth in that existing Federal law. It is absolutely time we did so.

This horrible murder in San Francisco isn't the only one of its kind. Just last week, an 18-year-old girl and her 4-year-old son were found shot and burned in their car. Right now, the top suspect is the woman's boyfriend, an illegal immigrant who was deported in 2014, who illegally reentered the country. In my home State of Louisiana, we have identified serious felons who have been released from jail and are now free to roam in Louisiana. We know of these cases.

Now, I hope this recent incident in San Francisco does get some folks' attention. There is hopeful evidence about this. In a statement following the shooting, Hillary Clinton said that any city should listen to the Department of Homeland Security and fully cooperate with their law enforcement and deportation work. Even before the incident in a hearing before the House Oversight and Government Reform Committee, the Director of Immigration and Customs Enforcement Sarah Saldana described the adverse effects of sanctuary city policy. She said that a significant factor affecting efforts to deport illegal immigrants ''has been the increase in state and local jurisdictions that are limiting their partnership, or wholly refusing to cooperate with ICE immigration enforcement efforts. . . . [I]n certain circumstances we believe such a lack of cooperation may increase the risk that dangerous criminals are returned to the streets, putting the public and our officers at greater risk.''

Well, yes, we saw the direct result of that dangerous, reckless sanctuary city policy in San Francisco recently.

Right now there are nearly 170,000 convicted criminal aliens who have been ordered deported who remain at large in our country. The question for sanctuary cities is, Are they going to continue to protect those people or are they going to finally cooperate with immigration enforcement officials to do something about rounding up those people, not allowing them to roam on our streets?

We need to change our stance that allows sanctuary cities to get away with being accessories to murder. Let me repeat that. They are getting away with being accessories to murder, and we need to put an end to that.

My legislation, first introduced in 2009, would do that by putting real teeth in Federal law, which does not exist now. My amendment on this bill, which I will be filing today, would do that by putting real teeth into Federal law, which does not exist now. We need to take this up and we need to do something to shut down over 200 sanctuary cities around the country that are clearly endangering the lives and well-being of American citizens.

I urge all of my colleagues to come together to support this commonsense policy. We need to act. The tragic events in San Francisco prove that we need to act.

Six years and waiting on this commonsense proposal from me and others is 6 years and waiting way too long. We need to act now. I urge all of our colleagues to join me and others in doing so.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Rhode Island.

Mr. REED. Madam President, as the Republican leader indicated pursuant to unanimous consent, I will shortly be offering a motion to instruct conferees on the fiscal year 2016 National Defense Authorization Act regarding the inappropriate use of overseas contingency operations funding in this bill.

The motion to instruct I am offering today directs the NDAA conferees to ''insist that the final conference report fully fund the President's budget request for the Department of Defense, including $534.3 billion in base budget funding and $50.9 billion in Overseas Contingency Operations or OCO budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and nonsecurity spending categories.''

This motion to instruct is consistent with the President's fiscal year 2016 budget request for defense, which assumed a resolution to the Budget Control Act, or BCA, dilemma that we have been trying to address. If this BCA situation is resolved, we can remove the threat of sequestration on both the defense and domestic spending. Unfortunately, the bill had to rely upon a budgetary—and it has been described by many people—gimmick by transferring $39 billion from the base budget request for enduring military requirements to the OCO budget, leaving a base budget that is just below BCA levels in order to avoid triggering sequestration.

In the absence of a resolution to the spending caps in the BCA, the administration has stated that any legislation that contributes to locking in massive cuts to nondefense departments and agencies—such as this one—will be subject to a veto.

Now one of my concerns is, when we use this device or gimmick this year, it will pave the way to use it next year and the following year and year after that. So we will have this enduring imbalance between security spending in the Department of Defense and nonsecurity spending in non-Defense Department agencies and a full range of governmental spending. Abusing OCO is completely contrary to the intent of BCA. The BCA was designed to impose proportionately equal cuts on defense and nondefense discretionary spending to force a bipartisan compromise. This approach unilaterally reneges on that bipartisan agreement.

OCO and emergency funding are outside the budget caps for a reason. They are for the costs of ongoing military operations and to respond to other unforeseen events like natural disasters. To suddenly ignore the true purpose of OCO and treat it as a budgetary device or slush fund to skirt the BCA is an unacceptable use for this important tool for our warfighters.

Just to highlight how this OCO gimmick skews defense spending, consider the amount of OCO in relation to the number of deployed troops. Most Americans have a very commonsense approach. If we have lots of troops engaged in operations overseas in Afghanistan, Iraq, and elsewhere, then we need lots of OCO funding as well. In 2008—the height of our nation's troops in Iraq and Afghanistan, over 187,000 troops deployed—we spent approximately $1 million in OCO per troop. Under this bill, we would spend approximately $9 million in OCO for each of our deployed troops in Iraq and Afghanistan.

Simply put, this approach, which circumvents the spirit of the law, is not fiscally responsible or an honest accounting nor is it consistent with the notion of why we created OCO in the first place, to support troops overseas engaged in overseas operations.

There is another point. True national security requires that non-DOD departments and agencies also receive relief from BCA caps. The Pentagon simply cannot meet the complex set of national security challenges without the help of other governmental departments and agencies, including State, Justice, and Homeland Security. In the Armed Services Committee, we heard testimony on the essential role of other government agencies in ensuring our national defense remains strong. The Department of Defense's share of the burden would surely grow if these agencies are not funded adequately.

The BCA caps are based on a misnomer that discretionary spending is neatly divided into security and nonsecurity spending. Let's be clear, essential national security functions are performed by governmental agencies other than the Department of Defense. As retired Marine Corps General Mattis said, ''If you don't fund the State Department fully, then I need to buy more ammunition.''

With regard to the threat from the so-called Islamic State of Iraq and the Levant, or ISIL, Secretary of Defense

Carter told the Armed Services Committee on Tuesday that ''the State Department, the Department of Homeland Security, other agencies that are critical to protecting us against ISIL and other threats, they need resources too. And so that's another reason why I appeal for an overall budget perspective. . . . I really appeal for that, not just for my own department, but for the rest of the national security establishment, I think it's critical.''

According to a poll earlier this year, 83 percent of Americans think ISIL is the No. 1 threat to the United States. It is notable that of the administration's nine lines of effort to counter ISIL, only two, the security and intelligence efforts, reside within the responsibilities of the Department of Defense and intelligence community. The remaining seven elements for our counter-ISIL strategy rely heavily on our civilian departments and agencies.

For example, supporting effective governance in Iraq. We need our diplomatic as well as political experts at the State Department to engage with Sunni, Shia, Kurd, and minority communities in Iraq to promote reconciliation in Iraq and build political unity among the Iraqi people.

Building partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL, much of what is being carried out by the State Department and USAID.

Disrupting ISIL's finances requires the State Department and Treasury Department to work with their foreign partners and the banking sector to ensure that our counter-ISIL sanctions regime is implemented and enforced.

Exposing ISIL's true nature. Our strategic communications campaign requires a truly whole-of-government effort, including the State Department, Voice of America, USAID, and others. The Republican approach to funding our strategic communications strategy is a part-of-government plan, not a whole-of-government plan, unless we recognize that we have to make adjustments in the BCA caps for every agency in the government.

Another aspect is disrupting the flow of foreign fighters. These foreign fighters are the lifeblood of ISIL. Yet the State Department and key components of the Department of Homeland Security are facing severe cuts, undermining ongoing work with partner nations to disrupt the flow of foreign fighters to Syria and Iraq and to protect our borders here at home.

The sixth line, protecting the homeland. The vast majority of the Department of Homeland Security falls under nonsecurity BCA caps. This further demonstrates that the Republican plan is a misnomer, a gimmick, and an effort to play a game of smoke and mirrors with the American people. They are very critical to our security here at home. Yet they are in that ''nondefense'' part of the budget.

Humanitarian support is critical. It is even more critical as you look at the papers and see there is a huge number of people coming out of Syria. Military commanders will routinely tell you that the efforts of the State Department, USAID, the Office of Foreign Disaster Assistance is critical to our campaign, none of which are considered security activities under the Budget Control Act.

Taken together, this proposal, which is embedded in the underlying legislation, could compromise our broader campaign against ISIL and deprive significant elements of our government of the resources we need to do the job of protecting the American people.

In another respect, adding funds to OCO does not solve and sometimes complicates the DOD's budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires the DOD to focus at least 5 years into the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building its 5-year budget. As General Dempsey, Chairman of the Joint Chiefs, testified, ''We need to fix the base budget . . . we won't have the certainty we need'' if there is a year-by-year OCO fix.

On Tuesday, Secretary of Defense Carter told the Armed Services Committee, ''It's embarrassing that we cannot, in successive years now, pull ourselves together before an overall budget approach that allows us to do what we need to do, which is . . . program in a multiyear manner, not in a one-year-at-a-time manner.''

Abuse of OCO in this massive way risks undermining support for a critical mechanism used to fund the increased costs of overseas conflicts. We have to have a disciplined system for estimating the cost and funding the employment of a trained and ready force.

The men and women of our military volunteer to protect and are overseas fighting for American ideals, including good education, economic opportunity, and safe communities. Efforts to support all of these goals will be hampered unless civilian departments and agencies also receive relief from BCA caps.

Our young men and women who are sacrificing their lives overseas, not just to defeat the enemy in the field but to give opportunity for hope and a chance here at home for their brothers and sisters, for their aunts and uncles. Our servicemembers and their families rely on many of the services provided by non-DOD departments, including veterans employment services, transition assistance, housing and homeless support provided by various civilian departments and agencies, impact aid to local school districts administered by the Department of Education, the school lunch program provided by the Department of Agriculture, lifesaving medical research on issues such as traumatic brain injury, post-traumatic stress, and suicide prevention, supported by the National Institutes of Health, health care for retirees and disabled individuals under Medicare, Medicaid services for parents, including military parents and children with special needs. All of these programs that benefit directly men and women in uniform and their families would be restricted, and I don't think that is why they are risking their lives, to see these programs that are helpful to them unnecessarily cut back.

Our national security is also inherently tied to our economic security. The President underscored this point on Monday when he said:

> The reason we have the best military in the world is, first and foremost, because we have got the best troops in history, but it's also because we've got a strong economy and we've got a well-educated population and we've got an incredible research operation and universities that allow us to create new products that then can be translated into our military superiority around the world. We shortchange those, we're going to be less secure.

The NDAA has been accused of not being a funding bill. So we don't have to worry about the budgetary complications. But indeed we do. The stated purpose of the bill is to authorize appropriations for fiscal year 2016 for military activities for the Department of Defense. It is one of the few bills we do every year to directly authorize appropriations. So it is intimately tied to the appropriations, to BCA, and to all of the issues I have talked about.

Indeed, we have said—and the committee has said repeatedly—that we are authorizing money. It is not just suggesting things to do but actually providing real money to the Department of Defense. If we do that, I think we have to do it in a way that does not use this OCO exception this year—and, unfortunately, in the years to come, if we let it happen this year—but that we are transparent, clear, and we put the money in the base budget and we move forward.

I think it is clearly within the scope of the conference. That is why I will be offering this motion to instruct. Everyone I talk to, on both sides of the aisle, with very rare exception, will make an individual strident pitch that we have to fix BCA, that this is not the best approach. I heard that this morning when we had General Dunford before the committee—on both sides of the aisle: These BCA caps are not the right way to fund our national defense and not the right way to fund other elements of government.

We can disagree on funding levels, but there seems to be a strong consensus that the BCA is not working for the benefit of the American people and we have to fix it. Yet we are not fixing it in the legislation that is before us nor are we doing things to help leverage such a discussion and to help us to come together to do what we all claim we want to do, which is to remove those arbitrary caps, avoid sequestration, and contribute to a whole-government approach—not just to national

security but to economic prosperity, to educational opportunity. All of that has to be done not by using these budgetary loopholes not designed for the purpose they are being used for but by sitting down and coming up with sensible legislation.

We did it before with the great work of Senator MURRAY and Congressman PAUL RYAN, and we have to do it again. So I will urge my colleagues to vote in favor, obviously, when this comes up—this motion to instruct—so we send the right message to our conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. May I ask, is the Senate in morning business?

The PRESIDING OFFICER. The Senate is on the message to accompany H.R. 1735.

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

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

WASTEFUL SPENDING

Mr. COATS. Madam President, I come down here every week, as the Presiding Officer knows. She is usually in the chair when I am here, listening to my ''Waste of the Week''. I am a little bit later this week than I normally am. But the issue of waste, fraud, and abuse in the Federal Government continues. We have covered a lot of ground on serious issues such as tax fraud and misplaced death records, to the more absurd, such as the federally funded rabbit massages and marketing support for pumpkin doughnuts. Each of those has a pricetag. That pricetag is paid for by the American taxpayer.

I am happy today to be able to announce that one of the items which I highlighted in a previous ''Waste of the Week'' speech has been addressed. In May, my 11th ''Waste of the Week'' speech examined ways to improve compliance measures for higher education tax benefits. I outlined how Congress can fix this problem to achieve $576 million in taxpayer savings.

So that is a former ''Waste of the Week''. It is a great benefit to universities, colleges, and educational institutions across the country because previous laws required them to provide information even when those applying for the particular aid refused to provide certain information. It created a nightmare of paperwork and a nightmare of compliance for those colleges and universities.

So that provision that we brought forward was incorporated into law that has now been passed, signed by the President, and is operative. We not only have saved the taxpayer $576 million, but we have provided universities relief from an unnecessary procedure that consumed an extraordinary amount of time.

Today I want to talk about software licenses. The Federal Government needs to purchase literally millions of these licenses. In order to get the IT, the information technology, working right you have to have the right equipment. In fact, the government spent $80 billion last year on information technology, including these software licenses.

Now, the Office of Management and Budget and the 24 Federal agencies that are covered by the Chief Financial Officers Act of 1990 have very key roles and responsibilities for overseeing IT investment management. Federal law places responsibility for managing investment with the heads of these agencies and establishes chief information officers to advise and assist agency heads in carrying out this responsibility.

Now, there are two Executive orders that have been issued that provide information for these Federal agencies regarding the management of how they go about procuring and managing these software licenses. Executive Order No. 13103 specifies that agencies must adopt procedures to ensure that they are not using this computer software in violation of copyright laws.

Additionally, Executive Order No. 13589 states that agencies must ensure that they are not paying for unused or underutilized IT equipment, software, and services.

Now, the Government Accountability Office has conducted a study, an evaluation of how well this is being managed and implemented. What they found is that in many, many cases it is not happening. Specifically, the Government Accountability Office found that the Office of Management and Budget and the vast majority of Federal agencies lacked adequate policies for managing their software licenses. Of the 24 major Federal agencies that I mentioned before, only 2—only 2 out of 24—had comprehensive policies that included the establishment of clear roles and central oversight authority by managing enterprise software license agreements.

Only 2 out of 24 have lived up to their requirement to manage in the way that these executive orders have ordered. An additional 18 agencies had some type of policy in place, but the Government Accountability Office determined that this simply was not comprehensive enough and effective enough. Four agencies were found to have no policy at all. They totally ignored the mandates of the executive orders.

So these weaknesses in the system result from principally a lack of priority in establishing software license management. Now, this is kind of a technical thing. I certainly admit that I am not fully comprehensive in terms of how all of this IT stuff needs to work. But we hire people who are talented and have the skills necessary to oversee this kind of management. Now, the key here is that the result of not effectively managing this has racked up a cost estimated at $10 billion over a 10-year period of time.

So this is just complying with the executive orders, complying with the procedures that are done by every business in America. But the Federal Government has not complied with the necessary steps to achieve the right kind of management and oversight, and that is costing the taxpayer up to $10 billion. So today we add more to our ever-increasing amount of waste, fraud, and abuse that has been found within the Federal system, and we are moving toward our goal of $100 billion.

There will be more ''Wastes of the Week'' in the future. We hope to reach that $100 billion before we leave here for the August recess, with 3 more weeks before that happens. We are way ahead of schedule. We had hoped to reach the $100 billion by the end of this Congress. But we have determined and found so many examples of waste, fraud, and abuse, that our gauge is climbing much faster than we thought it would.

Look, we have major fiscal problems in this country. It is going to take major decisions relative to how we structure how we spend taxpayers' money. We have had numerous efforts to deal with this in a macro way. All of those have come up short. While I was engaged in all of that before, I have turned my attention to this: Let's see at least if we cannot find savings for the taxpayer in the areas of waste, fraud, and abuse, and document it.

I am pleased, as I said at the beginning of my remarks, that one of those has just been implemented, saving the taxpayers $576 million and saving our colleges and universities and institutions of higher education from a nightmare of paperwork and compliance requirements that they will no longer have to engage in. So we will continue. We will do serious issues. We will look at some absurd things that cause people to say: Why in the world would we ever spend that money in the first place? It is just not responsible leadership and governing.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COATS. Madam President, I ask unanimous consent that the remaining time under the current order be divided equally between both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the

compound motion to go to conference on H.R. 1735 be waived.

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

Mr. MCCAIN. Madam President, in just a few minutes, we are going to take a vote on a motion to instruct the conferees on the National Defense Authorization Act that would then basically—if these instructions were agreed to, would actually repeal the Budget Control Act passed by the Senate. It would be a direct repudiation of what—after many hours of debate, some amendments that were passed by the Senate and would, on an authorization bill, require budgetary and fiscal measures which are totally inappropriate.

Basically, the problem that my friends on the other side of the aisle have is that they want equal reductions. They want restoration of funding for both nondefense and defense that is forced by the Budget Control Act.

This legislation that is before the body, which is authorized according to the Budget Control Act—and if the instructions to the conferees were enacted, which is before the body now, that somehow we would then be able to repudiate the Budget Control Act which was passed and we would also be dealing with funding which has nothing to do with the authorization bill.

So my friends on the other side of the aisle have a problem with OCO—the overseas contingency operations—but they are trying to change it on an authorization bill. I wish my dear friends would look at the rules of the Senate. If they have a problem with funding, that is what the appropriations bills are all about.

I urge my colleagues to reject what is obviously an unworkable and unrealistic approach to a problem that I agree is a problem. Sequestration is harming our ability to defend this Nation. But in order to defend the Budget Act—to change the budget that was passed by a majority and now is part of what guided our appropriations bills—that is where their problems should lie.

I urge my colleagues to reject these instructions to the conferees which would basically—I do not see a way that we could possibly confer with the House after passing these kinds of instructions. So I urge a ''no'' vote on Mr. REED's motion to instruct the conferees concerning H.R. 1735. Basically, we would have to take approximately $38 billion worth of authorization out of the authorization bill. So I urge a ''no'' vote.

And I say to my friend and colleague, the Senator from Rhode Island, whom I respect and admire and whose friendship I value, on this issue we simply disagree.

Madam President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

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

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote ''yea.''

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

The yeas and nays resulted—yeas 81, nays 15, as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—81

Alexander	Enzi	Murphy
Ayotte	Ernst	Murray
Baldwin	Feinstein	Nelson
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blumenthal	Gardner	Portman
Blunt	Graham	Reed
Boozman	Grassley	Risch
Boxer	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Schatz
Capito	Heller	Schumer
Cardin	Hirono	Scott
Carper	Hoeven	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wicker

NAYS—15

Booker	Cruz	Gillibrand
Brown	Franken	Leahy
Manchin	Merkley	Sanders
Markey	Paul	Warren
Menendez	Reid	Wyden

NOT VOTING—4

King	Rubio
Moran	Sasse

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

COMPOUND MOTION

The question now occurs on agreeing to the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735.

The motion is not debatable.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT CONFEREES

Mr. REED. Mr. President, I have a motion to instruct conferees which is at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 1735 (the National Defense Authorization Act for Fiscal Year 2016) be instructed to insist that the final conference report fully fund the President's budget request for the Department of Defense, including $534.3 billion in base budget funding and $50.9 billion in Overseas Contingency Operations budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and non-security spending categories.

The PRESIDING OFFICER. There is 2 minutes of debate equally divided on the motion.

The Senator from Rhode Island.

Mr. REED. Mr. President, this motion represents what we have heard from the Secretary of Defense and all of our uniformed leaders in the military who are saying that we should budget appropriately, put long-term defense needs in the base budget—$534 billion—and reserve OCO for what it was intended to be—overseas operations. But because of the Budget Control Act, we are using OCO as the device to avoid real budgeting and giving the Department of Defense the real long-term resources it needs.

Not only does this represent what the Department of Defense desires, but it also represents what we need to defend the American people. We need more than just the Department of Defense. We need Homeland Security. We need the State Department. We need Treasury. We need everyone to defend this country.

This approach would begin the discussion and debate, I hope, to get relief from the BCA to move forward and to deal with the threats facing this country in a rational, logical way.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would ask my colleagues to oppose this motion. We have had this discussion a number of times. This defeats the budget, and this isn't the appropriate place to rehash this or to try to do something different. Everything we have been working on has been based on this principle. Incidentally, those budget caps were signed by the President of the United States and said this was an allowable use without breaking the caps and causing sequester.

So we can fund defense, and defense needs to be defended and funded, and it will be under the principles that we have right now, and we can work on other methods as we work on this and other budgets. So I ask that we vote against this and not put this extra burden on the committee that doesn't really have the jurisdiction to do all that is being requested in this motion. We voted it down before. Let's vote it down again.

The PRESIDING OFFICER. The question is on agreeing to the motion to instruct conferees.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote ''yea.''

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

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

[Rollcall Vote No. 230 Leg.]

YEAS—44

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

NAYS—52

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

NOT VOTING—4

Crapo	Moran
King	Rubio

The motion was rejected.

The Presiding Officer appointed Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED, Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE conferees on the part of the Senate.

EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the important bill before us today, the Every Child Achieves Act, which reauthorizes the Elementary and Secondary Education Act and fixes No Child Left Behind.

I also rise today to talk about the reauthorization of the Export-Import Bank, which is also a very important matter for our country.

I thank Senators ALEXANDER and MURRAY for their great leadership in crafting a bipartisan bill that makes critical updates to No Child Left Behind that will help ensure that all students receive a quality education. They worked together from the very beginning on this important bill, and I think the results show how important it is.

I come to the floor to talk about three amendments in this bill. The Presiding Officer is a cosponsor on one of the amendments, which is about STEM education. I think we all know that in today's global economy, education is key to our economic prosperity. The Senator from North Dakota understands that because our two States, North Dakota and Minnesota, have some of the lowest unemployment rates in the country. We have exciting economies with technological jobs to fill. We are two States that make and invent products which we then export to the world. To keep doing that, America's next generation of innovators will have to be highly trained and highly skilled. We certainly see this in my State. According to the Minnesota High Tech Association, Minnesota will be home to nearly 200,000 technology jobs in the next decade. Part of this is getting young people engaged at an early age.

Today's high school students aren't just competing against students in Milwaukee and Miami, they are competing against students in Munich and Mumbai. If America is going to keep its spot atop the world's high-tech hierarchy, students in our country must receive the best training and education we can provide. That is why Senator HOEVEN and I are working to increase the emphasis on STEM education.

The Klobuchar-Hoeven amendment, modeled after our Innovate America Act, will expand STEM opportunities for more students by allowing school districts to use existing Federal STEM funding to create STEM specialty schools or to enhance existing STEM programs within the schools. Our provision will also ensure that the Department of Education is aligning STEM programs and resources with the needs of school districts and teachers. I understand that it is in the managers' package, and I thank the two leaders for that.

The second amendment is the improving teacher and principal retention. The Every Child Achieves Act includes important reforms to improve the quality of education for students in Indian Country. One challenge that schools serving Native Americans continue to confront is the high rate of teacher and principal turnover and the instability it causes. Turnover hurts school districts with the added cost of rehiring and retraining, and it hurts kids as teachers come and go.

One way to decrease teacher and principal turnover is to boost the professional development these teachers receive. Inadequate professional development and the lack of ongoing support are some of the key reasons why some of our best teachers are leaving. That is why Senator MURKOWSKI of Alaska and I have been pushing a provision to improve teacher and principal retention in schools serving American Indian and Alaska Native students. Specifically, our amendment adds mentoring and teacher support programs, including instructional support from tribal elders and cultural experts, to improve the professional development that teachers and principals in Indian schools receive. This is also in the managers' package, and we appreciate that.

The next amendment deals with chronic absenteeism. We know students can't learn if they are not in school. When I was a prosecutor in Hennepin County, I developed a major truancy initiative to keep kids in school and out of the courtroom. My office worked closely with local schools on a faster, more effective response to truancy problems. That is why my provision in the Every Child Achieves Acts will provide professional development and training to schools to help ensure that teachers, principals, and other school leaders have the knowledge and skills necessary to address issues related to chronic absenteeism.

Truancy is sometimes called the kindergarten of crime because it is truly an early risk factor. I still remember looking at the files of serious juvenile offenders—ones who committed homicide and the like—and I realized the first indication that there was a real problem was truancy. It doesn't just hit in high school; it actually usually

hits in sixth and seventh grade. The more we can do to put a focus on this, the better off we will be not only for public safety but, of course, for the kids' lives.

I again thank Senator MURRAY and Senator ALEXANDER for their tremendous work on this bill.

EXPORT-IMPORT BANK

Mr. President, the other issue, which is somewhat related, as we look at preparing kids for the current economy and the century we are in, is about jobs. It is about moving our economy along. Part of that is making sure we can compete globally not only with education efforts, which is what we are doing this week, but also with financing.

There are over eighty export-import-type banks in developed nations. China's bank currently funds things at nearly four times the amount that the Unites States does. Yet we are seriously now allowing the Export-Import Bank to lapse, and I strongly support reauthorizing the Bank.

I want to thank all of those involved, including Senators CANTWELL, KIRK, HEITKAMP, and GRAHAM, for their strong and impassioned leadership on this issue. I also wish to thank all of my colleagues who have spoken about the importance of this Bank.

Yesterday, a few of us met with the President and senior White House officials to discuss the importance of reauthorizing the Export-Import Bank. America needs to be, as I said, a country that thinks, that invents, that builds things, and that exports to nations. That means the bill we are working on this week, but it also means the financing so those businesses can keep going.

We had a vote here, as we all know, and 65 Senators supported reauthorizing the Ex-Im Bank, and in the House, 60 Republicans are cosponsoring a bill to do the same. We should get it done. We know that when 95 percent of the world's customers live outside of our borders, there is literally a world of opportunity out there for U.S. businesses. We all know that isn't just about Mexico and Canada. It is about the rest of the world, including Asia and the emerging economies in Africa. We can just go all over the world to see opportunities.

In my own State of Minnesota, the Ex-Im Bank has supported $2 billion in exports and helped over 170 companies in the last 5 years alone. Every single year, as the Presiding Officer knows, I have been to all 87 counties in Minnesota so I am able to see firsthand these businesses. I may not be going there to talk about Ex-Im. I have rarely done that, although we have had a few Ex-Im events. I am so surprised when I go to businesses and they say: We have actually grown our exports to 15 percent or it is now 20 percent of our business, and we went to Ex-Im and got financing, and we went to the Foreign Commercial Service and got help. What we are really hurting by letting this lapse and not reauthorizing it are the small businesses.

In my State, 170 businesses used the services of Ex-Im in the last five years. They don't have an expert on Kazakhstan. They don't have a bank down the street in a small town of 3,000 people that is able to explain to them how to get that kind of financing. They rely on the expertise of Ex-Im and, most importantly, they rely on the credit of Ex-Im.

Look at this: Balzar, in Mountain Lake, MN, population of 2,000. As the Presiding Officer knows, we don't have many mountains in Minnesota, but we have a lot of lakes. So we call it Mountain Lake. This is a small business—74 people in a town of 2,000—that has relied on Ex-Im in the past decade to help export its products. Their exports have grown to about 15 percent of their total sales. They export from Canada to Kazakhstan, from Japan to Australia. They are exporting to South Africa.

Ralco, a small animal feed manufacturer in Marshall, is a third-generation family business with distribution to over 20 countries around the world.

Superior Industries in Morris, MN, is a manufacturer of bulk material processing and handling systems. There are 5,000 people in the town, and 500 people in Morris are employed at this company. That would be 10 percent of the town. Thanks to the Ex-Im Bank, they are able to export to Canada, Australia, Russia, Argentina, Chile, Uruguay, and Brazil.

We know this is necessary for small businesses. We know this is important for our country to be on an even playing field. We don't want China to eat our lunch, but if we continue along this way and become the only developed Nation that doesn't have financing authority such as this, we will let them eat our lunch.

At the end of last month when the Ex-Im Bank expired, there were nearly 200 transactions totaling nearly $9 billion in financing pending, and many businesses—90 percent of which are small businesses—are no longer able to use their export credit and insurance to its full extent. I have already talked to businesses that literally have been told: When we were trying to make a deal, our competitors on the other side that were trying to make the next deal said: They are not going to get financing. That country let their Ex-Im Bank expire. Go to a business from this country. Take our business because you know we have steady financing.

This cannot continue.

This is why this is a major priority of the U.S. Chamber of Commerce, a major priority for small business organizations around the country, and a major priority, most importantly, for the workers that work at these companies.

It is critical to move forward. We must reauthorize the Export-Import Bank and make sure our exporters are competing on a level playing field in this global market. We do it with education, thanks to the good work of Senator ALEXANDER and Senator MURRAY, but we also do it by making sure that our businesses have the financing tools they need to succeed.

I urge my colleagues to support the Ex-Im Bank and reauthorize this critical agency as soon as possible.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Minnesota for her contributions to the legislation we are working on. She has been very focused on STEM education and has found creative ways to encourage that, and I thank her for it.

We are hoping within a few minutes to be able to agree by consent to a few bills and call up a few others. So what I would say to the Senator from Arkansas, through the Chair, is if he wouldn't mind going ahead with his remarks and, perhaps, if we are able to, I may ask him to yield for 60 seconds and allow us to do that and proceed with a unanimous consent request. But I don't want to delay the Senator any further with moving ahead with his remarks.

The PRESIDING OFFICER. The Senator from Arkansas.

SANCTUARY CITIES

Mr. COTTON. Mr. President, there are certain policies that should not be controversial. It should not be controversial to expect that the laws of this Nation be enforced—equally, fairly, and fully. It should not be controversial to expect local city governments to refrain from actively frustrating the enforcement of Federal law. It should not be controversial to say that an illegal immigrant and repeat felon who has been deported multiple times should not be set free to again threaten law-abiding Americans, much less be in possession of a weapon.

But in our current debate about immigration, these ideas are indeed controversial when, in fact, they should be matters of simple common sense.

I acknowledge that reasonable people can and do differ on issues such as border security and enforcement and the status of illegal immigrants present in our Nation. But we should not disagree about the importance of the rule of law and the need to protect the safety of the American people. That is why I have introduced an amendment that will withhold Federal immigration and law enforcement funds from any State or city that declares itself a sanctuary for illegal immigrants. If a city directs its law enforcement officers to frustrate Federal immigration law, it should not expect U.S. taxpayers to underwrite that effort.

Last week, a young woman, Kate Steinle, was murdered on a San Francisco pier popular with tourists while walking with her father. It was apparently a random crime, one committed by an illegal immigrant—Juan Francisco Lopez-Sanchez—with a long rap

sheet. Lopez-Sanchez was in the United States despite having been deported five times previously, and he should have been deported a sixth time. Earlier this year, Lopez-Sanchez was in custody of Federal immigration authorities after he finished a Federal prison sentence, and was awaiting deportation after being designated an ''enforcement priority.'' Federal authorities handed him over to San Francisco first so he could face outstanding drug charges and requested that they be notified if San Francisco planned to release him.

San Francisco did in fact release him in April after dropping charges, but it never notified anyone. The city's government simply allowed Lopez-Sanchez to walk free. This is because San Francisco has proudly deemed itself a sanctuary city. It has passed city ordinances barring its officers from assisting the enforcement of immigration law, freeing itself of the most basic responsibility to cooperate with Federal immigration authorities to keep dangerous criminals off the streets and out of the country. Indeed, Lopez-Sanchez has admitted that he goes to San Francisco because it is a sanctuary city.

This is an outrage to anyone who respects law and order. One might think that it would draw a strong reaction from the Obama administration. The administration, after all, has unequivocally declared that the Constitution and our laws do ''not permit the States to adopt their own immigration programs and policies, or to set themselves up as rival decisionmakers based on disagreement with the focus and scope of Federal enforcement.'' That is a direct quote from the administration's legal brief to the Supreme Court arguing against an Arizona law designed to help Federal officers enforce immigration laws. One would think the administration would be at least as tough on sanctuary city laws that openly flout Federal immigration policies and endanger law-abiding citizens. Yet the administration has enabled—even encouraged—these sanctuary cities for years.

Americans have a right to expect that governments at the local, State, and national level will carry out their most basic duty to enforce the law and protect public safety. We should all be able to agree that a family enjoying a public space such as San Francisco's piers should not have to fear being shot dead. We should all be able to agree that criminals who should be deported under our laws should not be set free with impunity.

There should be no sanctuary for hardened criminals in this country.

Mr. President, I yield the floor.

Mr. REID. Mr. President, Nevada is one of the largest States in the country—the 7th largest, to be exact—but we have just 17 school districts. By contrast, California, has over 1,000 school districts.

Among our 17 Nevada districts is the Clark County School District with over 300,000 students. It's the Nation's fifth largest district—where two-thirds of the students are minorities, and one-in-five students is an English-language learner.

For the past decade, Clark County School District has been one of the fastest growing districts in the Nation. In some years, Clark County was opening a new school every month to keep up with the growth.

But northwest of Las Vegas and Clark County is another one of our 17 districts—vast, rural Esmeralda County. Esmeralda County School District is huge, in terms of land. It covers almost 3,600 square miles, but has just four schools and about 80 students. And Esmeralda County is not unique in Nevada. There are other rural school districts in the State with schools that still have one teacher instructing multiple grades—much like the school I attended as a boy.

This diversity of Nevada's school districts makes the State a microcosm of our Nation. So I understand the issues that overcrowded, urban schools face; and I understand the challenges that rural schools must confront. More importantly, I understand that in order to improve education at every school in America, we need a comprehensive approach.

The reauthorization of the Elementary and Secondary Education Act that is before the Senate is a step in the right direction. This reauthorization has been a long time coming.

Congress last reauthorized ESEA with passage of the No Child Left Behind Act in 2001. That expired in 2007. Despite serious efforts to pass a reauthorization in 2011 and 2013 under former Senator Tom Harkin's leadership, we were not able to overcome real policy disagreements on the best way forward. But thanks to the hard and determined work of the chairman and ranking member of the Senate HELP Committee, we are able to begin work on the bipartisan Every Child Achieves Act.

I know it was not easy for the senior Senator from Washington or the senior Senator from Tennessee. I appreciate their efforts. Because of their work, almost 14 years after the last reauthorization, and 8 years after it expired, we finally have a bipartisan bill to strengthen our Nation's schools.

I have many concerns with current Federal education law. It has caused schools to spend too much time testing and preparing for tests. It has led many schools and districts to reduce or eliminate many subjects—such as social studies, music, the arts, and physical education—that are important parts of a well-rounded education. It has led to too many schools—many making real gains in student achievement—to be labeled as failing.

Despite these real flaws that need to be corrected, there are some aspects of current law we need to keep and improve upon. Schools, districts, and States must now make sure all students—including those with disabilities, or those not proficient in English—are making progress. We also have seen real gains in student achievement. Our Nation's high school graduation rate is the highest it has ever been and the achievement gap between minority students and white students is narrowing.

This bipartisan bill does build off some of these successes and addresses many of the flaws in current law. It maintains annual testing requirements, but includes provisions to consolidate tests—helping reduce the number of tests and amount of time students spend taking tests. It continues to require student achievement to be reported by groups of children, including by income, race, English-language proficiency, and for students with disabilities. It makes early childhood education a priority, with a new grant to improve early childhood education access and quality for low- and moderate-income families. It makes important changes to a grant program to help our lowest-performing schools. Most notably, this bipartisan agreement also does not include many of the proposals included in earlier draft bills that would dilute the effectiveness of title I dollars or allow States to reduce their support for education.

This bill is an important first step in strengthening our Nation's schools and ensuring that our children have a world class education. And it is a true compromise—with both sides making concessions to move forward.

We all agreed that improvements needed to be made to our country's education laws. Although Democrats and Republicans have vastly different approaches, through compromise, Senators MURRAY and ALEXANDER were able to craft a balanced bill.

That is not to say that this bill is perfect. We still have work to do. I know that many Senators will have ideas for improving this legislation. I, for one, think we can do more to ensure that our lowest-performing schools make progress, or that we can do more to address schools with persistently low graduation rates. I believe we can do more to expand early learning opportunities and to do more to protect students from bullying. I will also strongly oppose efforts to weaken public schools through voucher programs.

I look forward to a substantive debate on this important bill. After all, helping to ensure that every American child gets a quality education could be among the most important things that the Senate will do during this Congress.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Tennessee.

AMENDMENTS NOS. 2083, 2092, 2108, 2119, 2131, AND 2138 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, Senator MURRAY and this Senator have a small package of amendments that have been cleared by both sides. I ask unanimous consent that the following

amendments be called up, reported by number, and agreed to en bloc: Gardner No. 2083, McCaskill No. 2092, Gillibrand No. 2108, Gardner No. 2119, Casey No. 2131, and Klobuchar No. 2138.

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

The clerk will report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 2083, 2092, 2108, 2119, 2131, and 2138 to amendment No. 2089.

The amendments (Nos. 2083, 2092, 2108, 2119, 2131, and 2138) were agreed to, as follows:

AMENDMENT NO. 2083

(Purpose: To enable local educational agencies to use funds under part A of title I for dual or concurrent enrollment programs at eligible schools)

On page 145, between lines 17 and 18, insert the following:

''(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

''(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under subsection (c) or (d) in a high school may use funds received under this part—

''(A) to carry out—

''(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

''(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student's completion of grade 12; or

''(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

''(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

''(A) tuition and fees, books, and required instructional materials for such program; and

''(B) transportation to and from such program.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

AMENDMENT NO. 2092

(Purpose: Enabling States, as a consortium, to use certain grant funds to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States)

On page 284, between lines 11 and 12, insert the following:

''(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

AMENDMENT NO. 2108

(Purpose: To amend the program under part E of title II to ensure increased access to science, technology, engineering, and mathematics subject fields for underrepresented students, and for other purposes)

On page 369, strike lines 1 and 2 and insert the following:

''(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

Beginning on page 374, strike lines 17 through 22 and insert the following:

''(C) how the State's proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

On page 375, strike lines 8 through 12 and insert the following:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

On page 377, between lines 22 and 23, insert the following:

''(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

On page 381, between lines 4 and 5, insert the following:

''(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

AMENDMENT NO. 2119

(Purpose: To include charter school representatives in the list of entities with whom a State and local educational agency shall consult in the development of plans under title I)

On page 19, line 22, insert ''public charter school representatives (if applicable),'' before ''specialized''.

On page 95, line 12, insert ''public charter school representatives (if applicable),'' after ''leaders,''.

AMENDMENT NO. 2131

(Purpose: To improve the bill relating to appropriate accommodations for children with disabilities)

On page 39 line 15, insert '', such as interoperability with and ability to use assistive technology,'' after ''accommodations''.

AMENDMENT NO. 2138

(Purpose: To amend the Elementary and Secondary Education Act of 1965 relating to improving student academic achievement in science, technology, engineering, and mathematics)

On page 370, between lines 18 and 19, insert the following:

''(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term 'STEM-focused specialty school' means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

On page 382, line 12, strike the period and insert the following: ''; and

''(viii) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

Beginning on page 384, strike line 3 and all that follows through line 23 on page 384 and insert the following:

''(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

''(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(3) ensure that the Department is taking appropriate action to—

''(A) identify all activities being supported under this part; and

''(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

''(4) develop a rigorous system to—

''(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

''(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

''(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

AMENDMENTS NOS. 2161, 2132, AND 2080 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the following amendments en bloc: Kirk No. 2161, Scott No. 2132, and Hatch No. 2080. And I further ask that Senator MURRAY be recognized to call up two other amendments.

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

The clerk shall report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 2161, 2132, and 2080 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2161

(Purpose: To ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources, and for other purposes)

On page 69, between lines 16 and 17, insert the following:

''(N) how the State will measure and report on indicators of student access to critical educational resources and identify disparities in such resources (referred to for purposes of this Act as an 'Opportunity Dashboard of Core Resources') for each local educational agency and each public school in the State in a manner that—

''(i) provides data on each indicator, for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A); and

''(ii) is based on the indicators described in clauses (v), (vii), (x), (xiii), and (xiv) of subsection (d)(1)(C) and not less than 3 of the following:

''(I) access to qualified paraprofessionals, and specialized instructional support personnel, who are certified or licensed by the State;

''(II) availability of health and wellness programs;

''(III) availability of dedicated school library programs and modern instructional materials and school facilities;

''(IV) enrollment in early childhood education programs and full-day, 5-day-a-week kindergarten; and

''(V) availability of core academic subject courses;

''(O) how the State will develop plans with local educational agencies, including a timeline with annual benchmarks, to address disparities identified under subparagraph (N) and, if a local educational agency does not achieve the applicable annual benchmarks for two consecutive years, how the State will allocate resources and supports to such local educational agency based on the identified needs;

On page 82, between lines 23 and 24, insert the following:

''(xviii) Information on the indicators of student access to critical educational resources selected by the State, as described in subsection (c)(1)(N), for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), for each local educational agency and each school in the State and by the categories described in clause (vii).

On page 115, after line 25, add the following:

''(3) RESOURCE, SUPPORT, AND PROGRAM AVAILABILITY.—A local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the availability of critical educational resources, supports, and programs, as described in the State plan in accordance with section 1111(c)(1)(N).

AMENDMENT NO. 2132

(Purpose: To expand opportunity by allowing Title I funds to follow low-income children)

After section 1010, insert the following:

SEC. 1011. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

Subpart 2 of part A of title I is amended by inserting after section 1122 the following:

''SEC. 1123. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

''(a) FUNDS FOLLOW THE LOW-INCOME CHILD.—Notwithstanding any other provisions in this title requiring a State to reserve or distribute funds, a State may, in accordance with and as permitted by State law, distribute funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school, for the purposes of ensuring that funding under this subpart follows low-income children to the public school they attend and that payments will be made to the parents of eligible children who choose to enroll their eligible children in private schools.

''(b) ELIGIBLE CHILD.—

''(1) DEFINITION.—In this section, the term 'eligible child' means a child aged 5 to 17, inclusive from a family with an income below the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce.

''(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

''(c) IDENTIFICATION OF ELIGIBLE CHILDREN; ALLOCATION AND DISTRIBUTION OF FUNDS.—

''(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school.

''(2) AMOUNT OF PAYMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the amount of payment for each eligible child described in this section shall be equal to—

''(i) the total amount allotted to the State under this subpart; divided by

''(ii) the total number of eligible children in the State identified under paragraph (1).

''(B) LIMITATION.—In the case of a payment made to the parents of an eligible child who elects to attend a private school, the amount of the payment described in subparagraph (A) for each eligible child shall not exceed the cost for tuition, fees, and transportation for the eligible child to attend the private school.

''(3) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the product of—

''(A) the amount available for each eligible child in the State, as determined in paragraph (2); multiplied by

''(B) the number of eligible children identified by the local educational agency under paragraph (1).

''(4) DISTRIBUTION TO SCHOOLS.—From amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds to the public schools served by the local educational agency, which amount shall—

''(A) be based on the number of eligible children enrolled in such schools and included in the count submitted under paragraph (1); and

''(B) be distributed in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this part, and not to supplant such funds (in accordance with the method of determination described in section 1117).

''(5) DISTRIBUTION TO PARENTS.—

''(A) IN GENERAL.—From the amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds, in an amount equal to the amount described in paragraph (2), to the parents of each eligible child within the local educational agency's geographical area who elect to send their child to a private school and whose child is included in the count of such eligible children under paragraph (1), which amount shall be distributed in a manner so as to ensure that such payments will be used for the payment of tuition, fees, and transportation expenses (if any).

''(B) RESERVATION.—A local educational agency described in this paragraph may reserve not more than 1 percent of the funds available for distribution under subparagraph (A) to pay administrative costs associated with carrying out the activities described in such subparagraph.

''(d) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Commerce, shall provide technical assistance to the State educational agencies that choose to allocate grant funds in accordance with subsection (a), for the purpose of assisting local educational agencies and schools in such States to determine an accurate methodology to identify the number of eligible children under subsection (c)(1).

''(e) RULE OF CONSTRUCTION.—Payments to parents under this subsection (c)(5) shall be considered assistance to the eligible child and shall not be considered assistance to the school that enrolls the eligible child. The amount of any payment under this section shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

''(f) REQUIREMENTS FOR PARTICIPATING PRIVATE SCHOOLS.—A private school that enrolls eligible children whose parents receive funds under this section—

''(1) shall be accredited, licensed, or otherwise operating in accordance with State law;

''(2) shall ensure that the amount of any tuition or fees charged by the school to an eligible child whose parents receive funds from a local educational agency through a distribution under this section does not exceed the amount of tuition or fees that the school charges to students whose parents do not receive such funds;

''(3) shall be academically accountable to the parent for meeting the educational needs of the student; and

''(4) shall not discriminate against eligible children on the basis of race, color, national origin, or sex, except that—

''(A) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

''(B) notwithstanding this paragraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

''(g) PROHIBITIONS ON CONTROL OF PARTICIPATING PRIVATE SCHOOLS.—Notwithstanding any other provision of law, a private school that enrolls eligible children whose parents receive funds under this section—

''(1) may be a school that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title; and

''(2) consistent with the First Amendment of the Constitution of the United States, shall not—

''(A) be required to make any change in the school's teaching mission;

''(B) be required to remove religious art, icons, scriptures, or other symbols; or

''(C) be precluded from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

''(h) EVALUATION.—Every 2 years, the Secretary shall conduct an evaluation of eligible children whose parents receive funds under this section, which shall include an evaluation of—

''(1) 4-year adjusted cohort graduation rates; and

''(2) parental satisfaction regarding the relevant activities carried out under this section.

''(i) REQUESTS FOR DATA AND INFORMATION.—Each school that enrolls eligible children whose parents receive funds under this section shall comply with all requests for data and information regarding evaluations conducted under subsection (h).

''(j) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A school that enrolls eligible children whose parents receive funds under this section may require such children to abide by any rules of conduct and other requirements applicable to all other students at the school.

''(k) REPORT TO PARENTS.—

''(1) IN GENERAL.—Each school that enrolls eligible children whose parents receive funds under this section shall report, at least once during the school year, to such parents on—

''(A) their child's academic achievement, as measured by a comparison with—

''(i) the aggregate academic achievement of other students at the school who are eligible children whose parents receive funds under this section and who are in the same grade or level, as appropriate; and

''(ii) the aggregate academic achievement of the student's peers at the school who are in the same grade or level, as appropriate; and

''(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

''(2) PROHIBITION ON DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except that a student's parent may receive a report containing personally identifiable information relating to their own child.''.

AMENDMENT NO. 2080

(Purpose: To establish a committee on student privacy policy)

At the end of title I, add the following:

SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the ''Student Privacy Policy Committee'' (referred to in this section as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student's information;

(ii) parents to amend, delete, or modify their student's information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 2093 AND 2118 TO AMENDMENT NO. 2089

Mrs. MURRAY. Mr. President, I ask unanimous consent to set aside the pending amendment to call up the Franken amendment No. 2093 and the Kaine amendment No. 2118 en bloc.

The PRESIDING OFFICER. Without objection, the clerk shall report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for others, proposes amendments numbered 2093 and 2118 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2093

(Purpose: To end discrimination based on actual or perceived sexual orientation or gender identity in public schools.)

(The amendment is printed in the RECORD of July 7, 2015, under ''Text of Amendments.'')

AMENDMENT NO. 2118

(Purpose: To amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation)

On page 56, strike lines 9 through 12 and insert the following:

''(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

''(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework

sequences that integrate rigorous academics, work-based learning, and career and technical education;

''(BB) measures of a high-quality and accelerated academic program as determined appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

''(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

''(DD) student performance on admissions tests for postsecondary education;

''(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

''(FF) student enrollment rates in postsecondary education;

''(GG) measures of student remediation in postsecondary education; and

''(HH) measures of student credit accumulation in postsecondary education;

On page 57, line 14, strike ''; and'' and insert '', which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and''.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, July 13, the Senate vote on the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Hatch amendment No. 2080 and Kaine amendment No. 2118.

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

MORNING BUSINESS

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

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

The Senator from North Dakota.

EVERY CHILD ACHIEVES ACT

Mr. HOEVEN. Mr. President, I thank Senators ALEXANDER and MURRAY for crafting this bipartisan proposal to reform and reauthorize the Elementary and Secondary Education Act, the main source of Federal aid for K-through-12 education.

The Every Child Achieves Act takes many important steps to return the authority of K–12 education back to the States and to the local school districts and directly to those who are best equipped to understand and respond to what it takes to educate our students. Importantly, this bill empowers States to develop their own education accountability plans. Instead of a one-size-fits-all Federal mandate, this bill charges the States to work with teachers, school districts, Governors, parents, and other stakeholders to develop a State-led education plan for all students without interference from Washington.

The bill affirms that the Federal Government cannot dictate a State's specific academic standards, curriculum or assessment. I repeat. The bill affirms that the Federal Government cannot dictate State-specific academic standards, curriculum or assessments. It affirms local control and accountability while maintaining important achievement information to provide parents with information on how their children are performing as well as to help teachers target support to those who are struggling to meet State standards.

We also recognize that science, technology, engineering, and mathematics—or STEM—education continues to play an increasingly important role in preparing our students for the careers of tomorrow.

In North Dakota, STEM education prepares students to fulfill the workforce needs of our dynamic economy, from the high-tech industries in the east to the energy fields in the west. For example, we have one school district, the West Fargo school district, which has created a STEM center for students in grades 6, 7, and 8, and is doing an exceptional job of integrating STEM teaching into the classroom. This school district program started in 2009 with 150 students in the sixth and seventh grades. Since then, it has been expanded to serve eighth grade students as well. They have also created a STEM pathway program at the high school level. The approach focuses on project-based learning that connects their school work to solving real world problems through the engineering and design process.

When Senator KLOBUCHAR and I visited the school this spring, we witnessed students working hands-on with a wide range of technologies at cooperative lab stations, including drones and flight simulators. West Fargo students have received numerous awards and honors, placing first in the Nation in a lunar water recycling design competition sponsored by NASA to excelling in a number of Web page design and robotics competitions around the country.

This education is not just about teaching students more science, math or engineering. This approach reaches across subjects to promote problem solving, collaboration, communication, and critical thinking skills.

The Every Child Achieves Act includes a formula grant aimed at providing State resources to improve STEM education. The Improving STEM Instruction and Student Achievement Program provides grants to States to improve STEM instruction, student engagement, and increased student achievement in STEM subjects. Under this program, States have the ability to award subgrants to projects of their choice to serve high-need school districts or form partnerships with higher education institutions. States can also use these funds to recruit qualified teachers and instructional leaders in STEM subjects or to develop a STEM master teacher corps.

In recent years, North Dakota has chosen to award funds to projects that partner with our State's higher education institutions to provide professional development opportunities for K–12 math and science teachers.

I have worked with Senator KLOBUCHAR to craft amendment No. 2138. Our proposal will give States the option to award those funds to create or enhance a STEM-focused specialty school or a STEM program within a school.

STEM-focused specialty schools or STEM programs within a school are those that engage students in rigorous, relevant, and integrated-learning STEM experiences. Allowing funds to go toward a STEM program within a school will allow successful programs such as those occurring in our State to benefit. It will also encourage other school districts to begin their own programs.

So if a school district would like to better integrate STEM concepts into their teaching practices, this amendment allows those districts to submit a proposal to the State for resources to carry out that plan.

The Klobuchar-Hoeven amendment also requires the Education Secretary to identify STEM-specific needs of States and districts receiving funds and publicize information about those activities. The Secretary is then directed to align Federal STEM activities with State and district needs.

Finally, this amendment directs the U.S. Department of Education to avoid unnecessary duplication of STEM programmatic activities supported by the Department and other Federal agencies. This is important because there are so many disjointed STEM activities and programs throughout our government.

In a May 2015 report, the nonpartisan Congressional Research Service states that despite recent reductions in the number of Federal STEM programs, recent estimates suggest there are still between 105 and 254 STEM programs scattered throughout as many as 15 Federal agencies. These programs account for $2.8 billion to $3.4 billion in spending. These programs have their own distinct requirements and obligations that allow very little collaboration or coordination. We simply want to ensure that States and schools are aware of the existing efforts underway to best utilize public resources.

In conclusion, we believe that this bipartisan amendment should be agreeable to both sides and will strengthen the Every Child Achieves Act. In fact, I have just been informed that both the chairman and the ranking member from the HELP Committee and the

leaders on this Every Child Achieves Act have included our legislation in the manager's package with support from both sides of the aisle.

I want to thank both Senator LAMAR ALEXANDER from Tennessee, who is the chairman of the committee and the sponsor of the bill, as well as Senator PATTY MURRAY from Washington, who is the co-lead on this legislation, for their support of this STEM legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I also rise in support of the Every Child Achieves Act and the good work that is being done in a bipartisan way to move elementary and secondary education forward in this country. I applaud Senators ALEXANDER and MURRAY and all HELP Committee members and their staff for the good work that has been done on this bill, which is hugely important to our Nation's children but even more importantly to our economy and our global competitiveness. The fact that we are approaching this in a bipartisan manner creates a lot of hope and optimism.

I speak from a number of roles. I was well educated in public, private, and parochial schools myself. My three children have gone through the Richmond public school system, an urban public school system in Virginia, during the era of No Child Left Behind. So Federal education policy was coming home in their backpack, crumpled up at the end of every day. My wife and I have kind of lived through that with them. My wife is the current secretary of education in Virginia, with the responsibility of carrying out State and Federal education policy. In my own role, as an elected official—as mayor—education was our biggest expenditure, and I visited a school in our city every Tuesday morning. As Lieutenant Governor, in the State budget education was our biggest priority, and I visited schools in all 134 cities and counties in Virginia. Then, as Governor, I had the opportunity—the great opportunity—to work with our State, our teachers, our PTOs, and other educational stakeholders in the Virginia education system, which 50 years ago was one of the weakest in the United States, and I am proud to say is now one of the best in the United States.

I learned a lot as Governor when No Child Left Behind was being implemented in the schools of my State. I saw the good and the bad of No Child Left Behind, and I certainly saw the reason that we need to improve it. That is what the Every Child Achieves Act does.

First, I will speak about the good things of No Child Left Behind. There are two notable good things that, frankly, are critically important we maintain. No Child Left Behind made us disaggregate student data so that we couldn't hide behind averages. Averages can be deceiving. Virginia average test scores are great, but that doesn't mean they are great everywhere in Virginia. So we had to dig in and look at whether minority students were performing well or whether rural students were performing well or urban students. No Child Left Behind helped us to do that and not hide behind averages but really make sure that groups of students were not falling behind either statewide or in the individual cities and counties.

The second thing No Child Left Behind did—which is pretty amazing—was that before No Child Left Behind there was not a standardized definition of graduation or dropout rates in this country. So if you wanted to know how your own city was doing or your own county was doing or your own State was doing, and if you wanted to compare that against anywhere else, you couldn't because everybody was using their own measure. Usually folks would try to fuzz up the data because they were afraid of being held accountable around graduation rates and dropout rates. No Child Left Behind, together with some pioneering work from the National Governors Association, ended up standardizing the definition of graduation and dropout rates, which enabled us to compare and compete with each other.

Not surprisingly, as President Obama discussed in the State of the Union in the early part of 2015, our graduation rates are better than they have ever been because now we can focus on them, we know who is doing well and who is not, and that sense of focus and competition is enabling us to move ahead.

But No Child Left Behind also had some unintended negative consequences. The intense focus on high-stakes testing, which is supposed to help you diagnose and then lead to educational strategies down the road—sometimes testing has become an end in itself rather than a means to an end: better student performance. That creates all kinds of stresses on students and teachers and parents.

Similarly, the focus on disaggregating student data which demonstrates that there are achievement gaps in certain communities, whether it be minority communities or rural or urban areas, has often had the perverse consequence, when coupled with high-stakes testing, of encouraging some of our best and brightest teachers not to want to go into the schools where they are most needed. If they feel as if they will be punished because the test scores are not as high with poor kids, for example, then they will often choose not to go to those schools. That is clearly not what we meant to do with No Child Left Behind, but that has been one of its perverse consequences.

When I was Governor, I had a very funny—now it is funny; it was not funny at the time—argument with the Federal Department of Education. They absolutely insisted that jurisdictions in northern Virginia were administering certain tests wrong to students who don't speak English as their first language at home. Indeed, some of my cities and counties had a strategy of phasing students in. If they were coming from a background where they did not speak English at home, they would be tested in special ways for the first couple of years they were in the school system and then mainstreamed even in the way they were tested.

The Department of Education said: You cannot do that. You cannot do these tests differently.

What I would say to the Department of Education: Hey, let me show you the SAT scores of my Latino students. Let me show you how they are doing when they graduate, that they are some of the highest performing students in the country. Clearly, if you measure it by the outcomes, we are doing it the right way.

But the Department of Education said: Outcomes do not matter to us. We worry about the processes and the inputs and the way you provide the tests.

Well, outcomes should be important. Results should be important. Too often, No Child Left Behind was administered in a way where results did not matter. That is not what should happen.

I applaud Senators ALEXANDER and MURRAY for this bill because I believe the Every Child Achieves Act gives school districts and States the incentive to work for the success of all students but also the flexibility they need to close achievement gaps. The bill maintains critical annual testing requirements to allow us to track progress of students, while letting States set their own goals for improvement. The bill invests in early childhood education, which is critical to give States the authority to determine teacher qualifications in those areas. I am very glad this bill recognizes there are factors other than test scores that determine whether our students will be successful. I applaud this act. I cannot wait to vote for it.

I would like to comment on two amendments I have worked with my team and my staff member Karishma Merchant, who is superb, to put into this bill—some that are already in and some that I think are forthcoming or are in the process on the floor.

The first is the very important challenge of young people, age 16 to 24, who are in the most vulnerable time in their lives to being the victims of sexual assaults. A kid age 16 to 24—that is the most likely period in their life where they would be vulnerable to any kind of sexual assault or sexual misconduct. That is whether they are in school, college, the military, the workforce, or whether they are somewhere else.

We are spending a lot of time working on this issue, but this bill contains an amendment I proposed called the Teach Safe Relationships Act to help tackle this issue. Basically, under the amendment Senator MCCASKILL and I

introduced in February, schools that are receiving title IV funds must report on how they are teaching safe relationship behaviors to students—communication, understanding what coercion is, understanding what consent is, understanding how to avoid pressure, understanding where to go for help. These are matters which we will teach to our students at a younger age so they can keep themselves safe.

I need to give praise on this one—the idea for this came from students at the University of Virginia. I went and visited with them about sexual assaults on campus in December. They told me: We wish we came to campus better prepared to deal with these issues.

I asked them: Well, don't you take sex education classes in high school?

They said: Yes, but the classes are about reproductive biology. There needs to be a little more about safe behavior and relationship strategies.

I thought, what a great idea. That led to the amendment. The amendment has now been incorporated. I praise the students at UVA who put this on my radar screen. I thank Senators ALEXANDER and MURRAY, who worked with me to incorporate this in the base bill. If we teach young kids the right strategies, whether they are in the military or on college campuses or in the workforce or anywhere else, our young students, 16 to 24, will be safer.

The second series of amendments—some have been included and others have been voted on—one today and one will be voted on on Monday night—are amendments dealing with career and technical education.

I was a principal of a school that taught kids to be welders and carpenters. I grew up the son of a guy who ran an iron-working shop. I am a huge believer in career and technical education. Every job in this country does not need the traditional 4-year bachelor's degree. In fact, there are many jobs in this country—and the unemployment rate is still too high—there are many jobs in this country that are going unfilled. We have to bring welders in on foreign visas and other important career and technical fields because we don't adequately promote and celebrate career and technical education. This is similar to the previous speech about STEM.

I have formed a Career and Technical Education Caucus, together with Senators PORTMAN and BALDWIN. We introduced the Career Ready Act. Some portions have already been included in the bill, and another portion will be voted on on Monday night. But the idea is basically to make career and technical education every bit as front-and-center as college prep courses because we want our kids to graduate from high school both college- and career-ready. Career and technical education is an important part of that.

Earlier today, we passed an amendment to make clear that for Federal purposes, career and technical education is not elective, it is core curriculum, because it is core, important education. Nations around the world recognize it. We need to as well.

I have two additional amendments. We will consider one Monday night—the Career Ready Act, which clarifies and encourages but does not require the use of accountability indicators in State accountability plans to promote readiness for postsecondary education and career readiness. Forty-one States already do this. We will encourage more to do it if we pass the career-ready amendment.

Second, I have an amendment that I am still working on and hope to get in on the floor. It is bipartisan by introduction. Senator AYOTTE and I have this. It is to create a middle school career and technical exploration program called Middle STEP. Kids in the middle school years, if they get a broader exposure to the careers that are available to them, they will be better equipped to start picking curricular paths when they go to high school.

I am so passionate about the need for career and technical education because I lived it growing up in my dad's business and teaching kids in Honduras the value of career and technical fields.

Everywhere I go in this country, I have employers who tell me they need workers who are skilled, whether it is allied health professionals, such as EMTs, or culinary training or welding and iron-working training or computer coding. These career and technical fields that require some postsecondary education but not necessarily a 4-year college degree are paths to great livelihoods. We do not often emphasize them enough. This bill will help us do that.

I will close and say this: It has been 13 years since Congress reauthorized the Elementary and Secondary Education Act. It is time to update No Child Left Behind, and this is good work to do it.

President Kennedy said in a message to Congress in 1961—and these words still ring true:

> Our progress as a nation can be no swifter than our progresses in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this all require the maximum development of every young American's capacity.

That is almost a great 20th-century paraphrase of what a Virginian, Thomas Jefferson, said in the 1780s:

> Progress in government and all else depends upon the broadest possible diffusion of knowledge among the general population.

Those words were true then. Senator Kennedy's words are true. Education is still the path to success for an individual or for a community and nation. We will advance the cause of education and the cause of success if we pass the Every Child Achieves Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to take this time to thank Senators ALEXANDER and MURRAY on the bill that is before our body, the Every Child Achieves Act. It is so important that we focus on this area of education.

Two important provisions I asked to be included have been included in the bill. I want to specifically talk about those and again thank both Senators for including those important initiatives in this important bill.

One of them is the reauthorization of afterschool programs—something I have worked on my entire life in Congress. It goes back a very long time. Another one is on e-cigarettes, which I believe are endangering our Nation's youth.

Senator MURKOWSKI was very instrumental in the committee, working with Senator MURRAY to make sure my bipartisan After School for America's Children Act was incorporated in the bill. I thank her.

In the Senate, I first introduced my afterschool bill in 1997. I worked with Senator Ensign at that time. The Federal Government at that time only funded small afterschool pilot programs. When we got to 2001, I saw an opportunity to take that pilot program and turn it into a real, funded authorization for afterschool programs. The bill we have on the floor today and next week will modernize that afterschool program. It is the 21st Century Community Learning Centers Program, which incorporates afterschool. It will help States support quality afterschool programs. It encourages parental engagement and involvement and ensures that afterschool activities complement the academic curriculum. Our kids don't stop learning just because the clock strikes 2 or 3 or 4; they keep learning. So the afterschool activities are very important.

Most important to me is that this bill preserves the stream of funding that is necessary to protect the afterschool programs because, to be quite honest, we have had a lot of issues with people trying to grab those funds and use them for something else. Let me tell you why we cannot do that. We now serve more than 1.6 million children of working families every year through this afterschool program. That is progress. Think about 1.6 million children. Think about all of their parents and the relief it brings to them to know they have their children in a quality afterschool program.

But there are still 11.3 million children left unsupervised when the day ends. In other words, one in five children is unsupervised from 3 to 6 p.m. Those are the hours where juvenile crime peaks and risky behaviors are most likely to occur. Law enforcement and mayors have been telling us for years that afterschool programs reduce crime. It truly is a no-brainer. Our kids need a safe place to go after school. Our parents need to make sure their kids are safe after school because most parents work in today's world.

No matter what leading candidates for the Republican nomination say, today my understanding is Jeb Bush

said our workers don't work hard enough. He said that our workers don't work hard enough. Just talk to the parents of these kids. They are working hard, sometimes multiple jobs. They need to know their kids are safe.

I want to talk about one student, Gerardo Rodriguez, who grew up in poverty in Los Angeles. He dealt with the threat of violence and the allure of gang life. While he was at Carson Middle School, he chose to join an afterschool program that was run by the Boys and Girls Club instead of a gang. Gerardo went to an afterschool program instead of joining a gang. In statistics, he would be told he was likely to be a dropout. Instead, he graduated from Carson High. In 2012, he obtained $3,000 in college scholarships. He is in his second year at California State University, Long Beach, and he is majoring in engineering.

We need to save kids like this. Yes, the parents are working hard, many hours, and they need afterschool help. This bill helps those kids. I would like to do more for more children, but I am thankful we are preserving this program.

Our working families need to know their kids are safe because there are more than 28 million parents of school-age children who are employed, including 23 million who work full time. These parents miss an average of 5 days of work a year because they don't have afterschool care and their child gets sick. We all know that. We have all gone through that. Our children have gone through that. So it was 30 years ago when I started to work on this issue.

I again thank Senators ALEXANDER and MURRAY for preserving afterschool care for our children.

E-CIGARETTES

Mrs. BOXER. Mr. President, I also thank Senators ALEXANDER and MURRAY for including my provisions on a dangerous product that is gaining popularity among our children, e-cigarettes. The language in the bill allows schools to use their same Federal funding that goes toward alcohol, drug, and tobacco education to teach children about more novel tobacco products such as e-cigarettes.

According to the CDC, youth use of e-cigarettes has tripled in 1 year from 2013 to 2014. Let me tell you, our kids are not getting accurate information. There is advertising that is aimed at them that makes it sound like this is just a wonderful opportunity for them.

What are our children being exposed to? It is not just nicotine—clearly, e-cigarettes are a nicotine delivery system—but even more.

Now the Surgeon General has said nicotine has a negative impact on adolescent brain development. So for God's sake, let us stop our kids from being able to smoke e-cigarettes on campus. I have an amendment that would do just that, and I hope it will be unanimously accepted because these e-cigarettes also contain benzene, cadmium, formaldehyde, propylene glycol, and nanoparticles that are present in traditional cigarettes, according to the California Department of Health.

So we need the FDA to finalize their rule on e-cigarettes. But in the meantime, youth use is soaring. We finally are making progress on reducing smoking among teens, and yet this e-cigarette situation is out of control. That is why I am pleased that in this bill schools will be able to teach kids about the dangers of e-cigarettes.

In conclusion, again I thank the bill's managers for helping me get the afterschool language in, protecting our kids after school, getting some language in to make sure we can educate our kids against the dangers of a new nicotine delivery system called e-cigarettes, but I also have three more amendments that are pending and I hope will pass.

The first one I talked about was clarifying that a ban on smoking in schools includes all tobacco products such as e-cigarettes. The second amendment would prohibit advertising e-cigarettes to children. When you see this—I am sorry I didn't bring the charts to the floor—they are using cartoon characters, the same kind of thing that was done by the big tobacco companies. Big Tobacco is behind this, let's be clear. We don't need another epidemic that starts killing our people before we finally turn the corner on regular smoking.

COLLEGE CAMPUS SEXUAL ASSAULT

Mrs. BOXER. Mr. President, the last amendment I have is a different subject, and it deals with college campus sexual assault. It would simply say that every college campus should have a confidential, independent advocate to help sexual assault survivors every step of the way.

I am proud to say that my legislation has been voluntarily adopted by universities in my home State of California, including the University of California, the State college system, and the community college system, to the extent they can deal with it, because there is a lot of discretion in that particular group of colleges. But I haven't heard from the private colleges in California.

So all we are saying in this amendment is let's make sure every college campus that gets Federal funds sets up a confidential advocate for women—for men as well who are also victims of sexual assault—so that from the beginning of their complaint they have a friend, they have a confidant, and they have someone who knows their rights with them every step of the way. I would be so proud to see this included.

I thank the Presiding Officer for his endurance on this little talk.

6-YEAR HIGHWAY BILL

Mrs. BOXER. Mr. President, next week I hear Senator MCCONNELL may be coming forward with a highway bill. I pray it is a 6-year bill. Republicans and Democrats voted one out of the EPW Committee—I am proud to say not one dissenting vote—a 6-year robust bill.

I hope we will fund it in a way that doesn't cut other jobs, while we are trying to create jobs in the transportation industry, but in fact looks at international tax reform, where we can actually help our businesses and have a tax system that is reformed. The funds that come in to us go to the highway trust fund so we can take care of those bridges that are falling done and insufficient—60,000 of them—the highways that need help, and the roads, 50 percent of which are in disrepair. We need help.

Our businesses need that help. They call for that help. They are the concrete people, the granite people. They are the general contractors, they are the engineers, our workers, and the construction workers. We still have 200,000 of them out of work since the great recession.

We need a 6-year highway bill. We need it now. We need it funded in a smart way that helps our economy keep on growing. So there is a lot of work ahead.

I wish to take this opportunity to say thank you to Senator ALEXANDER and Senator MURRAY—and a hopeful request to Senator MCCONNELL that the bill that comes to the floor on the highways is one which we can all embrace, and we can take care of this great Nation because, I will tell you, there isn't a great nation on Earth that doesn't have an infrastructure to match.

You have to move goods, you have to move people, and if you can't do that, we simply can't keep up in this global economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EVERY CHILD ACHIEVES ACT

Mr. UDALL. Mr. President, Nelson Mandela once said there can be no keener revelation of a society's soul than the way it treats its children.

Every child deserves a fair chance. If we fail at taking care of our children, we fail at everything else. So the stakes are high as we work to reform the No Child Left Behind Act. Too many children are left behind. The Every Child Achieves Act is a step forward.

I thank Senator ALEXANDER and Senator MURRAY for working so hard on this bill. It is bipartisan, and it is an opportunity for real progress in educating our children.

My dad used to say get it done, but get it done right. When we say ''every child succeeds,'' we have to mean it—every child, including those in the poorest and most vulnerable communities. That is what we must do. This is the bill we must pass.

I am cautiously optimistic, but I would remind my colleagues, we cannot keep playing catchup. I have met with child well-being experts in New Mexico and across the Nation. They are very clear. Early intervention is key. For too many children, there are too many hurdles and too little hope. Our commitment has to begin early and has to stay the course.

In New Mexico, almost one in three children lives in poverty. One in five goes to bed hungry. We are ranked next to last in education, last in overall child well-being. That is absolutely unacceptable. The future of my State, for our children and for our economy, depends on changing it.

Earlier this year, I introduced the Saving Our Next Generation Act for full funding for programs that work, that work on a daily basis, work in our communities for critical prenatal care, and for Healthy Start and Head Start. Too little too late doesn't work. The result is wasted opportunity and continued failure. Children need to arrive at school ready to learn and able to realize their full potential.

That is why I also emphatically support Senator CASEY's strong start amendment for pre-K education for every child. Early learning is critical. Senator CASEY's amendment would expand and improve those opportunities for children from birth to age 5.

We need to ensure all students get the same opportunities. I have introduced an amendment that provides support for Native American schools. The Bureau of Indian Education functions as a State education agency and has 50,000 students in it, but it is not funded as one. It often loses out on grants and other Federal funding. We have to change that.

Both sides have worked to improve this bill. I am pleased it has several measures that I have long fought for. For example, healthy children are an investment in our future. Their health education should be a priority, not an afterthought. The bill includes my amendment to make health a core subject.

In addition, we know that too many students, especially in minority communities, are not graduating. In my State, one-fifth of high school students drop out every year. Many who drop out are teen parents. My amendment provides critical support to these students. We need to do all we can to help them stay in school and to raise healthy children while they do so.

The Every Child Achieves Act strengthens STEM education, financial literacy, rural school districts, and 21st century community learning centers. It ensures that tribal leaders can teach native languages in their schools—something I have long pushed for. It also supports vital school and community public-private partnerships. These are much needed reforms and will make a difference to children and families in my State.

Our goal is clear: to reach all students, especially those who need the most support to succeed in school.

In New Mexico, three out of four of our schools are title I schools. They face great challenges. Many students are low income. Many have special needs. We have to make sure they have the resources they need. This has to be a priority, and it starts with good teachers.

We aren't going to recruit great teachers—especially in schools with the greatest need—if we unfairly punish those teachers for poor student performance. There has to be flexibility, especially early on.

Our first obligation is to students—all students. We are accountable to them and their parents, and we need to keep applying pressure, while providing support, to States and school districts to ensure that truly no child is left behind. But we can't just test for failure; we need to plan for success. We should build on what works and leave behind what doesn't. But don't leave behind good students or those teachers who dedicate their lives to helping them.

Now is the time for reform—to ensure that standards are strong and, if not met, efforts are in place to help those students, to make sure parents and teachers know how students are performing every year, and to give States and school districts the support to succeed.

Let's be clear. We face troubling and chronic achievement and opportunity gaps. Every school must address this and be held accountable. Now is the time to address resource inequities. Now is the time to invest in what works. Now is the time to make sure we are not taking resources away from students, schools, and districts with the greatest need. Parents deserve to know that when children fall behind, their schools will take action and that we have the resources to do so.

But it isn't just schools that must act. So must we act—the Congress, parents, and communities. We all have a stake in this, and we share the same goal—to protect at-risk students, to provide accountability for taxpayer funds, and to make sure that every child has a fair chance.

I want to again commend my colleagues on both sides of the aisle for bringing this legislation to the floor. Working together we can provide all students with the education they need.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

S. 1722

Mr. ROUNDS. Mr. President, I rise to speak concerning the Dodd-Frank Act, which mandates the creation of 398 new rules. These rules are still in the process of being implemented, but already we have seen capital moving from productive uses to inefficient and unproductive uses as a result of this law. The end result is that every dollar going to comply with these rules is a dollar that can't be productively invested in our economy by providing loans or mortgages to customers or purchasing machines or, for that matter, hiring new employees. For example, at a recent Senate banking committee hearing, the comptroller for Regions Bank testified to us that the bank now employs more compliance employees than actual loan officers. This is not only bad for Regions Bank, it is harmful for our entire economy.

Unfortunately, we see examples of overregulation stemming from Washington way too often. Another example of an unnecessary and redundant rule that costs businesses capital is the so-called pay ratio rule buried in section 953 of Dodd-Frank, and today I come to the Senate floor introducing legislation to repeal it, S. 1722. Pay ratio requires the Securities and Exchange Commission to promulgate a rule requiring companies to calculate the median salary of all their employees and then divide their CEO's pay by that number.

According to one prominent organization in support of this rule, the purpose of it is to ''shame companies into lowering CEO pay.'' Forcing companies to move money from productive uses toward re-creating information that is already available so they can be shamed is a poor use of financial resources. In addition, it is also redundant. CEO pay is already public. If anyone is interested in finding the salary of a CEO of a public company, that information is easily available thanks to already existing disclosures. Also, both the Bureau of Labor Statistics and private economists already track the average salary for a wide variety of jobs. If we know the salary of a company's CEO and we know what their business does, we can already calculate a company's pay ratio. In fact, labor unions and private Web sites are already making these calculations.

Unfortunately, the result of the pay ratio rule is more than just an academic exercise; according to the SEC, companies will have to spend $73 million per year to comply with this rule. And the U.S. Chamber of Commerce estimates the cost will be higher—as much as $700 million per year or more.

If we take those two numbers and split the difference, if we add them up and divide them, we get $386 million per year as an average estimate just to comply with this one single rule.

Taking a look at this rule, let's use our own pay ratio test. In 2014, the Bureau of Labor Statistics calculated that the annual mean wage was $47,230. If we divide $386 million, which is the cost of complying with the pay ratio rule, by $47,230, which is the mean annual wage for workers, we get the number 8,172. This means that on average we could pay 8,172 people their full salary for the amount of money it takes to comply with the pay ratio rule. Remember, this is only one of 398 such rules found within Dodd-Frank, a number of which have not even been implemented yet.

The money they would use to do this has to come from somewhere to pay for the new compliance systems required to follow this rule, taking away much needed capital from businesses that could otherwise invest money growing their business and creating job opportunities. It is a waste of time, effort, and money.

The legislation I introduced yesterday simply strikes this rule in Dodd-Frank. It does nothing to change any other part of the law. Repealing the pay ratio rule would allow companies to find more productive uses for their time and money so they can invest in the future and create job opportunities.

I am committed to relieving Americans from this and other unnecessary and burdensome regulations during my time in the Senate. I encourage my colleagues to join me in this effort.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EVERY CHILD ACHIEVES ACT

Mr. CASEY. Mr. President, I rise to speak on an amendment that has great significance for our country. It is about early learning. I will give you the formal name of the amendment so we have it for the record: Casey amendment No. 2152, the strong start for America's children amendment, which is an amendment to the Every Child Achieves Act that will establish a Federal-State partnership to provide access to high-quality and public prekindergarten education for low- and moderate-income families.

We have had a debate, especially over the last couple of days, about our commitment to basic education, so-called elementary and secondary education. As part of that, I think it is the time to finally, at long last, have a debate about early learning on the floor of the U.S. Senate. It has been a long time since that has happened.

I thank the folks who have made it possible for us to get to this point to consider an amendment like this and to have this debate about the larger legislation but also about this amendment, in particular. Senator ALEXANDER and Senator MURRAY were leading the effort to consider the Every Child Achieves Act, but also, in particular, I again salute Senator MURRAY for her many years, as you might call it, laboring in the vineyards of early learning, as she has done on so many other issues—since the first stage, she has been in the Senate working on early learning. I thank Senator HIRONO for her work on this issue as well, in proposing legislation which has come together now after a lot of years of work by a number of us in the Senate. We are grateful for their contribution.

I also ask unanimous consent to add Senator BOOKER as a cosponsor.

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

Mr. CASEY. Mr. President, what this comes down to is something very fundamental. The basic link between learning and earning—if children learn more now or learn more when they are very young, they are going to earn a lot more down the road. They are going to do better in school. They are going to succeed in progressing in school in a way we would hope, no matter where they live and no matter what their circumstances, if we make the commitment to those children. Because of that success and progress and learning, they will learn more down the road. We know a more developed education leads to great success in school and also leads to a better job down the road.

This isn't simply a commitment to a child. It certainly is that first and foremost, but it is also a commitment to our long-term economic future. If you want higher wages and you want better jobs and you want a growing economy and you want America not only to compete in a world economy but outcompete and have the best workforce, the best workers in the world, we have to make sure we have the best education system. That starts long before a child gets to first or second grade and even starts before they get to kindergarten. That is why I refer to this as pre-K or prekindergarten education. If they learn more now, they will earn more later. We have to make sure we bear that in mind.

As we debate the appropriate role of the Federal Government to ensure that all students in the Nation graduate from high school prepared for college and career, we cannot forget about this basic piece of the puzzle that begins before that child enters kindergarten.

In the short term, students enter kindergarten more prepared and ready for elementary school if we pass legislation like the amendment I am proposing. Some studies have even shown high-quality early learning can help double a child's cognitive development.

High quality and early learning can double a child's cognitive development.

In the long term, high-quality early learning—we want to emphasize ''high quality.'' I didn't say just any program or any kind of curriculum. We will talk more about that later. High-quality early learning contributes to, among other things, No. 1, a reduction in the need for special education; No. 2, lower juvenile justice rates; No. 3, improved health outcomes; No. 4, increased high school graduation and college matriculation rates; and, No. 5, increased self-sufficiency in productivity among families. These aren't just assertions. These are the results of many years of study.

I will turn to the first chart for today. No. 1, high-quality early learning means children can earn as much as 25 percent more as adults. This is where early learning has a direct and substantial correlation to higher wages down the road. No. 2, early learning leads to healthier and more productive lives. There is no question about that. Some of the best research on this has been done lately and should be part of the discussion. No. 3, high-quality early learning also leads to children who are less likely to commit a crime. All the data shows that over many years now. No. 4, high-quality early learning means children are more likely to graduate from high school.

We need to get that number up across the country. We hope that will lead to more young people finishing high school and getting higher education, but that doesn't always mean a 4-year degree. It might mean a 2-year degree. It might mean a community college. It might mean a technical school. They can't get to a community or technical school or any kind of higher education unless they graduate from high school. We want to make sure we have programs that do that. Kids learn more now and earn more later. That is the first reason to do this. It has a positive impact on that child and a substantially positive impact on the economy.

The other way to look at this is what would happen in the absence of this kind of commitment, which we don't have right now as a nation. I think it is a strategic imperative that we have a commitment to early learning. But what happens if we don't? We can spend upward of $40,000 per inmate on incarceration, thousands of dollars on drug treatment and special education. Whatever the challenge is, those problems become worse the longer we don't make this commitment. That is one option.

The other option is to spend a fraction of that $40,000 on high-quality preschool and give children the good and smart start they need in life. It is that old adage: An ounce of prevention is worth a pound of cure.

We often have the best testimony from folks in our home State. I want to read one of those pieces of testimony. This is a letter I received. I will not read the whole letter. I want to refer to

a couple of individuals from Pennsylvania. Heather is from Southwestern Pennsylvania, and she wrote to us talking about her child. She is talking about the fact that her daughter is enrolled in a high-quality pre-K program. These are positive testimonials about the impact on the child and on the family. Heather, from southwestern Pennsylvania, wrote to us and told us that her daughter is enrolled in a high-quality pre-K program. These letters are positive testimonials that describe the impact this program has on a child and family.

Heather says in pertinent part:

> My daughter has blossomed since starting the PA Pre-K Counts program . . . she loves it!! She sings us songs she learns daily and has made lots of friends daily she tells us how much she loves her school and her teachers!

It goes on from there.

Another letter from Dorie D., also from the southwestern corner of our State, out near Pittsburgh, says:

> Our daughter has blossomed since starting the PA Pre-K Counts program. Having this program available to us has helped us see how our child learns best.

She goes on to say:

> She is just so much more animated and open to learning now.

We get letters like these all the time about the positive impact of early learning. This is testimony from people who are directly affected by it.

One way to look at this is from the testimony of families. Another way to look at it is from the data. One of the best authorities is Dr. James Heckman, the Nobel Prize-winning economist who estimates that the return on high-quality early learning is as high as $10 for every $1 we invest. Another study of the Perry Preschool Project in Michigan showed a return of $17 for every $1 spent. So when you spend a buck on early learning, you get 17 bucks in return. This study has been on the record for many years, and unfortunately some elected officials haven't taken it to heart.

The data of return on investment is overwhelming and indisputable. So if we want to measure this in terms of dollars, there is all of the evidence in the world. I think the evidence and the testimony from parents is even more persuasive, but if we want to do a dollar comparison, there it is—17 bucks returned on 1 buck of investment in early learning.

The same research found that children who participated in high-quality early learning earned approximately 25 percent more per year than those who did not.

So study after study looking at full-day learning programs across the country have found a positive impact on the future earnings of participants, and in some cases the benefit just from increased wages could be as high as 3.5 percent per year. So this does have a direct correlation to wages. My strong start amendment would help more than 3 million American children have that opportunity for high-quality early learning, and it would give them access to those kinds of programs.

My home State of Pennsylvania has made strides in this direction at the State level. That is the good news. The bad news is that they have not made anywhere near the strides we need to make. We are nowhere near 50 percent of our children in these kinds of programs. So because of that, because of that void or that deficit, the number for Pennsylvania in terms of benefits is high. It is estimated that 93,930 children in the State of Pennsylvania could benefit from this amendment being enacted into law.

Mr. President, I ask unanimous consent that the document entitled ''Five-Year Estimates of Federal Allotments and the Number of Children Served By Casey Strong Start Amendment'' be printed in the RECORD.

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

FIVE-YEAR ESTIMATES OF FEDERAL ALLOTMENTS AND THE NUMBER OF CHILDREN SERVED BY CASEY STRONG START AMENDMENT

(funding in dollars)

State	Federal Allotment $	Estimated Children Served
Alabama	429,922,966	51,804
Alaska	130,998,000	15,643
Arizona	656,508,117	80,170
Arkansas	315,518,722	34,630
California	3,139,171,848	356,816
Colorado	366,496,715	43,250
Connecticut	199,660,755	21,673
Delaware	130,998,000	15,789
District of Columbia	130,998,000	12,666
Florida	1,440,455,110	161,553
Georgia	917,616,106	101,756
Hawaii	130,998,000	16,099
Idaho	153,654,734	18,800
Illinois	961,484,302	108,064
Indiana	530,095,397	65,147
Iowa	241,549,933	26,707
Kansas	259,275,568	30,942
Kentucky	411,598,742	47,475
Louisiana	455,185,965	52,223
Maine	130,998,000	15,427
Maryland	361,451,446	40,378
Massachusetts	268,510,976	30,552
Michigan	704,261,046	82,020
Minnesota	344,519,863	41,581
Mississippi	341,868,957	42,015
Missouri	448,967,945	54,565
Montana	130,998,000	16,099
Nebraska	147,742,118	17,666
Nevada	252,190,201	30,808
New Hampshire	130,998,000	16,099
New Jersey	448,992,376	42,744
New Mexico	227,159,310	27,175
New York	1,234,026,608	137,136
North Carolina	872,086,515	101,598
North Dakota	130,998,000	16,099
Ohio	976,595,679	118,760
Oklahoma	323,544,733	34,739
Oregon	292,466,846	33,472
Pennsylvania	817,003,895	93,930
Puerto Rico	453,536,785	55,738
Rhode Island	130,998,000	16,035
South Carolina	514,947,370	61,478
South Dakota	130,998,000	16,099
Tennessee	585,849,905	68,313
Texas	2,670,071,687	299,902
Utah	283,952,191	34,897
Vermont	130,998,000	15,224
Virginia	461,782,685	53,967
Washington	511,392,470	60,180
West Virginia	150,649,562	15,676
Wisconsin	455,857,852	50,212
Wyoming	130,998,000	16,099
Total	26,199,600,001	3,017,891

Notes: Table prepared by the Congressional Research Service. Estimates were developed using assumptions and some may not be subject to change. Estimates of children served assume the cost of serving each child would be $9,000 per child in every state.

Mr. CASEY. That is a list of the dollar amounts that States would receive under this. They have to choose to participate, but if they did, they would have not just the dollars for it but the children served. So my amendment would benefit 3 million children across the country and almost 94,000 children in Pennsylvania. In Ohio, 118,760 children would benefit from this program. Even a very large State that might not have the investment we would hope, a State such as Texas, has 299,902 children—let's just round it off and call it 300,000—who would benefit.

This chart shows the number of children who would benefit, and I believe it is long overdue that we made this commitment to our children.

The State would have to match, and that is why I mentioned it at the beginning. This is a Federal and State partnership. And we know if that happens, the full-day preschool would be available for 4-year-olds—that is the age category we are focused on—from families earning 200 percent below the Federal poverty level. So if it is a family of four, 200 percent is a little less than $49,000 of family income.

Earlier, I mentioned quality. We don't want to just have programs set up around the country—a Federal and State partnership and have a program. That would be nice, but it won't advance the goal of the best possible learning. We want high-quality programs. So we insist that the programs be ones that have teachers with high qualifications who are paid comparably to K-through-12 teachers. We would also insist that there be rigorous health and safety standards for these programs, such as small class sizes and low child-to-staff ratios, and instruction that is evidence-based and developmentally appropriate. We don't want to have just any curriculum; we want to have the best curriculum that is based on evidence that it works and also evidence-based comprehensive services for children.

This amendment acknowledges that high-quality pre-K programs should be inclusive of services for children with disabilities as well and recognizes the need for increased funding to specifically serve these children in early childhood.

There are other aspects of the program I do not have time to discuss right now, but I wanted to address an issue some people have brought to my attention. This program is a new commitment by the United States of America, and even folks who say this is a really good idea ask: How do you pay for it?

Well, we have a pay-for. There is a change to the Tax Code, which I think a lot of folks would support because of what we have seen over the last couple of years. To pay for this, we would put limits on the ability of American companies to invert and move their tax domicile overseas to reduce their tax liability. That is a long way of saying we would make it more difficult for companies to engage in this so-called inversion strategy which allows them, through a loophole, to pay less taxes because they move operations into a smaller company that is foreign owned.

I believe we should make it more difficult for companies to do that. If they want to do that—I don't like when they do that, and not many people like it—we should at least make it a little more difficult. If we make it more difficult for companies to do what we hope they wouldn't, that will actually lead to a savings in revenue.

It would make a lot of sense for American companies that believe they should move overseas to help us pay for early learning. I think that makes all the sense in the world if we are committed to early learning and if we are committed to making sure we can pay for the program. The amendment itself is paid for by dealing with this loophole or dealing with part of an advantage companies have.

This amendment is supported by nearly 40 national organizations, from unions, to parent education and early learning groups, disability advocacy groups, and civil rights groups.

Mr. President, I ask unanimous consent to have the full list of endorsing organizations printed in the RECORD.

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

List of Organizations Endorsing Casey Amendment #2152 to S. 1177—The Strong Start for America's Children Amendment

1. American Federation of State, County, and Municipal Employees
2. American Federation of Teachers
3. American Federation of School Administrators
4. Bazelon Center
5. Child Care Aware America
6. Center for American Progress Action Fund
7. Center for the Collaborative Classrom
8. Children's Defense Fund
9. Center for Law and Social Policy
10. Collaborative for Academic, Social, and Emotional Learning
11. Common Sense Kids Action
12. Easter Seals
13. Education Law Center
14. First Five Year's Fund
15. First Focus Campaign for Children
16. Leadership Conference on Civil and Human Rights
17. Learning Disabilities Association of America
18. National Association for the Advancement of Colored People
19. National Association for the Education of Young Children
20. National Association of Councils on Developmental Disabilities
21. National Association of Elementary School Principals
22. National Association of School Psychologists
23. National Association of State Directors of Special Education
24. National Black Child Development Institute
25. National Center for Families Learning
26. National Council of La Raza
27. National Urban League
28. National Women's Law Center
29. National Education Association
30. Nemours Children's Health System
31. Parents as Teachers
32. School Social Work Association of America
33. Service Employee International Union
34. Teach For America
35. Teaching Strategies
36. The Committee for Children
37. The National Down Syndrome Congress
38. Tourette Association of America
39. Zero to Three

Mr. CASEY. Just a couple of more points, and I will move on.

Even with these recent gains, according to one of the national groups that track this data, the National Institute of Early Education and Research, NIEER, shows that only 4 in 10 American 4-year-olds are enrolled in public pre-K and fewer than 2 in 10 3-year-olds. Let's just focus on the 4-year-olds. Four in ten 4-year-olds are in these kinds of programs.

I don't know how we can compete and have the best workforce in the world and develop the highest skill level in the world for our future if we don't make a commitment to early learning. I don't know how else we can get there over time if we are going to continue to talk a good game about early learning. And to listen to the testimony of parents, CEOs, and business owners who come to us year after year, in addition to talking to us about taxation and other issues—they say: Please, please make an investment in early learning. Some of the biggest companies in Pennsylvania and some of the biggest companies in the world have come to us and said that. Whether it is a CEO or a parent or an educator, they all believe we have to finally, at long last, make a commitment to early learning as a nation because it is a strategic economic imperative.

Even in Pennsylvania, where I mentioned before that we made some strides over basically the last decade or 15 years, we rank 10th in the amount of State resources invested. That is kind of good news but not enough. Pennsylvania is still only able to serve less than 10 percent of all 3- and 4-year-olds in State funding for early learning.

I think that at the same time we can make the academic arguments—the arguments by parents and educators and CEOs—we also know that the national data and polling show it is something the American people support as well. The American people understand the vital importance of increasing investment in early learning.

A national poll conducted last year by the bipartisan team at Public Opinion Strategies and Hart Research showed that 64 percent of Americans believe we should be doing more to ensure that children start kindergarten ready to do their best.

Here is another way to summarize it. This chart shows voters who say we should be doing more to ensure that children start kindergarten ready to do their best, and virtually no one else says we should do less. Those who say we should do more to ensure our children start kindergarten ready to learn and ready to do their best—64 percent. Twenty-seven percent say we should do enough. We have to persuade some of those folks in green. Only 4 percent say we should do less. I don't know who those folks are. I hope I can meet them and talk to them. But the overwhelming majority of Americans say we need to do more to give children the opportunity to be prepared to learn and therefore to have a strong start in their education and down the road to literally earn more when they are working.

This support runs across all parties—55 percent of Republicans, 63 percent of Independents, and 73 percent of Democrats.

When asked about a similar proposal to the one in my amendment, 7 in 10 Americans, including 67 percent of Republicans, support it. So it has overwhelming support.

I will end with the words of the folks who know the benefit of these programs already—some of the parents who wrote to us. There are two more letters I will cite.

The next testimonial is from Beth. She is from Washington County, PA. She expresses gratitude for the Pennsylvania pre-K program. She says:

> My daughter has learned so much. Before the start of PA Pre-K Counts, she couldn't write any of her letters or even recognize them. She has improved so much since the first day of class. It has given her socialization with other kids her age.

She goes on to tell how much that means to her family and how much that means to her daughter.

Finally, Megan, who is from the other end of the State, southeastern Pennsylvania in Montgomery County, says in part that her son ''came into this program shy and with very little verbal communication. He now talks nonstop and loves learning!''

I have only read brief excerpts from letters we have received.

Here is the point: If a child enters a program and by the end of that is curious about learning, that is a huge success. If a child enters a program not knowing her letters and by the end of that she is learning and achieving, that is something we can all be positive about.

The first letter I read talked about the way one mother's child was singing songs that she learns daily. Whatever it is, whether it is singing or learning letters or reading, these children are learning because of a good program. It didn't just happen by accident. It happened because they are in a high-quality program. It happened because in some communities they made the decision to invest in the future of that child and the future of our economy.

So let's take a step with this amendment to allow children to learn more now so they can earn more later and help us move into the future in a very positive direction for our children, for our families, and for our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak in strong support of an amendment to this underlying bill that addresses resource equity in our Nation's schools. I am proud to have

worked across party lines to join my colleagues in supporting this bipartisan amendment, particularly to have worked with Senators KIRK, REED of Rhode Island, and BROWN on this measure. It is an improvement to the long-overdue reauthorization of the Elementary and Secondary Education Act that we have been debating over the course of this week.

The Every Child Achieves Act importantly focuses on ensuring that those students most in need have access to a high-quality education. It continues to ensure that title I funds flow to school districts where Federal support can make the greatest impact and the most difference. It requires States to report key information that will help us identify disparities such as per-pupil expenditures, school discipline, and teacher and educator quality. But I believe we must further strengthen those reporting requirements in order to fully ensure that the range of critical school resources—from quality teachers, to rigorous course work, to well-conditioned and equipped school facilities—is being equitably distributed among school districts in a given State. And we must require States to demonstrate how they will act to address disparities among schools.

Despite the advances we have seen since President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, significant gaps in achievement and opportunity still exist. The U.S. Department of Education's Office of Civil Rights recently published data from a comprehensive survey of schools across the Nation that illustrated the magnitude of the problem. For example, the report describes how Black, Latino, American Indian, and Native Alaskan students and English learners attend schools with higher concentrations of inexperienced teachers.

Furthermore, nationwide, one in five high schools lacks a school counselor, and between 10 and 25 percent of high schools across the Nation do not offer more than one of the core courses in the typical sequence of high school math and science.

In my home State of Wisconsin, higher poverty and higher minority school districts remain more likely to have inexperienced teachers. The Department of Education has data that shows that, for example, in Milwaukee, where there are the most high-poverty and high-minority schools in our State, 8 percent of teachers are in their first year of teaching and 19 percent of teachers lack State certification. The State average is 5.6 percent for first-year teachers and 0.3 percent for those who lack certification.

As with the Nation, achievement gaps follow these disparities. According to data from the National Center for Education Statistics, there are startling differences in student proficiency and graduation rates both in Wisconsin and nationally. For example, the average math proficiency in low-performing schools in my home State is 12 percent. The average in all other schools in the State is 51 percent. That is a huge gap; it is a 40-percent gap. There is also a 37-percent gap for reading and language arts proficiency and a 31-percent gap in graduation rates.

We cannot close those achievement gaps if we do not provide all students with equal access to core educational resources. That is why I am pleased to join Senators KIRK, REED, and BROWN in offering this opportunity dashboard of core resources amendment. This amendment requires each State to report what key educational resources are currently available in districts with the highest concentrations of minority students and students in poverty. Then it requires them to develop a plan to address the disparities that are shown to exist. It gives States flexibility to develop those plans and lay out a timetable with annual benchmarks for taking action, and it protects a parent's right to know about the critical educational resources that are available to his or her child.

As we work to reauthorize the Elementary and Secondary Education Act in its 50th year, we have yet to see its promise of equal access to educational opportunity fulfilled for all of America's students. As we look to the next half-century of supporting public education, it is critical that we take steps to ensure that all children have access to the educational resources that will help them succeed, regardless of race, ethnicity, or family income.

I understand there may be a vote on this amendment early next week. I certainly hope so. I urge my colleagues to support this very important bipartisan effort.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXPERIMENTS IN POLICY

Mr. CORNYN. Mr. President, when I return home to my State during our district work periods—the time when the Senate is not in session—as I get a chance to travel my State, as the Presiding Officer does in his, I always feel as though I learn something, and I appreciate a little bit more how different policies can have a different impact and produce different results.

As the distinguished Senator from Wisconsin was speaking about the importance of education, I couldn't help but think that we all agree with that, but we have maybe some differences on which policies actually produce a better result. I couldn't help but think a little bit about that last week as I was visiting some of the ranchers and folks in west Texas in the ag sector who were very interested in what we were doing here in Washington on trade promotion authority, as we have worked with the President on a bipartisan basis to pass this structure by which the next big trade agreement—the Trans-Pacific Partnership—will be considered and voted on.

I do have a bias. I think experiments in policy are best conducted at the State level, not at the national level. We have seen, for example, as the Presiding Officer knows, a huge experiment in health care reform where, under the Affordable Care Act, one-sixth of our economy was effectively commandeered by the Federal Government in a one-size-fits-all approach. Of course, the results were much worse than even its most ardent opponents predicted. Many of the basic promises that were made in order to sell the Affordable Care Act simply aren't true. They haven't come to pass.

So I think it is helpful to do just the opposite. Rather than experiment at the national level with what kinds of policies actually work, let's try these at the State level. Indeed, on the matter of trade, I would say I come from a State that is the No. 1 exporting State in the country, and that is one reason why our economy grew last year—2014—at 5.2 percent. The economy across the United States grew at 2.2 percent. There are a lot of reasons for that difference, but don't we think it would make some people curious about whether there were actually policies or practices at the State level that produced a better result—a growing economy with rising wages and more jobs?

This isn't just me being proud of where I come from. I guess people are accustomed to Texans being proud of their State and bragging about it. That is just kind of who we are, and we accept that. But this is more than that. This is talking about the policies that actually work, that have been embraced and implemented here at the national level, once tested at the State level—we could actually see a better outcome for all of America.

For example, Texas farmers and ranchers know from our experience in Texas that trade is a good thing. As we begin to explain and explore the importance of trade promotion authority, the idea that we comprise roughly 5 percent of the world's population—in other words, 95 percent of the world's population is beyond our shores but we represent 20 percent of the world's purchasing power—why wouldn't we want to open up our goods and services and the things we grow and make to these markets abroad so that more people can buy the things we grow and raise and what we make?

I wish to speak about another innovation or at least another practice at the State level that has had an impact on the quality of education at the State level. As we continue the discussion of the Every Child Achieves Act—

legislation that will hopefully help improve the results for 50 million children—I am glad we will be bringing another tried-and-true example of what has happened at the State level to the national level.

I was happy to cosponsor with the senior Senator from Virginia an amendment which takes into account the commonsense purpose of encouraging the States to conduct efficiency reviews of school districts and campuses to make sure Federal dollars delivered to each classroom are spent as cost-effectively as possible. This amendment builds on an incredibly successful program in Texas—one that brings greater accountability to our schools and helps them discern how they can make each dollar go just a little bit further. This program is called the Financial Allocation Study for Texas, or FAST. It was developed by the Texas comptroller, Susan Combs—the immediate past comptroller of the State of Texas—to evaluate the operational efficiency of the school districts and campuses across our State. To do that, the comptroller uses data about school finances, school demographics, and academic performance from each school and campus around the State to help measure academic achievement relative to spending.

There is a broadly held fallacy that the quality of educational outputs is equal to how much money we put into it. In other words, if we want a better product—education—all we have to do is spend more money. I would say that is demonstrably false. There are many of our parochial schools that do an outstanding job of educating their students at a fraction of what our public schools do. So I think it is a fallacy to say that if we want more or better education, all we have to do is spend more money. There is a smarter, more efficient way to deal with that, and that is what the financial allocation study is designed to achieve—to measure academic achievement relative to spending.

As the senior Senator from Virginia explained earlier, this successful Texas model of a fiscally responsible education system caught his eye when he was Governor of Virginia, and fortunately he then implemented a similar program. In Virginia, the savings came from commonsense recommendations—again, as we did in Texas—things such as introducing software programs to improve bus routes, enhancing methods of facilities management, and encouraging best practices in hiring and personnel management.

While more States have adopted similar programs, these money-saving opportunities should be available to all school districts nationwide. So now, with the adoption of this amendment just yesterday and with the eventual passage of the Every Child Achieves Act, we can make sure school districts all across the country are using their dollars for what they are really intended—classroom education—not stuck in the back office bureaucracy.

As many of us have already mentioned, the underlying legislation, the Every Child Achieves Act, is really about putting the responsibility for our children's education back in the hands of parents, local school districts, and teachers—the people who are actually closer to the issue, closer to the problems, and the ones who perhaps know more than any bureaucrat in Washington could ever hope to know about what actually works at the local level. It is also about flexibility, meaning it is up to individual States, not just the Federal Government, to determine how to achieve the best outcome for all of our students. Importantly, I should add, that flexibility translates into greater options for schools across the country by giving States additional freedom to create and replicate high-quality charter schools, for example, and giving more parents more choices, as I said, for their children's education.

I am very proud of the good progress we have made across a number of issues this year so far—passing the anti-human trafficking laws and finally cracking the code on how we pay physicians under Medicare adequately rather than temporarily patching that problem, as we have for so many years. We passed a budget for the first time since 2009 that balances in 10 years. And, yes, we worked with the President of the United States on a bipartisan basis to pass trade promotion authority. Next week, we will conclude this Every Child Achieves Act by reforming our early and elementary childhood education system to get more of the power, to get more of the authority out of Washington and back to parents, teachers, and the States, where it really belongs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

EVERY CHILD ACHIEVES ACT

Mr. FRANKEN. Mr. President, we have been living under No Child Left Behind, or NCLB, for 13 years. During that time, we have learned a lot about how NCLB works and a lot more about what doesn't work. Students, teachers, and parents across the country have been waiting a long time for us to fix this law.

As a member of the Senate Health, Education, Labor and Pensions Committee, I am proud to have worked on the legislation before us today and to have helped to get it this far. The Every Child Achieves Act of 2015 builds a strong bipartisan foundation to reform our national education system, and I thank Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY for their leadership on this bill.

Over the last 6 years, I have met with principals and teachers, students, parents, and school administrators in Minnesota. These conversations have helped me to develop my educational priorities to help improve our schools, our communities, and our Nation's future. I worked with colleagues on both sides of the aisle, including the esteemed Presiding Officer, to find common ground, and I am very pleased that many of my priorities to improve student outcomes and close the achievement gap are reflected in the legislation that is before us today.

During my conversations with parents and students, I often speak about children's mental health. At Mounds View school district in Minnesota, I met a single mother named Katie Johnson. She told me about her son, a 9-year-old boy whose behavior she just wasn't able to control. Because this school had a system in place—a mental health model in place—they were able to identify that he might have some mental health problems and get him access to community mental health services. He was diagnosed with ADHD and Asperger's. He was able to get the treatment he needed, and it turned him around. Katie told me that her son is now doing well in school and he had taken up Tae Kwon Do. Katie told me that her life had been out of control when she couldn't control her child. But she pointed to herself—and I will never forget this—she pointed to herself and said: ''Now I am bulletproof. I can do anything.''

Well, I said, let's do this. So I came here and introduced the Mental Health in Schools Act, and I am proud that over the last couple of years we have gotten $100-plus million extra through the appropriations process for programs like the one in that bill.

I have worked hard to get provisions based on my Mental Health in Schools Act into the bill before us today. My provisions will allow schools that want to work with community-based mental health organizations and mental health providers to use Federal education funding to provide mental health screening, treatment, and referral services to their students by equipping school staff with the training and tools to identify what it looks like when a kid has a mental illness. Every adult in this school, from the lunch lady to the principal, from the schoolbus driver to the teacher, was trained to see what it looked like when a kid might have a serious mental health issue, and then they would refer to the professional in the school, the counselor or school psychologist.

One of the most common features of successful schools in disadvantaged communities is the presence of an effective school principal. This should come as no surprise. It is a matter of common sense to expect that a successful school or any successful organization would have a strong leader. Research shows that school leadership is one of the most critical components of

improving student learning. Yet, despite its importance, the Federal Government has not devoted adequate attention or resources to improving the quality of principals in high-need schools. That is why I made sure that there is dedicated funding written into the base bill to create a pipeline of effective principals for high-need schools.

I had a roundtable a number of years ago. The roundtable was with principals from around the Twin Cities. A school had been turned around by a great principal. We started talking about testing. One of the principals referred to the NCLB test as ''autopsies.'' I knew immediately what he meant. Schools had to administer an NCLB test toward the end of the year—toward the end of April—and the school and the teachers didn't get the results until late June, when the kids were out of school. So the teachers couldn't use the results of the tests to inform the instruction of their kids. I found out that was why in Minnesota schools were administering other tests in addition to the NCLB test. On top of that, they were giving computer adaptive tests. What are computer adaptive tests? Well, they are computers—meaning the teacher gets the results right away, so he or she can use the results of that test to inform the instruction of each child. They are adaptive, which means that if a child is getting everything right, the questions get harder; if they are getting things wrong, the questions get easier. This is much more descriptive of where the child is and you can pinpoint this. This informs the instruction.

These kinds of tests were not allowed in the original NCLB because they said that all tests had to be standardized—standardized, meaning having the same test for each child—but you get a much better assessment with computer adaptive tests. That is why I wrote an amendment with Senator JOHNNY ISAKSON of Georgia into the Every Child Achieves Act to allow States to use computer adaptive tests. Teachers will now be able to create lesson plans based on how each student performs, starting the next day. They use computer tests to more accurately measure student growth, which is something I believe in—measuring growth and not judging whether a kid meets or what percentage of kids meet some arbitrary performance standard or proficiency standard but instead whether the school is helping every kid grow.

The only thing I liked about No Child Left Behind was the name. Yet, every teacher started teaching to the middle—teaching to the kids who are just below or just above that artificial line of proficiency. That was a perverse incentive not to focus on the kid above the line or below the line. Every child achieves. That is what we are going for.

This amendment will go a long way toward improving the quality of assessments used in our schools and will give teachers and parents more accurate and timely information about how their kid is growing.

Another issue I hear about as I travel around Minnesota—this time from businesses—is that students graduating from our schools aren't ready to take on the jobs that are waiting for them. This is called the skills gap. It isn't just a problem in Minnesota; I would say it is a problem in every State. We have jobs now that are going unfilled because our graduates lack science, technology, engineering, and math, or STEM, skills. In fact, by 2018 Minnesota employers will have to fill over 180,000 STEM-related jobs.

So I wrote an amendment to provide funding to support partnerships between local schools, businesses, universities, and nonprofit organizations to improve student learning in STEM subjects. My amendment says that each State can choose how to spend and prioritize these funds, which can support a wide range of STEM activities, from in-depth teacher training, to engineering design competitions, to improving the diversity of the STEM workforce.

States can also use these funds to create a STEM Master Teacher Corps, which is based on my legislation called the STEM Master Teacher Corps. This will offer career-advancement opportunities and extra pay to exceptional STEM teachers and help them serve as mentors to less-accomplished teachers.

Today, it is getting harder and harder for students to pay for college. That is why the Presiding Officer, the good Senator from Louisiana, and I worked—and the way the cameras work, you can't see the Presiding Officer because I am talking; it is BILL CASSIDY of Louisiana—we worked together to help reduce the cost of college while kids are still in high school.

Our amendment provides funds to cover the costs of advanced placement and international baccalaureate exam fees for low-income students. When I did college affordability roundtables, I found students who had taken an AP course but were afraid to spend the money for the test in case they did not get the 3, 4 or 5, which gave them a credit. So this will help those students do that.

Our amendment also includes dual enrollment programs and early college high schools. In Minnesota, we call them postsecondary educational opportunities. These are two other models that help students earn college credit while in high school, and by participating and succeeding in these programs, students can save a lot of money toward college by getting college credits.

The academic programs I have mentioned are critical to our children's success in school, but many kids also need additional support to help them succeed in school. For example, school counselors respond to a wide range of student needs, from dealing with the aftermath of traumatic events to school bullying, to the college admissions process and career advising. But we have a shortage of school counselors in this country.

Unfortunately, the ability of school counseling professionals to assess students is often hindered by a high student-to-counselor ratio, often two or three times the recommended amount. In Minnesota, we have 1 counselor for every 700 students. That is unacceptable. So I wrote a provision that addresses this critical need by authorizing the Elementary and Secondary School Counseling Program in the Every Child Achieves legislation.

Federal grants like this one will help States and districts address these high ratios between students and counselors and bring more trained professionals into schools. Another critical support for students is afterschool programs. Senator LISA MURKOWSKI from Alaska and I worked on an amendment together to fund 21st Century Community Learning Centers because these afterschool programs play a critical role in increasing student achievement, keeping students safe, and helping out working families.

There are over 100 21st Century Community Learning Centers across my State of Minnesota, and these centers provide high-quality afterschool activities to help address the physical, social, emotional, and academic needs of the students they serve. Senator MURKOWSKI and I worked on another amendment to help American Indian students. Our amendment would fund Native language immersion programs throughout Indian Country because language is critical to maintaining cultural heritage. Native students who are enrolled in language immersion programs have higher levels of student achievement, high school graduation rates, and college attendance rates than their Native American peers in traditional English-based schools.

Again, I am very pleased that with the help of my colleagues, I was able to include all of these amendments in the legislation we are considering today. These provisions will help hundreds of thousands of students throughout the country reach their full potential.

Lastly, I would like to speak in support of Senator PATTY MURRAY's and Senator JOHNNY ISAKSON's early learning amendment that was included in the bill and Senator BOB CASEY's floor amendment called strong start for America, which also expands access to early childhood education. This is so important. The achievement gap between disadvantaged students and their peers is evident before they enter kindergarten.

Early childhood programs can help narrow this gap. In fact, high-quality early childhood education programs not only help prepare our children for school, study after study shows there is a tremendous return on investment in high-quality early childhood education, ranging from $7 to $16 for every $1 spent. Kids who attend a high-quality early childhood program are less

likely to be special ed kids or to need special education programs, less likely to be held back a grade. They have better health outcomes, the girls are less likely to get pregnant in adolescence, they are more likely to graduate high school, more likely to go to college and graduate from college and have a good job and pay taxes, and much less likely to go to prison.

I have been a big supporter of investing in early childhood programs for years because it is simply just common sense to do. That is why I support Senator CASEY's amendment. More generally, No Child Left Behind is long overdue for the right kind of reform. With the leadership of Chairman ALEXANDER and Ranking Member MURRAY, my colleagues and I on the HELP Committee have worked hard to incorporate the lessons we have learned from teachers, students, parents, and school administrators and put them into this legislation.

We have made tremendous progress on this bill, but we still have some work to do before it becomes law. We need to close the achievement gaps in this country. That means we should expect States to focus on all of their students, including low-income and minority students. At its core, the Elementary and Secondary Education Act, passed first in 1965, is a civil rights bill that was intended to improve equality and expand opportunity for disadvantaged students.

So I look forward to continuing to work with my colleagues to strengthen the accountability provisions in this bill. I urge my colleagues to support the Every Child Achieves Act of 2015 so we can keep working to support all of our Nation's students.

Finally, I want to flag something that is very important to me. I have a pending amendment to Every Child Achieves that I care an enormous amount about, the Student Nondiscrimination Act, which will give LGBT—lesbian, gay, bisexual, and transgender students the protection they need and deserve in school. I will come back to the floor to discuss that amendment at length.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

OBAMACARE

Mr. HATCH. Mr. President, I rise to talk about an issue that will have serious negative consequences on the lives and the livelihoods of millions of Americans and threaten our already muddled and beleaguered health care system. Ever since the partisan and rushed passage of the so-called Affordable Care Act, I have come to the floor dozens of times to shine a light on the problems associated with this law and to call for a swift repeal and replacement.

I have not been alone. Many of my colleagues have been working to make this case as well. Truth be told, this has not been an altogether difficult case to make. Indeed, the data has repeatedly shown that ObamaCare, despite the many claims of its proponents, simply is not working. We have seen more evidence of this in just the past few days. For example, in a recent New York Times article, we all read about the dramatic proposed increases in health insurance premiums due to ObamaCare's expensive mandates and regulations.

Now, many plans are proposing rate increases that average 23 percent in Illinois, 25 percent in North Carolina, 31 percent in Oklahoma, 36 percent in Tennessee, and 54 percent in Minnesota. I don't know about the Presiding Officer, but my constituents find this unnerving. After all, one of the President's chief justifications for his health care law was that it would actually bring down the cost of health care. Once again, we are seeing that this is just another one of the many empty ObamaCare promises.

But even more frightening than these proposed rate increases are the root causes of the increases. In the recent New York Times article, Nathan T. Johns, the chief financial officer of Arches Health Plan, which operates in my home State of Utah, was quoted as saying: ''Our enrollees generated 24 percent more claims than we thought they would when we set our 2014 rates.''

This, according to Mr. Johns, led to a collection of just under $40 million in premiums, while the company had to pay out more than $56 million in claims for 2014. As a result, Arches Health Plan has proposed rate increases averaging 45 percent for 2016 in order to remain viable. Now, I know this was not at all the intention of my Democratic colleagues who voted for this bill, but it is because of this and a myriad of other unintended consequences that ObamaCare has consistently polled below 50 percent approval since the day it was signed into law.

Indeed, according to a compilation by Real Clear Politics, of the 405 polls collected since the law passed in March of 2010, 391 reported a majority of Americans opposing or having negative views toward ObamaCare. Unfortunately, President Obama seems to be disconnected from this reality. In a recent trip to Tennessee, the President called for consumers to put pressure on State insurance regulators to scrutinize the proposed rate increases. He then suggested that if commissioners do their job and actively review the rates, his ''expectation is that they'll come in significantly lower than what's being requested.''

But as Roy Vaughn, vice president of the Tennessee BlueCross plan stated:

> There's not a lot of mystery to it. We lost a significant amount of money in the marketplace, $141 million, because we were not very accurate in predicting the utilization of health care.

Yet President Obama fails to grasp the simple mathematics of the problem. He is not alone. In response to the President's call for scrutiny, the Tennessee insurance commissioner was quoted as saying she would ask ''hard questions of companies we regulate to protect consumers.'' Forgive me, but I fail to understand what hard questions there are to ask. If I own a business that takes in $100 million in revenue but pays out $120 million in expenses, I will not be solvent for very long.

What is perhaps most disconcerting to me in all of this are the responses these patients get from officials in the Obama administration. For example, in response to concerns about those premium hikes, Health and Human Services Secretary Burwell recently argued that patients should not worry because there are tax subsidies available to help cover the cost. She also said they could simply shop for cheaper plans on the exchanges during the next open enrollment period.

Of course, in a world where insurance plans across the country are requesting rate increases of 26—well, 20, 30, 40, or even 50 percent or more, one has to wonder just how many cheaper plans will be available and how many sacrifices patients will have to make in their care in order to get significant savings. While many seem to believe the Affordable Care Act received a reprieve from the Supreme Court, I think we are actually witnessing a downward spiral of ObamaCare. I cannot help but question what supposed solutions my friends on the other side of the aisle will come up with next.

Anyone who is being honest and who is listening to the American people should recognize that ObamaCare needs to be replaced with real, patient-centered reforms that are designed not to control the marketplace but to actually reduce the costs for hard-working patients and taxpayers. I am a coauthor of such a plan, which we have called the Patient CARE Act. This legislative proposal, which I have put forward along with Senator BURR and Chairman FRED UPTON in the House, will reduce the cost of health care in this country without all of the expensive mandates and regulations that are causing these major increases in health insurance premiums.

I have talked about our proposal many times on the floor. I will continue to do so. I know there are other ideas out there, and I think we should consider and evaluate those as well. Put simply, I am willing to work with anyone on either side of the aisle to fix our Nation's health care system and to protect the American people from the negative consequences of this misguided law.

My hope is that more of our colleagues on the other side will eventually see what the majority of the American people have seen for more than 5 years: The problems with ObamaCare are not minor flaws that can be fixed with a little regulatory tinkering. They are fundamental flaws.

The only answer is real reform, which addresses the skyrocketing costs of health care in America.

With that, you can see that I am very, very concerned about ObamaCare and the fact that it is breaking America. It is not working. Costs are going up in a rapid basis. People are not being well served. The emergency rooms, which were supposed to be spared from all of this, are just full of Medicaid and Medicare patients who cannot find doctors now. Doctors are leaving the profession because of ObamaCare, in large measure, and we can't get help to those who really need the help because of the many restrictions in ObamaCare.

All I can say is that sooner or later we have to get off of our high horse, look at this, and look at it in a very effective, nonpartisan way, and either change it or get rid of it and replace it with something that will work much better and will be something the American people can live with.

There were approximately 35 million people who did not have health insurance before ObamaCare. That was a big issue. The President has cited that many times. Guess how many don't have insurance now with ObamaCare—how about 30, 35 million people.

So has this just been a big boondoggle so the President can take credit for something that doesn't work or are we going to do the thing that we all should as Members of Congress in the best interests of our citizens and change this bill and get one that really does work?

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, once again we find ourselves on a Thursday afternoon doing some final business before everybody returns home to meet with their constituents and do that work. I must say how much I appreciate your kind words and your attention when we have been talking about those North Dakotans who were killed in action in Vietnam.

This week the Senate commemorated that 50-year anniversary, and I know there are so many Members who care deeply. I know the Presiding Officer is among those Members. So I thank the Presiding Officer for his attention and his appreciation for the sacrifices of the men who I talk about weekly.

I rise today to speak about the men from North Dakota who died while serving in the Vietnam war. We are currently in a 13-year commemoration period honoring the veterans of the Vietnam war. I had the privilege to learn from families of North Dakotans who died in the war about their loved ones—who their loved ones were and who they hoped they would be.

Before speaking today about some of the 198 North Dakotans who didn't return home from Vietnam, I publicly thank Dave Logosz for his service to our State and our Nation.

Dave is a Vietnam veteran from Dickinson. Dave had plans to become a mechanical engineer and enroll at Dickinson State University in art and engineering. After his first quarter, he decided to enroll in NDSU instead, but he was drafted before classes in Fargo began.

In 1969, he landed in Vietnam in the Army's 25th Infantry Division as a sniper. He says that his year in Vietnam was a long, tough one. He was injured more than once while serving there.

After David returned, he suffered from post-traumatic stress, but he didn't admit it until several years ago. He says the VA counseling that he has received has made a huge difference for him.

After his service in Vietnam, Dave worked for over two decades at the Dickinson plant until it closed, and then he worked for the North Dakota Department of Transportation. He says he is happily retired now.

Dave belongs to every veterans service organization he knows of. A few years ago, he and his wife hopped on Dave's Harley and rode from coast to coast on a veterans memorial bike ride. They ended their trip at the Vietnam Veterans Memorial wall in Washington, DC—among a total of over 68,000 motorcycles and 911,000 people who were there. There Dave saw for the first time the name of his fellow soldier, Carl Berger, also from North Dakota.

Dave was with Carl when he was killed in Vietnam, and Dave carried Carl off the battlefield. Dave said that the experience of seeing Carl's name and visiting the Vietnam Veterans Memorial wall was emotional and heartwarming, and it gave him an idea. To give something back to his own community, Dave decided to build a veterans memorial honoring all servicemembers from Stark County.

So 3 years ago, inspired by the Vietnam Veterans Memorial wall in Washington, DC, he began with his idea for a memorial in Dickinson. He expects to have the memorial completed this summer.

The city of Dickinson donated space for the memorial park, and the memorial will consist of concrete and Vermont granite, listing the names of every person from Stark County who has served in the military since the Civil War and will include space for future names.

The entire memorial is 100 feet in diameter, includes 14 granite benches, and hundreds of bricks that individuals can personalize. Local artist Linda Little sculpted a 6-foot-5-inch bronze statue of a soldier saluting the panels of names.

I really can't wait to see this memorial when it is completed and to thank Dave for his vision and hard work.

Now I wish to talk about Carl Berger and 10 other North Dakotans who gave the ultimate sacrifice during their service to our country.

CARL BERGER, JR.

Carl Berger, Jr., a native of Mandan, was born August 23, 1948. He served in the Army's 25th Infantry Division. Carl was 21 years old when he died on April 3, 1970.

Carl was the youngest of 13 children who grew up on the family farm. His nieces and nephews remember him as their fun-loving uncle. Growing up, Carl attended high school at the Richardton Abbey and played the French horn.

Carl's siblings remember having fun on their farm herding sheep and working together in the fields with the cattle and chickens. His sister Marian said that Carl was a genuine hard worker, and she is grateful that her children had an opportunity to know a man as wonderful as their Uncle Carl.

Carl was killed in Vietnam less than 2 months after starting his tour of duty.

The family cherishes the memories of that last Christmas they all spent together before Carl went to Vietnam. Carl's parents were devastated by his death, but they were also very proud of their son, who served their country. Carl's funeral was held during a blizzard, but despite that bad weather, the church was full.

LAURENCE ZIETLOW

Laurence Zietlow, a native of New Salem, was born August 30, 1928. He served as a sergeant major in the Army. Laurence was 39 years old when he died on October 3, 1967.

Laurence's desire to join the Army was so strong that he enlisted before graduating from high school. During his graduation ceremony, his diploma was given to his mother, Sophie Zietlow.

Prior to serving in Vietnam, Laurence also spent tours of duty in Japan, Germany, and Korea. Laurence's sister Leone said that a lot of Laurence's friends have told her how great a guy he was and that he would have given the shirt off his back. Laurence's sister Helen told her local newspaper that he didn't talk about many experiences from Vietnam, but he did describe buying gifts for Vietnamese children living in orphanages.

Laurence was killed in Vietnam when a landmine exploded near him. He was recognized with several awards, including the Air Medal, the Military Merit Medal, the Gallantry Cross with Palm Medal, the Purple Heart, and the Bronze Star.

In addition to his mother and siblings, Laurence was survived by his three children: Larry, Terry, and Kristi.

KENNETH ''KENNY'' JOHNER

Kenneth ''Kenny'' Johner enlisted while living in Noonan, and he was born on December 29, 1946. He served in the Marine Corps' 3rd Marines, 3rd Marine Division. Kenny died on March 21, 1967. He was only 20 years old.

Kenny was the third of 15 children. He enlisted in the Marines right after graduating from Noonan High School. He and two of his brothers, Gene and Jerry, made North Dakota history as the first three brothers in the State to enlist in the Marines at the same time. Two other brothers, George and Brian, also joined the Marines later.

Their mom Helen says the oldest three boys were so close that one wouldn't even go to prom if the others didn't.

Regarding his service in Vietnam, Kenny told his mother many times, ''God has a different plan for me. I am on a special mission and I won't be here very long.''

In Vietnam, a few days before Kenny was scheduled to travel to Okinawa to meet his brother Gene for R&R, Kenny was wounded. About 3 weeks later, Kenny died from his wounds.

In appreciation for the sacrifices he made, Kenny's family has named a nephew and a grand-nephew after him.

RONALD ''COOKIE'' MCNEILL

Ronald ''Cookie'' McNeill was born March 29, 1949, and he was from Mott. He served in the Marine Corps' 1st Battalion, 7th Marines, 1st Marine Division. He was 21 years old when he died on August 4, 1970.

Ronald was one of four children and everyone called him Cookie. He got the nickname Cookie as a baby because his older brother Rick couldn't say Ron, so he named him Cookie and the name stuck.

Rick said Ronald loved hunting and fishing, and Rick remembers the times the boys were playing hockey together on a nearby river and ended up with 11 stitches between the two of them.

Ronald joined the Marine Corps shortly after graduating from high school. He died less than 3 months after starting his tour of duty in Vietnam.

In addition to his siblings, Ronald left behind his wife Beverly and their son Barry.

DOUGLAS KLOSE

Douglas Klose was from Jamestown, and he was born June 14, 1947. He served in the Army's 1st Infantry Division. Douglas died on October 27, 1968. He was 21 years old.

Douglas—or Doug, as he was known by many—grew up on a dairy farm. He had five siblings. According to his sister Barbara, when he was young, Douglas walked around the yard picking up ''treasures'' and stored them in his pockets. Douglas's uncle gave him the nickname ''Hunk of Junk'' because he always had junk in his pockets.

Douglas's appreciation for his family farm extended into college. He attended NDSU and studied animal science. According to his adviser who always spoke highly of him, Douglas did very well in college.

His two sisters, Barbara and Renee, remember how soft-spoken and helpful Douglas was. Renee, the youngest in the family, was Douglas's pet. He always looked out for her and he was a very loving brother.

In his free time, Douglas liked to drive around in his father's 1962 Chevrolet Impala that had a high-performance engine. His brother Dean remembers that Doug and his brothers would race the car down the street, putting the other cars in Jamestown to shame.

Dean remembers Douglas being so strong he could lift a John Deere 620 tractor with the loader attached to it. For fun, Douglas used his extraordinary strength to compete in gymnastics.

Douglas had plans to start his own farm outside of Jamestown when he returned from Vietnam, but he was killed when a grenade exploded near him.

GREGORY LUNDE

Gregory Lunde was from Westhope. He was born December 8, 1946. He served in the Marine Corps' 1st Tank Battalion, 1st Marine Division. Gregory was 21 years old when he died on February 6, 1968.

Gregory had one sister, Toni. She said she called him Greg and that he was always happy and clean and meticulous. She is thankful to him for caring for her after their mother died when Toni was 13.

After high school, Greg attended business school in Minneapolis to prepare himself to return to Westhope and help his father run a meatpacking plant.

Toni loved the care packages Gregory often sent her from Vietnam. He thought he was pretty funny when he mailed Toni a kimono and joked she would have to lose some weight to fit into it.

Gregory was killed in Vietnam when he was shot while riding on a tank.

GERALD ''GERRY'' KLEIN

Gerald ''Gerry'' Klein was born April 29, 1946. He was from Raleigh, ND. He served in the Army's 1st Infantry Division. Gerald died May 4, 1968, just days after he had turned 22 years old.

He was the oldest of five children, and his family and friends always called him Gerry. He grew up on the family's farm. His siblings said that while growing up, Gerald spent free time either working on the farm or on the family car.

While Gerald was home on leave, he became engaged to his girlfriend. After completing his service in Vietnam, he planned to live on the family farm with his future wife.

His brother Bob said that Gerald was a strong, brave man who wanted to be happy. His family appreciates the letters he sent them while serving.

The day he died, Gerald was injured but chose to continue fighting. Shortly after, he was shot and killed. He would have only had a very few weeks left of his service in Vietnam.

I want to thank the Bismarck High School 11th graders and Gerald's family who have shared with us these facts about Gerald's life.

FLORIAN KUSS

Florian Kuss was from Strasburg, and he was born December 28, 1946. Florian served in the Army's 196th Infantry Brigade, Americal Division. Florian died January 5, 1968, just days after he turned 21 years old.

There were seven children in his family. Florian's two brothers, Victor and Frank, also served their country in the military.

Florian grew up working on his family's farm, where they raised dairy cows, chickens, pigs, wheat, oats, corn, and alfalfa. Florian's plan after completing his service was to return to the family farm and continue his farming career.

His brother Art said the family appreciates the time Florian spent taking care of their sick father before Florian was drafted. Their father died less than a year after Florian was shot and killed in Vietnam.

Florian's sister Betty said Florian's death caused a hole in the family that will never be filled. They think about Florian all the time.

Florian was awarded the Purple Heart, the Good Conduct Medal, and the Bronze Star for Valor in recognition of his service and sacrifice.

DAREL LEETUN

Darel Leetun was from Hettinger, and he was born December 24, 1932. He served as a pilot in the Air Force. Darel was 33 years old when the plane he was flying was shot down on September 17, 1966.

Growing up, Darel enjoyed sports, 4–H, and spending summers at his aunt's farm near Fessenden. He was the oldest of four children, and his siblings appreciate how he cared for and supported them and their mother after their father died when they were all young.

Darel's family said he got along with people well and had great leadership skills. His sisters Janelle and Carol said Darel never put himself first.

Right after graduating from NDSU, Darel spent time teaching about agriculture in India. He then joined the Air Force and was stationed in England, Japan, and Vietnam.

In Vietnam, Darel completed nearly 100 flying missions before his plane was hit by ground fire and crashed. The Air Force presented Darel with many awards, including the Air Force Cross, in recognition for his extraordinary heroism that day. His Air Force Cross citation read, in part:

> Captain Leetun led a mission of F–105 Thunderchiefs against a heavily defended high priority target near Hanoi. Undaunted by intense and accurate flak, deadly surface-to-air missiles, and hostile MiGs, Captain Leetun led his flight through this fierce environment to the crucial target.
>
> On the bomb run, Captain Leetun's Thunderchief was hit by hostile fire, becoming a flaming torch and nearly uncontrollable; however, Captain Leetun remained in formation and delivered his high-explosive ordnance directly on target.

After bomb release, Captain Leetun's plane went out of control and was seen to crash approximately 10 miles from the target area.

Through his extraordinary heroism, superb airmanship, and aggressiveness in the face of hostile forces, Captain Leetun reflected the highest credit upon himself and the United States Air Force.

Over 39 years later, in 2005, Darel's remains were identified, and he was buried with full military honors at Arlington National Cemetery.

Darel's widow Janet, son Keith, and daughter Kerri have been honored to hear from airmen who flew with Darel who told the family that Darel was one of the best pilots they ever flew with.

Darel's son Keith was just 6 years old when his father died. But through providence, Keith has been connected to his father. He is especially grateful for the day in 1992, at a Virginia golf course, when he met his father's wingman from the final mission. That wingman's name is Mike Lanning. When Mike learned that Keith was Darel's son, Mike said:

Your dad was the heart and soul of the squadron. He was my mentor and best friend.

Mike and Darel's siblings have all told Keith that Darel was always going to bat for people until the day he died. Darel was not scheduled to fly that day but did so because another man couldn't.

Keith is currently writing a children's book highlighting how something as bad as his father's death could turn into something positive, such as learning about and telling inspiring stories of heroes.

RALPH MCCOWAN

Ralph McCowan was from Trenton. He was born April 26, 1948. He served in the Army's 41st Artillery Group. Ralph died April 3, 1968, a few weeks before he would have turned 20.

There were nine children in his family, and his father, brothers, sisters, uncles, and nephews also served our country in the military. Ralph's brother, Gene, said service to our country was deeply rooted in their family.

Ralph told his family he wanted to be a warrior and do his part. He was an unassuming man who had a love for horses and a love for people. Gene said Ralph had a short life but a good one.

Ralph served for 69 days in Vietnam before he was killed at his fire base camp. The family cherishes their memories of their last Christmas together in 1967.

VALARIAN LAWRENCE FINLEY

Valarian Lawrence Finley was born November 17, 1947. He was from Mandaree. He served in the Marine Corps' Kilo Company, 3rd Battalion, 5th Marines, 1st Marine Division. Valarian was 21 years old when he died in May of 1969.

Valarian was the third youngest of 13 children born to Louise and Evan Finley. Valarian's family and his friends called him Gus. He had plans to run a cattle ranch after returning home from Vietnam.

Valarian's siblings are grateful for Valarian's fellow marines reaching out to visit them about Valarian and his heroic death and how he saved their lives.

Valarian was killed 1 week before his tour of duty was scheduled to end, on his brother Bobby's high school graduation day.

Bobby also served in Vietnam. Bobby was drafted and served in Vietnam shortly after Valarian was killed. He is now suffering from cancer caused by exposure to Agent Orange in Vietnam.

Valarian was included in the 1969 Life Magazine feature titled ''The Faces of the American Dead in Vietnam: One Week's Toll.'' That article listed 242 Americans killed in 1 week in connection with the conflict in Vietnam. Life Magazine published photos for almost all the men killed and wrote the following in that article:

More than we must know how many, we must know who. The faces of one week's dead, unknown but to families and friends, are suddenly recognized by all in this gallery of young American eyes.

My intentions for speaking about the North Dakotans killed in Vietnam are similar. We must know more than how many, we must know who.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

EVERY CHILD ACHIEVES ACT

Mr. WYDEN. Mr. President, this week we are having a particularly important debate. Fortunately, it is a bipartisan debate. Great credit is owed to Senator ALEXANDER and Senator MURRAY for their work on the Every Child Achieves Act. This bill is a significant piece of legislation because educational opportunity in America is a right which should start at birth and last a lifetime.

As a parent, I know that mothers and fathers want their kids to be able to climb the economic ladder throughout their lives. That effort begins with a top-flight education. In my view, the Every Child Achieves Act is a good step toward expanding opportunity for students nationwide. It is built around the proposition that each school, each district, and each community is different. So rather than resorting to the sort of one-size-fits-all policies, this legislation focuses on trying to build on smart ideas, ideas with real promise that are actually going to make a big difference in classrooms.

I am going to get to several amendments I want to highlight, but I wish to start by recognizing some vital components of the legislation I have strongly supported.

The most important proposal I have worked on is one that focuses on raising graduation rates. This is one of the major economic challenges in my home State and many other States across the country. In Oregon, more than 100 high schools with high rates of poverty are blocked from tapping into Federal resources that can help important programs—programs such as mentoring, before- and afterschool programs, programs where there is real evidence that they can make a difference in terms of helping these youngsters.

This is not an issue just in my State. There are more than 2,000 of these schools nationwide. Because these schools are in a very difficult spot when it comes to securing Federal resources, too often the students suffer, and, in my view, the lack of resources for these schools often contributes to sky-high dropout rates.

What I will discuss here briefly is how this proposal I have worked for is going to make the school improvement grants easier for middle and high schools to obtain and use to help these students, whom we want to see graduate and make their way to productive lives as citizens and workers.

If a failing school has 40 percent or more low-income students, it would become eligible for assistance. These Federal dollars can be used, as I indicated, to fund programs that really work, such as extended learning programs, programs that would be available during the weekend or perhaps during the summer. The funds can be used to prevent dropouts and encourage students who have already dropped out to reenter the educational system. Schools can find other ways to help students stay at it and get through to graduation day. This will be a significant improvement over the status quo. What it does is provides support where it is needed most, and it will help us get more value out of scarce dollars to approach the challenge of helping students who are dropping out to get back in the system and graduate.

I am also pleased to see the inclusion of several provisions championed by my colleague Senator BOXER to create more opportunities for students to enroll in afterschool programs and summer learning programs. In today's economy, with so many families walking on an economic tightrope—parents working long hours, multiple jobs—the fact is, there can't always be a parent around at 3 in the afternoon when kids get out of school or during the summer months. Senator BOXER really took the initiative for the 21st Century Community Learning Centers Program and the After School for America's Children Act. Both of them are worthy of support because they go to bat for students by providing extra learning opportunities for children both after school and in the summer.

There are other key elements in this legislation, but the Senate ought to seize the opportunity in this debate to make some significant improvements. The Every Child Achieves Act can go a lot further to raise graduation rates. There are more than 1,200 high schools, serving more than 1.1 million kids, that are failing to graduate a third or more of their students each year. Too often, it is the minority youngsters who live in economic hardship who attend these schools.

Senator WARREN and I are on the same page with respect to the need to

make it possible for more of the young people who go to these schools to get to graduation. Her amendment would help identify the struggling schools and provide some fresh approaches to help turn them around—a smart idea that I believe warrants bipartisan support.

Finally, I have just a couple other approaches that I think are particularly valuable in terms of this debate and particularly how we can use the machinery of the Federal Government to play a constructive role in terms of education at the local level.

Senator BOOKER and I have worked for an amendment that tries to help homeless children and foster youngsters graduate from high school. Once again—and we can see it in kind of what undergirds my remarks here—the focus is on trying to create opportunity for young people who constantly are out there swimming upstream. The hurdles these youngsters face are obviously large. Many of them move frequently, constantly, from one place to another throughout their lives. As a result, it is hard for them to feel any connection to the school, to feel some sense of stability. What Senator BOOKER and I would seek to do is to make it easier for school districts and policymakers to try to help those school districts provide additional support for those youngsters who are homeless and those children who are in the foster care system.

Finally, Senator FRANKEN has offered an important proposal—the Student Non-Discrimination Act—that provides strongly needed protection for LGBT students. Schools ought to be safe and welcoming places that assist every child in getting ahead and thriving. If schools—particularly for the youngsters I have talked about in my remarks—aren't challenging enough, it is hard to imagine how much harder it gets for a youngster who faces harassment or discrimination because of their sexual orientation. The Franken amendment goes a long way to protect LGBT students and their friends at school and prevent them from feeling they have to skip class to avoid bullying.

In wrapping up, the kinds of proposals I have outlined—starting with the effort to try to prevent students from dropping out and getting up the graduation rates—this is all about helping students get ahead through education, to expand opportunities for these young people throughout their lives through education.

What the focus of the Senate ought to be is to make sure that no matter where a child lives or how much his or her parents earn or what obstacles they face—the message ought to be, here in the Senate, with every Democrat and every Republican, picking up on what Chairman ALEXANDER and Senator MURRAY have said, that this bill will help to drive home the principle that hard work in school leads to success. I believe the Every Child Achieves Act is a good step in that direction. I urge my colleagues to support these important amendments.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNIZING THE 150TH ANNIVERSARY OF THE SECRET SERVICE

Mr. HATCH. Mr. President, I rise today to pay tribute to the U.S. Secret Service and to commemorate its 150th anniversary.

In 1865, Congress created the Secret Service to combat the production and distribution of counterfeit currency in post-Civil War America. At the time, currency counterfeiting was a fast-growing and serious threat to our Nation's financial and economic stability.

In 1901, following the assassination of President William McKinley, Congress further directed the Secret Service to take responsibility for the protection and safety of the President of the United States.

Today, 150 years after the Secret Service's founding, the men and women of the Secret Service continue to serve with quiet confidence across the United States and around the world as they protect our Nation against threats both foreign and domestic. From ensuring the security of the President, other senior government officials, and events of national significance, to protecting the integrity of our currency and investigating crimes against our financial system, the U.S. Secret Service plays a critical role in our Nation's safety and continued success. The contributions, sacrifices, and achievements of the Secret Service over the last 150 years have made the agency an indelible part of our Nation's identity.

The five points of the Secret Service star represent the Service's core values of duty, justice, courage, honesty, and loyalty. These values have been the Secret Service's foundation for the past century and one-half and will continue to be the foundation on which the Service's next 150 years—and the Nation's security—are grounded.

On this, the 150th anniversary of the U.S. Secret Service, I call upon my colleagues and upon all Americans to recognize the tremendous contributions the Secret Service has made to our Nation's safety and well-being. I also express my thanks to the thousands of dedicated Secret Service agents and employees who devote their time and energy to keeping our Nation, and our leaders, safe and secure.

REMEMBERING PRESIDENT BOYD K. PACKER

Mr. HATCH. Mr. President, I rise today to honor the memory of President Boyd K. Packer—a man of integrity, kindness, courage, and candor whose commitment to Christ defined a lifetime of service. President Packer passed away peacefully in his home last week with his loving wife and children gathered at his bedside. Along with his family, I join millions of Christians worldwide in mourning the loss of a man who served faithfully for many years as the president of the Quorum of the Twelve Apostles in the Church of Jesus Christ of Latter-day Saints. As an apostle, President Packer's teachings brought strength to the weary and hope to the hopeless. For those of us who mourn, we turn to these teachings to find peace amid the sadness of his passing.

Even as we grieve the loss of a leader, we celebrate the life of a friend. President Packer was a man whose selfless nature often masked his greatness, but not even his humility could hide a lifetime of achievement. From humble beginnings in Brigham City, UT, President Packer developed as a teacher and later as a leader in the Church of Jesus Christ of Latter-day Saints.

President Packer's upbringing was modest to say the least—-his father was a service station operator and his mother was a homemaker. Raised against the backdrop of the Great Depression, he learned from an early age never to take anything for granted, especially the freedoms we enjoy as Americans.

President Packer would later defend those freedoms when he enlisted in the Army Air Corps during World War II. As a pilot serving in the Pacific Theater, President Packer flew dozens of dangerous missions and continued to serve after the war when he and his fellow soldiers worked to rebuild the shattered nation of Japan. Although President Packer dreamed of flying planes as a young boy, it was during his military service that he discovered his true life calling: to become a teacher.

When he returned to the United States, President Packer pursued that goal through his studies, eventually earning a doctorate in education administration from Brigham Young University. He quickly distinguished himself as an LDS Seminary teacher and later became the chief supervisor over the Church's seminary programs and Institutes of Religion. When President Packer was just 45 years old, he became an apostle—a calling he would serve in and magnify until the day he died. Even as an apostle, President Packer still saw himself as a teacher, and he endeavored to expound truth in simple ways that all could understand. The candor and clarity of his teachings touched the hearts of millions, as did President Packer's genuine love for those he served.

As a soldier and an educator, an administrator and an apostle, President Packer served in many different capacities throughout his life. But first and foremost, he served as a husband and a

father. For President Packer, fatherhood was a sacred responsibility that took precedence over everything else. He was a father of 10, a grandfather of 60, and a great-grandfather of 103. Neither work nor church service could keep him from caring for those he loved most. President Packer always set aside time for his family, and at every opportunity, he sought to educate his children and instill in them the anchor of faith—the same enduring faith that inspired all who heard his teachings.

President Packer's devotion to God was steady and unwavering, but just as sure and steadfast as his faith was his wife, Donna, his constant companion and able helpmeet who stood by his side for more than 67 years. In his final address to members of the LDS Church, President Packer expressed tender feelings for Donna:

> When it comes to my wife, the mother of our children, I am without words. The feeling is so deep and the gratitude so powerful that I am left almost without expression . . . I am grateful for each moment I am with her side by side and for the promise the Lord has given that there will be no end.

I know Donna finds peace in that promise, and I pray that her family does too. May God's love might abide with them at this difficult time, and may His love be with all of us who mourn the passing of President Boyd K. Packer.

FIFTY YEARS LATER, RECALLING THE VIETNAM WAR AND THOSE WHO FOUGHT IN IT

Mr. DURBIN. Mr. President, this week the United States held a special ceremony to commemorate one of the longest wars in our Nation's history—the Vietnam war. It was a ceremony to honor the men and women who served in that long and searing conflict, especially the more than 58,000 young Americans who did not come home from the battle.

The Congressional ceremony was held to commemorate what organizers, including the Department of Defense, call the 50th anniversary of the Vietnam war. The milestone is a little ambiguous. You see, it was 50 years ago, on March 9, 1965, that the first U.S. combat forces—3,500 members of the 9th Marine Expeditionary Brigade—arrived at the port city of Da Nang, in what was then the Republic of South Vietnam.

The arrival of those young Marines marked the beginning of a massive U.S. military buildup that lasted nearly a decade. But America's military presence in Vietnam actually began several years earlier, with the deployment of military advisors to assist the South Vietnamese armed forces.

All told, 9.2 million Americans served in uniform during the Vietnam war; 7.2 million Vietnam-era veterans are still with us, along with 9 million families of Vietnam-era veterans.

Most of the men who served in Vietnam came home to build successful careers and strong families. More than a few went on to serve in Congress and we have benefited greatly from their wisdom and continued commitment to duty.

I think of my friend, Senator JOHN MCCAIN, who endured unspeakable cruelty for years as a prisoner of war in North Vietnam. He could have been released from that hell years earlier but he refused to leave while other American servicemembers remained captive.

Senator MCCAIN has been a powerful voice in calling for America to honor our commitments under the Geneva Conventions to never use torture—to remain true to our word and our values even in war. I respect him deeply for his principled stand.

I think of other friends and former members of this Senate who served in Vietnam. Bob Kerrey, the former Governor and U.S. Senator from Nebraska, lost a leg while serving as a Navy SEAL in Vietnam. He was awarded the Congressional Medal of Honor.

Chuck Hagel, another Nebraskan, served as an Army sergeant in Vietnam alongside his brother Tom. He came home to build a successful business career, got elected twice to the U.S. Senate, and went on to serve as America's Secretary of Defense.

John Kerry was a diplomat's son—truly, a ''fortunate son''—who served with distinction in Vietnam as a Navy lieutenant from 1966 to 1970. When he returned home, he became an eloquent voice among those calling for an end to the war in which he had fought. He went on to serve his State of Massachusetts as Lieutenant Governor and then represented his State for nearly 30 years in this Senate. He now represents our Nation's interest on the world stage as U.S. Secretary of State.

One of the bravest men I have ever met served in Vietnam and then served in this Senate. His name is Max Cleland. Max went to Vietnam as a 6-foot, 2-inch marine. One day in Vietnam he stepped on a landmine. The explosion ripped off both of his legs and one of his arms. Max Cleland went on to serve in the Veterans Administration under President Carter and later as a member of this Senate—an amazing man.

In all, more than 153,000 U.S. servicemembers were gravely wounded in Vietnam—wounded seriously enough to require hospitalization.

Others sacrificed even more; 58,220 American servicemembers were killed in action during the Vietnam war.

The Americans who died in Vietnam ranged in age from 6 years old to 62. Six in 10 were just 21 years old or younger. Their names are carved into that sacred slab of black marble, the Vietnam Veterans Memorial, on the National Mall in Washington, DC.

In the four decades since the end of the war, thousands more Vietnam veterans have died from physical and psychic injuries suffered in that war—dying from causes ranging from cancers caused by exposure to the deadly chemical defoliant Agent Orange, to the agonies of post-traumatic stress.

Fifteen years ago, Congress authorized the placement of a plaque near ''The Wall'' to honor these ''men and women who served in the Vietnam War and later died as a result of their service.'' We remember and honor their service, too.

Every American my age and a decade or so younger knows someone who died in Vietnam or a friend whose father, brother or husband never came home. These young men are still missed deeply by their families and friends and remembered by a grateful nation.

The city I grew up in, East St. Louis, IL lost 56 young men in Vietnam.

The City of Chicago lost 959 young men in the Vietnam war. Let me tell you about one of them: Marine Lance Corporal Mike Badsing. He was among those first 3,500 Marines who landed at Da Nang 50 years ago—a rifleman in the 3rd Marine Division, 1st Battalion, 9th Marines, C Company. The 1st Battalion suffered the highest casualty rate of any Marine battalion in any war—a grim distinction that led North Vietnam's Communist President Ho Chi Minh to call them ''The Walking Dead.'' The nickname stuck.

Mike Badsing attended St. Edward grammar school, where he played football, basketball, and Chicago 16'' softball. He was the youngest of five kids. One of his older sisters is a nun today.

He left Chicago for Vietnam on Christmas Eve 1964. About 10 months later, Sept. 6, 1965, his platoon came under fire and Lance Corporal Badsing was hit in the abdomen by a sniper shot, becoming the first Chicago-area Marine killed in combat in Vietnam.

He was buried in All Saints Cemetery in Des Plaines, IL. A half-century later, Marines still visit his grave, often drinking a few Old Style beers in their friend's memory.

My adopted hometown of Springfield, IL—also President Lincoln's adopted hometown—lost 40 young men in combat during the Vietnam war. Among them was an Army helicopter pilot named Captain Michael Davis O'Donnell.

Mike O'Donnell died on March 24, 1970, when a rescue helicopter he was piloting crashed in dense jungle in Cambodia, 14 miles over the Cambodia-Vietnam border. He had gone into Cambodia to rescue a Special Forces reconnaissance team that was about to be overrun by enemy soldiers. He and his crew had gotten all eight members of the Special Forces team safely on board and were taking off when their ''Huey'' helicopter was hit twice by enemy missiles. It was 1 week before President Nixon announced publicly that American forces were even in Cambodia.

All 12 men aboard Mike O'Donnell's Huey died, but it wasn't until 2001 that their remains were identified and returned. Today, they lie buried together at Arlington Cemetery.

Mike O'Donnell was 24 years old when he died. He was promoted posthumously to the rank of major.

In addition to being a soldier, Mike O'Donnell was a talented musician and a poet. During his life, he shared his poems with only a few close friends. After he died, soldiers in his unit found a notebook he kept, filled with 22 of his poems, which they saved and brought home.

Just as ''In Flanders Fields'' has become the unofficial homage to World War I, a poem by Michael Davis O'Donnell has become the unofficial poem of the Vietnam war. It begins with the words, ''If you are able, save them a place inside of you.'' Google that line and you will find nearly 75,000 hits.

Mike O'Donnell's poem was carried in combat by untold thousands of men who served in Vietnam. It was read at the dedication of ''The Wall,'' the national Vietnam War Memorial, in Washington, DC. and it is etched into many smaller Vietnam memorials across America.

Here is the whole poem:

If you are able,
save them a place
inside of you
and save one backward glance
when you are leaving
for the places they can
no longer go.
Be not ashamed to say
you loved them,
though you may
or may not have always.
Take what they have left
and what they have taught you
with their dying
and keep it with your own.
And in that time
when men decide and feel safe
to call the war insane,
take one moment to embrace
those gentle heroes
you left behind.

Captain Michael Davis O'Donnell
1 January 1970
Dak To, Vietnam

Less than 3 months after writing those words, Mike O'Donnell died.

Along with the 58,220 Americans who died there, the Vietnam war claimed the lives of more than one million Vietnamese men, women and children.

It is fitting, and it is overdue, for America to thank all of those who served and sacrificed so much in the Vietnam war. But we owe them more than speeches and ceremonies. As President Lincoln told us in his Second Inaugural Address, we have a solemn duty ''to care for him who has borne the battle.''

Six years ago I asked my friend, then-Senator Hillary Clinton, if I could introduce a bill she had been working on before she moved on to a bigger and better gig. She agreed, and I introduced a bill creating what is now called the Veterans Caregiver Program, to help the families of U.S. servicemembers severely injured in Iraq and Afghanistan. The program provides family caregivers of post 9/11 veterans who have suffered catastrophic injuries with training and a small stipend so they can care for their loved ones at home, rather than sending them to nursing homes. The program helps these families know that they are not alone and not forgotten.

Today, 20,000 veterans who served in Iraq and Afghanistan participate in the caregivers program. That is more than five times the number the VA originally estimated would sign up.

The Veterans Caregiver Program doesn't just help those families; it helps American taxpayers. Caring for severely injured veterans in the caregivers program costs the VA $36,000 per veteran, per year. Compare that to the average $332,000 per veteran, per year it costs the VA to care for these veterans in nursing homes.

When we started the caregivers program, we had to limit it to post-9/11 veterans and their families. But we know now that it works. It saves families and it saves taxpayers money.

When he chaired the Senate Veterans Affairs Committee, our colleague, Senator BERNIE SANDERS said repeatedly that we should expand the Veterans Caregivers Program. He was right.

So last March—nearly 50 years to the day after those first, young Marines landed in Da Nang—Senator BALDWIN and I introduced a bill to expand the program to U.S. veterans of all wars. Our bill is called the VA Family Caregivers Expansion and Improvement Act.

They were young once, but today the average Vietnam veteran is retired. Many still struggle with old wounds gained in service to our Nation.

As our Nation and this Congress thank them for their service 50 years ago, I hope that we can also work together in this Senate to provide Vietnam veterans the medical care and support that they and their families need today.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for July 2015. The report compares current-law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the first report I have made since adoption of the 2016 budget resolution on May 5, 2015. I will provide these reports periodically, generally one per work period. The information contained in this report is current through July 7, 2015.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the Congressional Budget Act of 1974, CBA. For fiscal year 2015, which is still enforced under the deemed budget resolution from the Bipartisan Budget Act of 2013, BBA, Senate authorizing committees have increased direct spending outlays by $7.8 billion more than the agreed-upon spending levels. Over the fiscal years 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent $22 million more than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations exceeds or is below the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. While no appropriations bills have been enacted, subcommittees are charged with permanent and advanced appropriations that first become available for fiscal year 2016.

Table 3 gives the amount by which the Senate Committee on Appropriations exceeds or is below its allocation for Overseas Contingency Operations/Global War on Terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11, and is enforced using section 302 of the CBA. No bills providing funds with the OCO/GWOT designation have been enacted thus far for fiscal year 2016.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. No bills have been enacted thus far for fiscal year 2016 that include CHIMPS.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

Because legislation can still be enacted that would have an effect on fiscal year 2015, CBO provided a report for both fiscal year 2015 and fiscal year 2016. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for fiscal year 2015 exceed the amounts in the deemed budget resolution enacted in the BBA by $8.0 billion in budget authority and $1.0 billion in outlays. Revenues are $79.8 billion below the revenue floor for fiscal year 2015 set by the deemed budget resolution. As well, Social Security outlays are at the levels assumed for fiscal year 2015, while Social Security revenues are $170 million above levels in the deemed budget.

For fiscal year 2016, CBO estimates that current law levels are below the

budget resolution's allowable budget authority and outlay aggregates by $886.0 billion and $526.9 billion, respectively. The allowable spending room will be reduced as appropriations bills for fiscal year 2016 are enacted. Revenues are $5 million above the level assumed in the budget resolution. Finally, Social Security outlays and revenues are at the levels assumed in the budget resolution for fiscal year 2016.

CBO's report also provides information needed to enforce the Senate's Pay-As-You-Go rule. The Senate's Pay-As-You-Go scorecard currently shows a balance of −$470 million over the fiscal years 2015–2020 period and $125 million over the fiscal years 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by $2.3 billion and increase outlays by $1.9 billion. Over the 11-year period, Congress has enacted legislation that would reduce revenues by $5.3 billion and decrease outlays by $5.2 billion. The Senate's Pay-As-You-Go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that this statement and the accompanying tables be printed in the RECORD.

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

TABLE 1. SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS

(In millions of dollars)

	2015	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry				
Budget Authority	254	0	0	0
Outlays	229	0	0	0
Armed Services				
Budget Authority	−15	0	0	0
Outlays	0	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	121	0	0	0
Outlays	121	0	0	0
Commerce, Science, and Transportation				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Energy and Natural Resources				
Budget Authority	0	0	0	0
Outlays	−2	0	0	0
Environment and Public Works				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Finance				
Budget Authority	7,322	0	0	0
Outlays	7,288	0	0	0
Foreign Relations				
Budget Authority	−20	0	0	0
Outlays	−20	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	0	0	1	2
Outlays	0	0	1	2
Health, Education, Labor, and Pensions				
Budget Authority	3	0	0	0
Outlays	1	0	0	0
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	0	0	0	0
Outlays	150	20	20	20
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Total				
Budget Authority	7,665	0	1	2
Outlays	7,767	20	21	22

TABLE 2. SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS [1]

(Budget authority, in millions of dollars)

	2016	
	Security [2]	Nonsecurity [2]
Statutory Discretionary Limits	523,091	493,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	41	0
Energy and Water Development	0	0
Financial Services and General Government	0	41
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,678
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	56,217
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	41	85,354
Total Enacted Above (+) or Below (−) Statutory Limits	−523,050	−408,137

[1] This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

[2] Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3. SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation [1]	96,287	48,798
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	0	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	0
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	0	0
Total OCO/GWOT Spending vs. Budget Resolution	−96,287	−48,798

BA = Budget Authority; OT = Outlays.

[1] This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (−) Budget Resolution	−19,100

TABLE 5. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CVF CHIMP Above (+) or Below (−) Budget Resolution	−10,800

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 9, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current through July 7, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act (Public Law 113–67).

This is CBO's first current level report for fiscal year 2015.

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (−) Resolution
On-Budget			
Budget Authority	3,026.4	3,034.4	8.0
Outlays	3,039.6	3,040.7	1.0
Revenues	2,533.4	2,453.6	−79.8
Off-Budget			
Social Security Outlays [a]	736.6	736.6	0.0
Social Security Revenues	771.7	771.9	0.2

Source: Congressional Budget Office.

[a] Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,877,558	1,802,360	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	−735,195	−734,481	n.a.
Total, Previously Enacted	1,142,363	1,576,140	2,533,388
Enacted Legislation [b]			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113-141)	0	−2	0
Emergency Supplemental Appropriations Resolution, 2014 (P.L. 113–145)	0	75	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	−15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–10)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) [c]	−4,705	−180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235)	1,884,271	1,426,085	−178
To amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	−28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	−20	−20	0
Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	−15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	−81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0
Construction Authorization and Choice Improvement Act (P.L. 114–19)	0	20	0
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	130	0
Trade Preferences Extension Act of 2015 (P.L. 114–27)	38	7	−1,051
Total, Enacted Legislation	1,934,994	1,461,281	−79,837
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−42,921	3,239	0
Total Current Level [d]	3,034,436	3,040,660	2,453,551
Total Senate Resolution [e]	3,026,439	3,039,624	2,533,388
Current Level Over Senate Resolution	7,997	1,036	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	79,837

Source: Congressional Budget Office.

Notes: n.a.=not applicable; P.L.=Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 116 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

[b] Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Veteran's Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113-146)	−1,331	6,619	−42

[c] Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113–164) provide $88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extended the authorization for the Export-Import Bank of the United States through June 30, 2015.

[d] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[e] Periodically, the Senate Committee on the Budget revises the budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act of 2013 (Public Law 113–67):

	Budget Authority	Outlays	Revenues
Original Senate Resolution	2,939,993	3,004,163	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	100	43	0
Adjustment for Overseas Contingency Operations and Disaster Designated Spending	74,995	31,360	0
Adjustment for Emergency Designated Spending	0	75	0
Adjustment for the Consolidated and Further Continuing Appropriations Act, 2015	11,351	3,983	0
Revised Senate Resolution	3,026,439	3,039,624	2,533,388

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 9, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through July 7, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

This is CBO's first current level report for fiscal year 2016.

Sincerely,

KEITH HALL, *Director*.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In billions of dollars)

	Budget Resolution [a]	Current Level	Current Level Over/Under (−) Resolution
ON-BUDGET			
Budget Authority	3,032.8	2,146.7	−886.0
Outlays	3,091.3	2,564.4	−526.9
Revenues	2,676.0	2,676.0	0.0
OFF-BUDGET			
Social Security Outlays [b]	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

[a] Excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations.

[b] Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	−766
Total, Enacted Legislation	445	195	−761
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	962,619	945,910	0
Total Current Level [b]	2,146,740	2,564,396	2,675,972
Total Senate Resolution [c]	3,032,788	3,091,273	2,675,967
Current Level Over Senate Resolution	n.a.	n.a.	5
Current Level Under Senate Resolution	886,048	526,877	n.a.
Memorandum:			
Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	32,233,094
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	n.a
Current Level Under Senate Resolution	n.a.	n.a.	5

Source: Congressional Budget Office.

Notes: n.a. = not applicable, P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[c] Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con Res. 11, pursuant to various provisions of the resolution. The Senate resolution total below excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations:

	Budget Authority	Outlays	Revenues
Senate Resolution	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 4311 of S. Con. Res. 11	445	175	−766
Revised Senate Resolution	3,032,788	3,091,273	2,675,967

TABLE 3. SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS—1ST SESSION, AS OF JULY 7, 2015

(In millions of dollars)

	2015–2020	2015–2025
Beginning Balance [a]	0	0
Enacted Legislation: [b]		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) [c]	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
To extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	−1	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	−640	−52
Current Balance	−470	125
Memorandum:	2015–2020	2015–2025
Changes to Revenues	2,348	−5,328
Changes to Outlays	1,878	−5,203

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between −$500,000 and $500,000.

[a] Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.

[b] The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

[c] P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf)

SOUTH SUDAN

Mr. CARDIN. Mr. President, today I wish to speak about the ongoing civil war in South Sudan. July 9 marks the fourth anniversary of South Sudan's independence. This should be a day of celebration, but it is instead a day marred by violence and suffering. For the last 19 months, hostilities between the government and the opposition have brought the world's newest country to the brink of ruin. Regional mediation efforts have failed, and the international community has yet to come up with a viable plan to end the violence. Unless we jumpstart diplomatic efforts immediately, this conflict is destined to become another long-running war in Africa that is ignored by the rest of the world.

As some of my colleagues may know, ongoing political tensions between forces loyal to President Salva Kiir and forces loyal to former Vice President Riek Machar, coupled with preexisting ethnic tensions, erupted in violence on the night of December 15, 2013. Both sides in the conflict have committed and continue to commit serious human rights violations. The nature and scale of the abuses in the first days, weeks, and months of the conflict prompted the African Union to establish a Commission of Inquiry in March of last year to investigate. However the Commission's report, while completed, has never been publicly released. We have seen the contents of a version of the report that was leaked in March and the findings are truly disturbing: indiscriminate killing of civilians, burning and looting of hospitals and humanitarian assets, attacks on United Nations compounds, and rape on a massive scale. Similar findings have been reported separately by the U.N. and various human rights organizations.

Tragically, increased fighting this spring has been characterized by an even greater level of brutality. According to the United Nations Children's Fund, UNICEF, as many as 129 children were killed in May in Unity State alone—boys were castrated and left to bleed to death, girls as young as 8 years old were raped and killed, some children had their throats slit or were thrown into burning buildings by government-allied militia. This is in addition to the estimated 13,000 children being forcibly recruited to fight by government and opposition forces. The behavior of armed groups is beyond inhumane.

As a result of the war, 1.5 million people are internally displaced. More than 730,000 have crossed borders into Sudan, Ethiopia, Uganda, and Kenya as refugees. The number of people facing severe food insecurity has almost doubled since the start of the year from 2.5 million to an estimated 4.6 million people, including approximately 874,000 children under the age of 5.

The recent uptick in hostilities has made it extremely challenging for humanitarian organizations to reach populations in need. Aid workers continue to be harassed, detained, and abducted. The Government of South Sudan expelled the United Nations Deputy Special Representative and Humanitarian Coordinator Toby Lanzer in June. His expulsion comes at a time of increasing humanitarian need. The ruthless

means through which troops are executing the war, the parliament's passage of an NGO law hinders the delivery of much needed services, the expulsion of the head of the U.N. humanitarian arm and obstruction of U.N. peacekeeping operations to protect civilians, and the refusal of the parties to engage in good-faith negotiations to end hostilities all paint a picture of two opposing sides that have very little regard for the needs or wellbeing of South Sudanese citizens.

In light of the gravity of the situation on the ground, we must urgently consider taking several steps: First, we should push for a United Nations arms embargo on South Sudan to stop the flow of arms to all warring factions. We may or may not be successful in convincing all of the Permanent Five members of the Security Council to agree with us on this, but we will never be successful if we don't make the attempt. On July 1, the United Nations Security Council imposed personal targeted sanctions on six South Sudanese generals it believes are fueling the fighting. I welcome this move, but I have doubts that this alone will prove a game changer. Strangling the supply of arms and materiel of the actors on the ground could prove far more effective than sanctioning military leaders who don't travel outside the country or hold assets internationally.

Second, we must undertake a review of the military training and assistance we are providing to countries in the region to determine whether soldiers we have trained and equipment we have supplied are being used to either commit human rights abuses in South Sudan or prolong hostilities. We should also consider whether extra safeguards are warranted to ensure that U.S. security assistance is not being used to support the warring factions or otherwise contributing to the conflict.

Third, we must expand our investments in reconciliation efforts. USAID has joined with international partners and is doing a tremendous job on the humanitarian front. But our aid should, to the extent possible, be coupled with an increase in peace and reconciliation activities. The vicious nature of the attacks on civilians will make post-war, community-level reconstruction efforts and national healing enormously difficult. We cannot wait until the war is over to begin to bring people together. These programs should also include activities that support justice at the local level so that people who have borne the brunt of the violence can obtain some measure of closure.

Fourth, we must begin to look at how we put accountability mechanisms in place. During his trip to east Africa in May, Secretary Kerry announced $5 million to support accountability efforts. I applaud this move, and am pleased to hear that we are supporting the collection of evidence of gross human rights violations and preserving records for use in the future. We must take each and every opportunity we can to make clear that the United States is committed to bringing human rights abusers to justice. However, we can do more. We should push regional actors to move forward with efforts to establish the parameters and modalities of a court or other transitional justice mechanism. Initiating such mechanisms now—rather than waiting for an end to the war—more adequately demonstrates the international community's commitment to justice for victims than empty statements on the importance of accountability.

Finally, I urge President Obama to convene a meeting with the Secretaries General of the Africa Union and United Nations while he is in Addis Ababa this month to discuss a way forward that involves those two bodies and members of the Troika. And these talks must involve key regional players who could prove spoilers to any process, including Sudan and Uganda.

The cost of this war has been astronomical. The U.N. Mission to South Sudan has cost over $2 billion in the past 2 years alone. The international community has provided nearly $2.7 billion in humanitarian assistance. The United States alone has provided more than $1.2 billion for those purposes. This is money that should have been invested in building a country that had already been devastated by decades of war with Sudan. However, the real tragedy is not the dollars lost—it is in the thousands of lives lost, the seeds sown of ethnic hatred and division and the squandering of an opportunity to build a nation that could provide a future to millions of people that were marginalized, attacked and abused by Khartoum. We must take action now to stop the war and prevent the deaths of thousands more South Sudanese.

TRIBUTE TO LIEUTENANT KATHRYN ELIZABETH ROSENBERG

Mr. McCAIN. Mr. President, I wish to recognize and honor Lieutenant Kathryn Rosenberg, U.S. Navy, as she transfers from the Navy Office of Legislative Affairs.

A native of Pennsylvania, Lieutenant Rosenberg was commissioned an ensign through the Naval ROTC Program upon graduation from George Washington University in 2008.

Lieutenant Rosenberg, a surface warfare officer, has performed in a consistently outstanding manner under the most challenging of circumstances. Lieutenant Rosenberg served with distinction and gained extensive experience in the surface fleet during her first two sea tours. While assigned to the USS *Stockdale* (DDG 106) from June 2008 to November 2010, Lieutenant Rosenberg served as the pre-commissioning auxiliaries officer and combat information center officer while obtaining her surface warfare officer pin and engineering officer of the watch qualification. From March 2011 to December 2012, Lieutenant Rosenberg was assigned to the USS *Vicksburg* (CG 69), where she served as the fire control officer while qualifying as the anti-air warfare commander, force anti-air warfare commander, and force tactical action officer.

Since January 2013, Lieutenant Rosenberg has served as a Senate liaison officer in the Navy Office of Legislative Affairs. In this capacity, she has been a major asset to the Navy and Congress. Over the course of the last 2 years, Lieutenant Rosenberg has led 21 Congressional delegations to 36 different countries. She has escorted 54 Members of Congress and 36 personal and professional staff members. She has distinguished herself by going above and beyond the call of duty to facilitate and successfully execute each and every trip, despite any number of weather, aircraft, and diplomatic complications. Her leadership, energy, and integrity have ensured that numerous challenging Senate overseas trips have been flawlessly executed, to include an arduous trip to Afghanistan.

This Chamber will feel Lieutenant Rosenberg's absence. I join many past and present Members of Congress in my gratitude and appreciation to Lieutenant Rosenberg for her outstanding leadership and her unwavering support of the missions of the U.S. Navy, the Senate Armed Services Committee, Senate Foreign Relations Committee, Senate Select Committee on Intelligence, and others. I wish Lieutenant Rosenberg ''fair winds and following seas.''

ACCREDITATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Committee on Health, Education, Labor and Pensions hearing on ''Reauthorizing the Higher Education Act: Evaluating Accreditation's Role in Ensuring Quality.''

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

ACCREDITATION

We're here today to discuss our system for ensuring that colleges are giving students a good education. That's called accreditation.

Accreditation is a self-governing process that was created by colleges in the 1800s. The organizations they created were intended to help colleges distinguish themselves from high schools and later, to accredit one another.

At this time there was no federal involvement in higher education or accreditation, and right around the end of World War II, about 5% of the population had earned a college degree.

Accreditation however took on a new role in the 1950's. After the Korean War, Congress went looking for a way to ensure that the money spent for the GI Bill to help veterans go to college was being used at legitimate, quality institutions.

Congress had enough sense to know they couldn't do the job of evaluating the diversity of our colleges and universities themselves so they outsourced the task to accreditation. Accreditors became, as many like to say, ''gatekeepers'' to federal funds.

The Korean War G.I. Bill of 1952 first established this new responsibility—it said that veterans could only use their benefits at colleges that were accredited by an agency recognized by what was called the Commissioner of Education, and then after the Department of Education was created in 1979, the Secretary of Education.

The Higher Education Act of 1965 used this same idea when it created federal financial aid for non-veteran college students. Around this time, about 10% of the population had received a college degree.

However, the 1992 Higher Education Act Amendments were the first time the law said much about what standards accreditors needed to use when assessing quality at institutions of higher education.

Today, current law outlines 10 broad standards that federally recognized accreditors must have when reviewing colleges: student achievement; curriculum; faculty; facilities; fiscal and administrative capacity; student support services; recruiting and admissions practices; measure of program length; student complaints; and compliance with Title IV program responsibility.

The law tells accreditors that they must measure student achievement, but it doesn't tell them how to do it.

Colleges and accreditors determine the specifics of the standards—not the Department of Education.

For the student achievement standard, colleges and universities define how they meet that standard based on their mission—the law specifically doesn't let the Department of Education regulate or define student achievement.

And in fact, in 2007, when the Department of Education tried to do that, Congress stopped it.

Still, Congress spends approximately $33 billion for Pell grants each year, and taxpayers will lend over $100 billion in loans this year that students have to pay back.

So we have a duty to make certain that students are spending that money at quality colleges and universities.

I believe there are two main concerns about accreditation:

First, is it ensuring quality?

And second, is the federal government guilty of getting in the way of accreditors doing their job?

The Task Force on Government Regulation of Higher Education, which was commissioned by a bipartisan group of senators on this committee, told us in a detailed report that federal rules and regulations on accreditors have turned the process into federal ''micro-management.''

In addressing these two concerns, I think we should look at five areas:

First, are accreditors doing enough to ensure that students are learning and receiving a quality education?

A recent survey commissioned by Inside Higher Ed found that 97% of chief academic officers at public colleges and universities believe their institution is ''very or somewhat effective at preparing students for the workforce.''

But a Gallup survey shows that business leaders aren't so sure—only one-third of American business leaders say that colleges and universities are graduating students with the skills and competencies their businesses need. Nearly a third of business leaders disagree, with 17% going as far as to say that they strongly disagree.

Second, would more competition and choice among accreditors be one way to improve quality?

Accreditation is one of the few areas in higher education without choice and competition. Today colleges and universities cannot choose which regional accrediting agency they'd like to use. If they could, would that drive quality?

Third, do federal rules and regulations force accreditors to spend too much time on issues other than quality?

Accreditation may now be ''cops on the beat'' for Department of Education rules and regulations unrelated to academic quality. Accreditors review fire codes, institutional finances (something the Department of Education already looks at) and whether a school is in compliance with Department rules for Title IV. To me, these don't seem to be an accreditor's job.

Fourth, do accreditors have the right tools and flexibility to deal with the many different institutions with many different needs and circumstances?

Some well-established institutions may not need to go through the same process as everyone else, allowing accreditors to focus on those institutions that need the most help.

Finally, could the public benefit from more information about accreditation?

All the public learns from the accreditation process is whether a school is accredited or unaccredited. Even at comparable colleges, quality may vary dramatically, yet all institutions receive the same, blanket ''accredited'' stamp of approval. Seems to me that there could be more information provided to students, families or policymakers.

We'd better find a way to make accreditation work better.

There's really not another way to do this—to monitor quality. Because if accreditation doesn't do it, I can assure you that Congress can't. And the Department of Education certainly doesn't have the capacity or know-how.

They could hire a thousand bureaucrats to run around the country reviewing 6,000 colleges, but you can imagine what that would be like.

They're already trying to rate colleges, and no one is optimistic about their efforts—I think they'll collapse of their own weight.

So it's crucial that accrediting of our colleges improve.

Our witnesses have a variety of viewpoints on accreditation and I look forward to the discussion.

ADDITIONAL STATEMENTS

RECOGNIZING THE NORTHWEST ARKANSAS COUNCIL

• Mr. BOOZMAN. Mr. President, I want to recognize the hard work, dedication, and achievements of the Northwest Arkansas Council, which is celebrating its 25th anniversary. This organization helped transform Northwest Arkansas into an economic powerhouse. In 1990, business and community leaders created a cooperative regional business foundation with a focus on what is best for the region. Now, 25 years later, the council has strengthened partnerships and achieved many successes.

Early on, the council recognized the importance of expanding the region's infrastructure. It planted the seeds for development by pursuing the construction of a new regional airport, an interstate to connect western Arkansas, and a massive 2-ton water system to serve Benton and Washington Counties.

These priorities laid the foundation for the expansive growth and development of the region. Northwest Arkansas continues to flourish under the council's encouragement and vision. By focusing on the future and on mutually beneficial goals, the council is a leader in visualizing and promoting investments that meet the needs of citizens and local businesses. In recent years, the council's goals have expanded toward growing the region's workforce, including increasing the number of high school and college graduates and attracting top talent.

This unique partnership encourages communities throughout the region to think about long-term goals and creates a strategic plan to accomplish them. What is impressive is that the council consistently achieves most of its goals, often ahead of schedule.

The council is a model for success. Economic development regions across Arkansas and throughout the country use the council as a model, with hopes of achieving similar success. The council has demonstrated the value of cooperation and collaboration, as well as the importance of keeping attention focused on common ground and shared interests.

I congratulate the Northwest Arkansas Council on its 25-year commitment to growth and development and for continuing to make the region better through infrastructure improvements, workforce development, and regional stewardship. I look forward to continuing to work with the Northwest Arkansas Council and seeing its future achievements.•

REMEMBERING SHERIFF RALPH LAMB

• Mr. HELLER. Mr. President, today we honor the life and legacy of former Clark County Sheriff Ralph Lamb, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife Rae and all of Mr. Lamb's family in this time of mourning. He was a man committed to his family, his country, his State, and his community. Although he will be sorely missed, his legendary influence throughout the Silver State will continue on.

Mr. Lamb was born on April 10, 1927, in a small ranching community in Alamo. He was one of 11 children who helped on the family farm and worked in the local schoolhouse to support the family. At 11 years old, his father was killed in a rodeo accident, and he was taken in by his oldest brother Floyd Lamb. Mr. Lamb served in the Army during World War II in the Pacific Theater, later returning to Nevada. He became a Clark County deputy sheriff and soon after was named chief of detectives. In 1954, he left the Clark County Sheriff's Department to form a private detective agency.

It wasn't until 1958 that Mr. Lamb showed interest in returning to the department. He was named Clark County Sheriff in 1961 and served under this title for 18 years, an unprecedented amount of time that continues to be

the longest anyone has held the job. His unwavering dedication to the department and the community will always be remembered.

Mr. Lamb truly strived to make the department the absolute best it could be. Throughout his tenure, organized crime was prevalent in the Las Vegas community. Mr. Lamb worked with the county commission to pass the ''work card law,'' requiring anyone working in the gaming industry to be fingerprinted, photographed, and to notify the sheriff if he or she moved jobs. This important piece of legislation helped significantly in fighting organized crime.

He was also a key contributor in transitioning the Clark County Sheriff's Department into a more sophisticated force and in helping in its consolidation with the Las Vegas Police Department, creating stability in the law enforcement community with the present Metropolitan Police Department, Metro. His administration created the city's first SWAT team and brought the Las Vegas metropolitan area a modern crime lab, including a mobile crime lab. Metro was one of the first police agencies to utilize semi-automatic pistols and in-car computers, all driven by the hard work of Mr. Lamb. His many accomplishments will benefit future Metro officers for years to come.

I extend my deepest sympathies to his family. We will always remember Mr. Lamb for his invaluable contributions to the local community. It is the brave men and women who serve in the local police department who keep our communities safe. These heroes selflessly put their lives on the line every day. Mr. Lamb's sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to keep our communities safe, and his service will never be forgotten.

Mr. Lamb fought to maintain only the highest level of excellence for the Clark County Sheriff's Department. The Southern Nevada community remains safer because of Mr. Lamb. I am honored to commend him for his hard work and invaluable contributions to the Silver State. Today, I join the Las Vegas metropolitan community and citizens of the Silver State to celebrate the life of an upstanding Nevadan, Sheriff Ralph Lamb.●

RECOGNIZING HOTEL NEVADA'S 86TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 86th anniversary of Hotel Nevada, a historic landmark and important piece of the Ely community. I am proud to honor this hotel that serves as a symbol of Nevada's history and continues to offer quality services to guests and locals alike.

The city of Ely was originally established as a stagecoach stop and post office along the Pony Express' Central Overland Route in 1870 and was designated the county seat in 1887. The city expanded its growth in 1906 when copper mining dominated the area. The necessity to accommodate numerous miners who worked in the area drove the development of the city and kindled the construction of many buildings. The Hotel Nevada was built during this time of the Prohibition era in 1929 and was deemed the tallest building in the State with six floors in the 1940s. It is one of a kind and continues to maintain its authenticity with its original structure, bringing a distinct rural West feel. I am grateful this remarkable site provides visitors and residents a glimpse into Nevada's past. It is truly a staple for the Ely community.

The hotel and gambling hall offers 67 updated rooms to guests. It also provides the only 24-hour restaurant and full-service hotel and casino in Ely. Since its opening, it has received many well-known guests, including Wayne Newton, Mickey Rooney, and Lyndon Johnson. Each time my wife and I travel to the city of Ely, we stay at the Hotel Nevada. I can say from first-hand experience Hotel Nevada offers an unparalleled historic experience to its guests. It gives me great pleasure to see this business celebrate 86 years of success.

Hotel Nevada has demonstrated professionalism, commitment to excellence, and true dedication to authenticity since its opening. After 86 years, it stands a true testament to the City of Ely. Today, I ask my colleagues to join me in recognizing Hotel Nevada on its 86th anniversary. ●

TRIBUTE TO DR. WILLIAM ''BRIT'' KIRWAN

● Ms. MIKULSKI. Mr. President, I wish to honor the extraordinary Dr. William ''Brit'' Kirwan, who recently left the post of chancellor of the University System of Maryland, USM. Not only am I honored to know him professionally, I am proud to call him a dear friend.

Dr. Kirwan will be greatly missed. He has devoted himself to higher education for the past 50 years. How amazing is that? Not only is he an accomplished individual, he also throws the coolest Derby parties. I love Dr. Kirwan, and I know Maryland loves Dr. Kirwan.

Prior to becoming chancellor of USM, Dr. Kirwan served as president of the Ohio State University for 4 years. Before that, he served as president of the University of Maryland, College Park, UMCP, for 10 years. Before becoming president of UMCP, he was a member of the University of Maryland faculty for 24 years—where he served as an assistant professor, department chair and Provost. Until last month, Dr. Kirwan served as the chancellor of USM for 13 years.

Under his leadership, USM roared into the 21st century. He led 11 universities, with more than 40,000 undergraduate and graduate students. He boosted graduation rates while winning lacrosse and basketball games. He made sure that no campus was left out or left behind. He made sure to support the University of Maryland flagship, our schools out in western Maryland and on the Eastern Shore—Frostburg and Salisbury—and our Historically Black Colleges and Universities, HBCUs. He also worked to make sure our professional schools in downtown Baltimore remained strong. In fact, downtown Baltimore has some of the best medical, law, nursing and social work schools in the world. Students knew they could count on Dr. Kirwan. He made college more affordable by freezing tuition for 4 years. Even faculty knew they could count on him.

Dr. Kirwan has so many more accomplishments that it is difficult to know where to begin. Particularly, the accomplishments I am most proud of were the ones where we worked together. When Senator ALEXANDER and I worked together on the reauthorization of the Higher Education Act in 2008, we looked at two things: how can we make sure young people get a quality and affordable education, and how can colleges and universities control their costs. What emerged was the recognition that we needed to do something about burdensome regulations. That is why Senator ALEXANDER and I, along with Senators BENNET and BURR, created a task force to look at the issue of duplicative, burdensome higher education regulations.

Because of Dr. Kirwan's wealth and knowledge of higher education, I knew he was the right man for the job to lead this particular task force. What he was able to accomplish is astounding. The task force, under his leadership, put together a comprehensive report that identified the 10 most onerous regulations institutions of higher education were faced with. The report also provided recommendations on what Congress and the administration could to streamline regulations. As a result of Dr. Kirwan's work, my colleagues in the Senate are using his recommendations to make sure our laws are about smart regulation, not strangulation.

While being a national leader in futuristic things like cyber technology, training the next generation of cyber warriors, making our economy stronger and our country safer, Dr. Kirwan helped changed higher education. He helped change the world—literally changing the global economy. I would venture to say that we would not have Google if it were not for Dr. Kirwan. Now some of you may say: ''Senator BARB, where does this come from?'' Let me tell you a story.

Dr. Kiwan, is not only an able chancellor, he really is a gifted mathematician. And in his work as a mathematician, he had the opportunity to travel to conferences around the world. At one of those conferences in the 1970s, Dr. Kirwan met someone from the Soviet Union by the name of Dr. Michael Brin.

Then in 1974, Congress passed a little piece of legislation called Jackson-Vanik, which helped put pressure on the Soviet Union to remove its emigration restrictions. When this happened, Dr. Brin reached out to Dr. Kirwan and said: ''Do you think you can help me?'' And boy, did Dr. Kirwan help him out.

Thanks to the work of Dr. Kirwan and the USM Board of Regents, not only could Dr. Brin get out of Russia, he was able to come to the University of Maryland. With him, Dr. Brin brought his son Sergey. Sergey was a brilliant little boy—some may even say a bit difficult. He was so smart that he was able to graduate from College Park in 1993 at the age of 17. From there, Sergey went on to Stanford where he worked out of one of those garages we all hear about.

Well, the rest is history. Sergey Brin, of course, is Google. And had it not been for Dr. Kirwan meeting Dr. Brin, Congress doing Jackson-Vanik, the University of Maryland providing a home for Dr. Brin, we would not have Google. I think that is a fabulous story that shows what good immigration policy can do, and also what a gifted, talented, and dedicated humanitarian Dr. Kirwan is.

Though he changed the world, what has never changed is the man himself. Dr. Kirwan is a man we admire, a man we respect, and a man we value. It is safe to say that Dr. Kirwan is a man we have such affection for, for his passion for education, for his deep concern and caring for our students. For Dr. Kirwan, it was never about building buildings, it was about building a future for our young people and for the great State of Maryland.

Dr. Kirwan, there will never be enough ''thank yous'' in the world but: thank you, thank you, thank you for your determination and dedication to making Maryland a better place. We will all miss you dearly but wish you much success in your retirement.●

RECOGNIZING SAFE HAVEN ENTERPRISES

● Mr. VITTER. Mr. President, small businesses are often on the forefront of innovation and safety. American entrepreneurs create and take advantage of opportunities to transform the ways in which we secure our property, aid in natural disasters, and protect our families. This week I would like to recognize Safe Haven Enterprises of Jennings, LA as Small Business of the Week.

In 1998, Alta Baker founded Safe Haven Enterprises, SHE, with the goal of providing strong buildings and mobile units that would protect folks and their property in times of disaster. Today, SHE has grown into an enterprise that produces 22 different types of structures ranging from office complexes to ballistic-resistant doors to first response units for natural disasters. In order to ensure that SHE's manufacturing can withstand various environments, including hurricane-strength weather and direct RPG attacks, each product has been field tested since 2003, providing exceptional security and peace of mind for U.S. embassies, government facilities, offshore oil rigs, electric companies, and private homes in Louisiana and around the world. Most recently, SHE buildings have been tested in conflict areas in the Middle East—protecting scores of American military personnel and property.

Safe Haven Enterprises is located in a U.S. Small Business Administration Historically Underutilized Business Zone, or HUBZone, and has aided the local economy through the creation of high-quality, technical jobs in Southwest Louisiana. SHE president and CEO Alta Baker has received numerous recognitions, including the 2014 Women in Construction NYC's Outstanding Woman Business of the Year award and the 2010 U.S. Chamber of Commerce Faces of Trade Award. SHE also holds numerous certifications from institutions such as the U.S. Department of State, the U.S. Coast Guard, and the Canadian Standards Association certifications for many of its technical structures.

Congratulations again to Safe Haven Enterprises for being selected as Small Business of the Week. Thank you for your commitment to producing safe, reliable shelters for the greatest times of need.●

MESSAGE FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, July 9, 2015, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2158. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Beef From a Region in Argentina'' ((RIN0579–AD92) (Docket No. APHIS–2014–0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2159. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Beef From a Region in Brazil'' ((RIN0579–AD41) (Docket No. APHIS–2009–0017)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2160. A communication from the Program Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Voluntary Labeling Program for Biobased Products'' (RIN0599–AA22) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2161. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Corrosion Policy and Oversight Budget Materials for Fiscal Year 2016''; to the Committee on Armed Services.

EC–2162. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Stephen L. Hoog, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2163. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2164. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Clauses With Alternates—Prescriptions and Clause Prefaces'' ((RIN0750–AI57) (DFARS Case 2015–D016)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2165. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Defense Contractors Outside the United States—Subpart Relocation'' ((RIN0750–AI55) (DFARS Case 2015–D015)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2166. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Allowability of Legal Costs for Whistleblower Proceedings'' ((RIN0750–AI04) (DFARS Case 2013–D022)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2167. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Acquisition-Related Thresholds'' ((RIN0750–AI43) (DFARS Case 2014–D025)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2168. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2015–0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2169. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2170. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Venezuela Sanctions Regulations'' (31 CFR Parts 591) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2171. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–2172. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Conventional Ovens'' ((RIN1904–AC71) (Docket No. EERE–2012–BT–TP–0013)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Energy and Natural Resources.

EC–2173. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–2174. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps'' ((RIN1904–AD19) (Docket No. EERE–2012–BT–TP–0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Energy and Natural Resources.

EC–2175. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''The Medicare Secondary Payer Commercial Repayment Center in Fiscal Year 2014''; to the Committee on Finance.

EC–2176. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2015''; to the Committee on Finance.

EC–2177. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Clarifications to the Requirement in the Treasury Regulations Under Section 501(r) (4) that a Hospital Facility's Financial Assistance Policy Include a List of Providers'' (Notice 2015–46) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Finance.

EC–2178. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Report to the Congress: Medicare and the Health Care Delivery System''; to the Committee on Finance.

EC–2179. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0073–2015–0076); to the Committee on Foreign Relations.

EC–2180. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2181. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2182. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements'' (Docket No. FDA–2013–N–0067) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2183. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Review of Federal Drug Regulations with Regard to Medical Gases''; to the Committee on Health, Education, Labor, and Pensions.

EC–2184. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Revocation of General Safety Test Regulations that are Duplicative of Requirements in Biologics License Applications'' (Docket No. FDA–2014–N–1110) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2185. A joint communication from the Executive Director and the Chair of the Board of Governors, Patient-Centered Outcomes Research Institute (PCORI), transmitting, pursuant to law, the Institute's 2014 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–2186. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2014 and 2013; to the Committee on the Judiciary.

EC–2187. A communication from the Deputy General Counsel, Office of Policy, Planning, and Liaison, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Microloan Program Expanded Eligibility and Other Program Changes'' (RIN3245–AG53) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Small Business and Entrepreneurship.

EC–2188. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2189. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–83; Small Entity Compliance Guide'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2190. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Clarification on Justification for Urgent Noncompetitive Awards Exceeding

One Year'' ((RIN9000–AM86) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2191. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations'' ((RIN9000–AM70) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2192. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Permanent Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items'' ((RIN9000–AN06) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2193. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Update to Product and Service Codes'' ((RIN9000–AN08) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2194. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations—Representation and Notification'' ((RIN9000–AM85) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2195. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Inflation Adjustment of Acquisition-Related Thresholds'' ((RIN9000–AM80) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2196. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–83; Introduction'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2197. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2198. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–92, ''Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2199. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–93, ''Youth Employment and Work Readiness Training Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2200. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–94, ''Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2201. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–90, ''Healthy Hearts of Babies Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2202. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–91, ''Access to Contraceptives Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2203. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA FAR Regulatory Review No. 3'' (RIN2700–AE19) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2204. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2015'' (RIN0648–BE89) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2205. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XD973) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2206. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex'' (RIN0648–XD988) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2207. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of the Emergency Alert System'' ((FCC 15–60) (EB Docket No. 04–296)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2208. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Lifeline and Link Up Reform'' ((RIN3060–AF85) (DA 15–398)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on Appropriations, without amendment:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–79).

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 1300. A bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH:

S. 1723. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote safe and reliable interconnection and net billing for community solar facilities; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself, Mr. REID, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1724. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRAHAM:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for

other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MERKLEY (for himself, Mr. GARDNER, Mr. BENNET, Mr. PAUL, Mr. WYDEN, and Mrs. MURRAY):

S. 1726. A bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 1727. A bill to rename the National Florence Crittenton Mission; to the Committee on the Judiciary.

By Mr. COATS:

S. 1728. A bill to amend the Internal Revenue Code of 1986 to provide equal access to declaratory judgments for organizations seeking tax-exempt status; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mr. CASSIDY):

S. 1729. A bill to amend the State report card provisions of section 1111(h) of the Elementary and Secondary Education Act of 1965 to require the disaggregation of the educational outcomes of students with disabilities by disability category; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Mrs. FISCHER, and Mr. MORAN):

S. 1732. A bill to authorize elements of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 1733. A bill to require the Secretary of Agriculture to establish a forest incentives program to keep forests intact and sequester carbon on private forest land of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KIRK:

S. 1734. A bill to authorize the Secretary of Transportation to waive the state of good repair certification requirement for participants in the pilot program for expedited project delivery; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself, Mr. SCHUMER, Mrs. BOXER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 1735. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. COONS, Mr. KING, Mr. MENENDEZ, Mr. MARKEY, Ms. MIKULSKI, Mr. SCHATZ, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. REED):

S. 1736. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. WARREN, Mr. UDALL, Ms. BALDWIN, Mrs. SHAHEEN, Mr. FRANKEN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, Ms. KLOBUCHAR, Mr. CARDIN, and Mr. PETERS):

S. 1737. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 1738. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals , and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 1739. A bill to increase the minimum levels of financial responsibility for transporting property, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. KAINE, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. WICKER, and Mr. BROWN):

S. 1741. A bill to establish tire fuel efficiency minimum performance standards, improve tire registration, help consumers identify recalled tires, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mr. TESTER, Mrs. MCCASKILL, and Mr. PETERS):

S. 1742. A bill to improve the provision of postal services to rural areas of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PERDUE (for himself and Mr. ISAKSON):

S. 1744. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER:

S. 1745. A bill to provide grants to eligible entities to develop and maintain or improve and expand before school, afterschool, and summer school programs for Indian and Alaska Native students, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. KAINE):

S. 1746. A bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Mr. GRAHAM):

S. 1747. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. COLLINS, and Mr. DURBIN):

S. 1748. A bill to provide for improved investment in national transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. DONNELLY (for himself, Ms. HEITKAMP, and Mr. MANCHIN):

S.J. Res. 18. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN):

S. Res. 219. A resolution designating July 25, 2015, as ''National Day of the American Cowboy''; considered and agreed to.

By Ms. HEITKAMP (for herself and Mr. HOEVEN):

S. Res. 220. A resolution commemorating the 50th anniversary of the Medora Musical; considered and agreed to.

By Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL):

S. Res. 221. A resolution recognizing the 100th anniversary of Rocky Mountain National Park; considered and agreed to.

ADDITIONAL COSPONSORS

S. 37

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 37, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes.

S. 139

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Iowa (Mrs.

ERNST) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 210

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 357

At the request of Mr. FLAKE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 357, a bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and for other purposes.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 697

At the request of Mr. UDALL, the names of the Senator from Rhode Island (Mr. REED), the Senator from Kansas (Mr. ROBERTS), the Senator from Minnesota (Mr. FRANKEN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 884

At the request of Mr. BLUNT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1038

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1038, a bill to clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1090

At the request of Mr. BOOKER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1090, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mr. WICKER) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1461

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1461, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1509

At the request of Mr. CARPER, the names of the Senator from Minnesota

(Mr. FRANKEN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1509, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 1540

At the request of Mrs. MCCASKILL, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1540, a bill to improve the enforcement of prohibitions on robocalls, including fraudulent robocalls.

S. 1544

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1544, a bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1598

At the request of Mr. LEE, the names of the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Mr. SULLIVAN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. TILLIS), the Senator from North Carolina (Mr. BURR) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1670

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1670, a bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

S. 1672

At the request of Mrs. FISCHER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1672, a bill to authorize States to enter into interstate compacts regarding Class A commercial driver's licenses.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1716

At the request of Ms. BALDWIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1717

At the request of Mr. PORTMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1717, a bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

AMENDMENT NO. 2093

At the request of Mr. FRANKEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nevada (Mr. REID) were added as cosponsors of amendment No. 2093 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2094

At the request of Mr. TOOMEY, the names of the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mrs. CAPITO), the Senator from Colorado (Mr. BENNET) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 2094 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2096

At the request of Mr. KAINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2096 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2110

At the request of Mr. SASSE, his name was added as a cosponsor of amendment No. 2110 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2133

At the request of Mr. SCOTT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2133 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2135

At the request of Mrs. GILLIBRAND, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2151

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2151 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2152

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 2152 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2159

At the request of Mr. BENNET, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 2159 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2166

At the request of Mr. BROWN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 2166 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2167

At the request of Mr. SCHATZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2167 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2169

At the request of Mr. BOOKER, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2169 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of

1965 to ensure that every child achieves.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, the Stronger Enforcement of Civil Penalties Act, which I am pleased to be introducing today with Senator GRASSLEY and Senator LEAHY, will enhance the ability of securities regulators to protect investors and demand greater accountability from market players. Unfortunately, even after the financial crisis that crippled the economy, we continue to see calculated wrongdoing by some on Wall Street. Without the consequence of meaningful penalties to serve as an effective deterrent, I fear this disturbing culture of misconduct will persist.

The existing regime for securities law violations limits by statute the amount of penalties the Securities and Exchange Commission, SEC, can fine an institution or individual. During hearings I held in 2011 in the Securities, Insurance, and Investment Banking Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to perform its enforcement duties. At that time, the agency had been criticized by a Federal judge for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that settled with the SEC in an amount that was a fraction of the cost the bank had inflicted on investors. The SEC explained that the reason for the low settlement amount was a statutory prohibition from levying a larger penalty.

The bipartisan bill Senator GRASSLEY and I are introducing updates and strengthens the SEC's civil penalties statute. It aims to make potential and current offenders think twice before engaging in misconduct by increasing the maximum civil monetary penalties permitted by statute, directly linking the size of the maximum penalties to the amount of losses suffered by victims of a violation, and substantially raising the financial stakes for repeat offenders of our nation's securities laws.

Specifically, our bill would give the SEC more options to tailor penalties to the specific circumstances of a given violation. In addition to raising the per violation caps for severe, or ''tier three,'' violations to $1 million per offense for individuals and $10 million per offense for entities, the bill would also give the SEC additional options to obtain greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also addresses the disconcerting trend of repeat offenders on Wall Street through two provisions. The first would allow the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the preceding five years. The second would allow the SEC to seek a civil penalty against those that violate existing federal court or SEC orders, an approach that would be more efficient, effective, and flexible than the current civil contempt remedy. These two changes would substantially improve the ability of the SEC's enforcement program to ratchet up penalties for recidivists.

More than half of all U.S. households own securities. They deserve a strong cop on the beat that has the tools it needs to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will give the SEC more tools to demand meaningful accountability from Wall Street, which in turn will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation to enhance the SEC's ability to protect investors and crack down on fraud.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today I am introducing the Homeless Veterans Services Protection Act of 2015.

This legislation would ensure continued access to homeless services for some of our country's most vulnerable veterans who are currently at risk of losing these critical services.

The administration set the difficult but commendable goal of eliminating veteran homelessness. Through tremendous efforts at every level of government, and with the help of community groups, non-profits and the private sector, we have made major progress toward achieving that goal.

But we know we have a lot of work to do. Veterans are at greater risk of becoming homeless than non-veterans and on any given night as many as 50,000 veterans are homeless across the United States.

This is unacceptable.

Our veterans made great sacrifices while serving our country and our commitment to them is especially important. This commitment includes providing benefits, medical care, support, and assistance to prevent homelessness.

Two of our greatest tools are the Department of Veterans Affairs' Grant and Per Diem program and the Supportive Services for Veteran Families program through partnerships with homeless service providers around the country.

These important and successful programs assist very low-income veterans and their families who either live in permanent housing or are transitioning from homelessness. The programs help our veterans with rent, utilities, moving costs, outreach, case management, and obtaining benefits.

But last year, after a legal review of its policies, VA was forced to prepare for a change that would have cut off services to veterans who did not meet certain length of service or discharge requirements, changing policies that homeless service providers had followed for decades.

That would be a heartless, bureaucratic move that could have put thousands of veterans on the streets—practically overnight. According to some of our leading veterans and homeless groups—including The American Legion, the National Alliance to End Homelessness the National Low Income Housing Coalition, and the National Coalition for Homeless Veterans—had the policy been enacted, VA would have had to stop serving about 15 percent of the homeless veteran population, and in certain urban areas up to 30 percent of homeless veterans would have been turned away.

The veterans community alerted me to this possible change—and while I am proud that we prevented these changes in the short-term—it is very concerning that a legal opinion could be issued at any time to undo all of that.

There is good reason to reverse this policy for good. A report from VA's Inspector General, issued just last week, shows how VA's unclear or outdated guidance hurts veterans, and how VA's proposed policy changes work against efforts to help homeless veterans.

As a senior member of the Senate Veterans' Affairs Committee and the daughter of a World War II veteran, I'm proud that the bill I have introduced today would permanently protect homeless veterans' access to housing and services.

This bill makes it clear that our country takes care of those who have served, and we don't allow bureaucracy to dictate who gets a roof over their head and who doesn't.

Many veterans struggle with mental illness, substance abuse, or simply finding a steady job—all factors that can lead to homelessness.

And veterans of the wars in Iraq and Afghanistan are increasingly becoming homeless—numbers that will continue to increase in the coming years unless help is available for them.

The idea that any of these veterans returning from service could become homeless because of these policies is unacceptable.

If we ever hope to end veteran homelessness we must do everything we can to reach this goal, and I want to make

sure that VA's policies are moving us in that direction.

I don't just believe that the United States can do better; I believe we must do better for those who've sacrificed so much for our country.

Finally I would like to thank Senator HIRONO for cosponsoring this bill and being a champion of the men and women who have served our country.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. KAINE, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, 2 weeks ago, the Supreme Court handed down a wonderful decision recognizing that all Americans have the right to marry the man or woman they love. It was a triumphant movement in the march toward justice, one I was happy to celebrate at home with a group of Oregonians who were truly elated. In my remarks that morning, I said: Love won and there is more to be done.

So, today, along with 36 colleagues, I am introducing the Equal Dignity for Married Taxpayers Act of 2015. What this legislation does is it removes each gender-specific reference to marriage from the Tax Code. Now, in his opinion for the Court, Justice Kennedy pointed out the importance of providing equal dignity in the eyes of the law.

Our legislation enshrines that equal dignity and respect in our Nation's tax laws by recognizing a new dawn of liberty for all Americans. In my view, on a more symbolic level, this legislation is one way to help close the door on an era when too many of our laws denied equality to the LGBTQ community. In my view, this is a particularly important step in the march toward justice. It is a straightforward way to cement the recognition that all Americans share certain unalienable rights—among them, life, liberty, and the pursuit of happiness.

I was proud to vote against the Defense of Marriage Act in the Congress 20 years ago and fight measure 36 a decade ago in Oregon. I have always said—always said—that if you don't like gay marriage, don't get one. This is fundamentally an issue of justice and of liberty. I hope all Americans take pride in the wave of acceptance and equality that has rolled across our land and this decision embodies.

This legislation now has 36 cosponsors. My hope is this body will support this proposal on a bipartisan basis. I look forward to working with our colleagues to take this next step. It is a step toward the arc of justice—the arc of justice that says that all of us—all of us—have to be free. All of us should enjoy true and full equality for all Americans. I am very pleased 36 colleagues are joining me in this proposal this morning. I hope the Senate will pass it expeditiously on a bipartisan basis.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, today, I am introducing the Motor Vehicle Safety Act of 2015. I introduce this bill with Senator BLUMENTHAL, the Ranking Member of the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, as well as Senator MARKEY, a valued Member of the Commerce Committee.

Takata airbags. GM ignition switches. Toyota unintended acceleration. By now, we all know the tragic stories: automakers and suppliers hiding dangerous defects for years right under the nose of a weak, under-resourced regulator. The result? Scores of deaths, hundreds of injuries, and millions of vehicles still under recall that are endangering lives both inside and outside the cars.

Every year, over 32,000 people die on our roadways—32,000 lives cut short, 32,000 families without a loved one. Car accidents are by far the top cause of accidental deaths. But it doesn't have to be this way. Congress can adopt practical solutions to help make cars safer and improve the recall process and, in turn, save lives. That is exactly what this legislation is designed to do—to take the lessons we have learned from exploding Takata airbags, defective GM ignition switches, and several other recent serious recalls to ensure that a company can never again hide a lethal defects from the public, to improve the way we recall dangerous cars, and to harness American innovation and ingenuity to make vehicles safer.

Many of the concepts in today's bill are not new. Indeed, many of the provisions in the bill have passed the Senate before with bipartisan support. The Motor Vehicle Safety Act of 2015 that Senators BLUMENTHAL, MARKEY, and I introduce today includes provisions from bills introduced by myself, Senators BLUMENTHAL, MARKEY, GILLIBRAND, SCHATZ, BOOKER, and former Chairman Rockefeller. Like the earlier bills, this legislation is predicated on improving four things: transparency, wrongdoer accountability, vehicle safety, and recall effectiveness.

First, government transparency. The Department of Transportation Inspector General identified several problems with how NHTSA processes early warning data. This bill seeks to help remedy those problems and increase the transparency of the information the agency receives. For example, the bill would require NHTSA to upgrade its online databases to improve searchability and to consider early warning data when investigating potential safety defects. The bill would also require NHTSA to disclose information submitted by manufacturers to NHTSA through the Early Warning Reporting system unless the information is exempt under FOIA. Finally, motor vehicle and equipment manufacturers would have to automatically submit documentation that first alerted them to a fatality involving their vehicle or equipment to NHTSA's Early Warning Reporting database.

Second, wrongdoer accountability. The bill would remove the cap on NHTSA's civil penalty authority, which is currently at $35 million NHTSA's civil penalty authority must be bolstered to deter highly profitable corporations from violating safety laws. Otherwise, we get what we have now: companies treating NHTSA's civil penalties as a mere cost of doing business. Just look at the GM case, where the maximum $35 million civil penalty represented less than 1/1000 of GM's quarterly revenues, which is over $35 billion. In addition, the bill would impose criminal penalties on corporate executives who knowingly conceal the fact that their product poses a danger of death or serious injury. Corporate executives who hide serious dangers from the public shouldn't get off the hook.

Third, vehicle safety. The bill would authorize NHTSA to conduct new research and implement life-saving standards to make vehicles safer. For example, it would require large commercial trucks to have crash avoidance technologies, and it would improve car hoods and bumpers to reduce pedestrian fatalities and injuries. The legislation also would task NHTSA with evaluating whether technology exists to help prevent children from being left in hot cars. These changes just make sense, and they would save lives.

Lastly, recall effectiveness. The major lesson from the Takata, GM, and other defect debacles is that we need to improve the recall process so that unsafe vehicles get fixed as quickly as possible. This bill would do just that by improving NHTSA's recall authority, asking dealers to adopt commonsense practices, and exploring new ways to

notify consumers of recalls. First, the Motor Vehicle Safety Act of 2015 would give NHTSA the authority to expedite recalls in the case of substantial likelihood of death or serious injury. Second, the legislation would ensure that used car dealers fix cars under recall before selling them. The fact that used car dealers can still sell vehicles under recall without bothering to fix them is appalling—several individuals who died from exploding Takata airbags had purchased used cars that hadn't been fixed. My legislation would also require authorized dealers to check for open recalls when a car is brought in for any service—something that should already be very quick and doable for dealers. Third, the bill would create grant programs to allow states to participate in the recall notification process by notifying drivers of open recalls when the DMV sends registration renewals. Finally, NHTSA would have promulgate a rule requiring new vehicles have a warning feature—similar to tire pressure monitor or oil change light on the dashboard—that would notify consumers that their cars are subject to a safety recall. With innovations like backup cameras and connected cars, we've seen how technology improves safety. I am very excited about the possibility that technology can also ensure that a driver knows his or her car is under recall and, as a result, prevent injuries and deaths from safety defects.

The American public demands that we do something meaningful to keep them safe on the road. There will be more recalls in the future—it is inevitable. And the consequences can be deadly. But they don't have to be. Improving the recall process can and will save lives. I realize our bill may not get us to 100 percent completion of recalls or perfect motor vehicle safety, but I am confident that it would go a long way towards improving recall effectiveness, adding practical safety technologies to vehicles, and making Americans safer on our nation's roads and highways.

I want to thank my colleagues, Senators BLUMENTHAL and MARKEY, for helping me on this extremely important bill and for their dedication to making our roads safer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Motor Vehicle Safety Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.
Sec. 2. Definition of Secretary.

TITLE I—TRANSPARENCY AND ACCOUNTABILITY

Sec. 101. Public availability of early warning data.
Sec. 102. Additional early warning reporting requirements.
Sec. 103. Improved National Highway Traffic Safety Administration vehicle safety databases.
Sec. 104. Corporate responsibility for NHTSA reports.
Sec. 105. Reports to Congress.

TITLE II—ENHANCED SAFETY AUTHORITY AND CONSUMER PROTECTION

Sec. 201. Civil penalties.
Sec. 202. Criminal penalties.
Sec. 203. Cooperation with foreign governments.
Sec. 204. Imminent hazard authority.
Sec. 205. Used passenger motor vehicle consumer protection.
Sec. 206. Unattended children warning system.
Sec. 207. Collision avoidance technologies.
Sec. 208. Motor vehicle pedestrian protection.

TITLE III—FUNDING

Sec. 301. Authorization of appropriations.

TITLE IV—RECALL PROCESS IMPROVEMENTS

Sec. 401. Recall obligations under bankruptcy.
Sec. 402. Dealer requirement to check for and remedy recall.
Sec. 403. Application of remedies for defects and noncompliance.
Sec. 404. Direct vehicle notification of recalls.
Sec. 405. State notification of open safety recalls.
Sec. 406. Recall completion pilot grant program.
Sec. 407. Improvements to notification of defect or noncompliance.

(c) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, unless expressly provided otherwise, the term ''Secretary'' means the Secretary of Transportation.

TITLE I—TRANSPARENCY AND ACCOUNTABILITY

SEC. 101. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 102 of this Act, that must be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with the Director of the Office of Government Information Services within the National Archives and Records Administration and the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION AND LIMITATION.—The Secretary shall promulgate the regulations with a presumption in favor of maximum public availability of information. In promulgating regulations under subsection (a), the following types of information shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code:

(1) Vehicle safety defect information related to incidents involving death or injury.

(2) Aggregated numbers of property damage claims.

(3) Aggregated numbers of consumer complaints related to potential vehicle defects.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of enactment of this Act, the regulations establishing early warning reporting class determinations in Appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. 102. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents, as defined by the Secretary through regulation, except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents, as defined by the Secretary through regulation, that relate to the initial claim or notice (except for documents that are protected by the attorney-client privilege or work product privileges that are not already publicly available), that describe or reconstruct the incident, and that are in the actual possession or control of the manufacturer at the time the incident report is submitted;

''(III) any amendments or supplements, as defined by the Secretary through regulation, to the initial claim or notice documents described in subclause (I), except for—

''(aa) medical documents and bills;

''(bb) property damage invoices or estimates; and

''(cc) documents related to damages; and

''(IV) any police reports or other documents described in subclause (II) that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—

''(i) IN GENERAL.—The information provided to the Secretary under this subsection shall—

''(I) be disclosed publicly; and

''(II) be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.

''(ii) INFORMATION DISCLOSURE REQUIREMENTS.—In administering this subparagraph, the Secretary shall—

''(I) presume in favor of maximum public availability of information;

''(II) require the publication of information on incidents involving death or injury; and

''(III) require the publication of numbers of property damage claims.''; and

(3) by adding at the end the following:

''(6) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed consistently with the requirements of section 552 of title 5.

''(7) USE OF EARLY WARNING REPORTS.—The Secretary shall consider information gathered under this subsection in proceedings described in sections 30118 and 30162.''.

SEC. 103. IMPROVED NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION VEHICLE SAFETY DATABASES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and after public consultation, the Secretary shall improve public accessibility to information on the National Highway Traffic Safety Administration's publicly accessible vehicle safety databases—

(1) by improving organization and functionality, including design features such as drop-down menus, and allowing for data from all of the publicly accessible vehicle safety databases to be searched, sorted, aggregated, and downloaded in a manner—

(A) consistent with the public interest; and

(B) that facilitates easy use by consumers;

(2) by providing greater consistency in presentation of vehicle safety issues;

(3) by improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) by ensuring that all studies, investigation reports, inspection reports, incident reports, and other categories of materials, as specified through the rulemaking under section 101(a), be made publicly available in a manner that is searchable in databases by—

(A) manufacturer name, vehicle or equipment make and model name, and model year;

(B) reported system or component;

(C) number of injuries or fatalities; and

(D) any other element that the Secretary determines to be in the public interest.

(b) INVESTIGATION INFORMATION.—The Secretary shall—

(1) provide public notice of information requests to manufacturers issued under section 30166 of title 49, United States Code; and

(2) make such information requests, the manufacturer's written responses to the information requests, and notice of any enforcement or other action taken as a result of the information requests—

(A) available to consumers on the Internet not later than 5 days after such notice is issued; and

(B) searchable by manufacturer name, vehicle or equipment make and model name, model year, system or component, and the type of inspection or investigation being conducted.

(c) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this section shall be construed consistently with the requirements of section 552 of title 5, United States Code.

SEC. 104. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Motor Vehicle Safety Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 105. REPORTS TO CONGRESS.

(a) ABILITY TO IDENTIFY AND INVESTIGATE VEHICLE SAFETY CONCERNS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, and biennially thereafter for 6 years, the Inspector General of the Department of Transportation shall update the Inspector General's report dated June 18, 2015 (ST–2015–063) on the pre-investigation processes used by the Office of Defects Investigation of the National Highway Traffic Safety Administration (referred to in this section as ''NHTSA'') to collect and analyze vehicle safety data and to determine potential safety issues and whether those processes were sufficiently improved, including an assessment of—

(A) the sufficiency of NHTSA's procedures and practices for collecting, verifying the accuracy and completeness of, analyzing, and determining whether to further investigate potential safety issues described in consumer complaints and manufacturer submittals to the early warning report system;

(B) the number and type of requests for information made by NHTSA based on data received in the early warning reporting system and consumer complaints received;

(C) the number of safety defect investigations opened by NHTSA based on information reported to NHTSA through the early warning reporting system, consumer complaints, or other sources;

(D) the nature and vehicle defect category of each safety defect investigation described in subparagraph (C);

(E) the duration of each safety defect investigation described in subparagraph (C), including—

(i) the number of safety defect investigations described in subparagraph (C) that are subsequently closed without further action; and

(ii) the number and description of safety defect investigations described in subparagraph (C) that have been open for more than 1 year;

(F) the percentage of the safety defect investigations described in subparagraph (C) that result in a finding of a safety defect, recall, or service information campaign;

(G) the status and sufficiency of NHTSA's compliance with each recommendation designed to improve vehicle safety made by the Inspector General; and

(H) other information the Inspector General considers appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than 30 days after the date that a report under paragraph (1) is complete, the Inspector General shall transmit the report to—

(i) the Committee on Commerce, Science, and Transportation of the Senate; and

(ii) the Committee on Energy and Commerce of the House of Representatives.

(B) PUBLIC.—The Inspector General shall make the report public as soon as practicable, but not later than 30 days after the date the report is transmitted under subparagraph (A).

(b) REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary shall prepare a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating expertise across NHTSA, and the priorities of the Council over the next 5 years.

(2) SUBMISSION OF REPORT.—The Secretary shall submit the report upon completion to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

TITLE II—ENHANCED SAFETY AUTHORITY AND CONSUMER PROTECTION

SEC. 201. CIVIL PENALTIES.

(a) IN GENERAL.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by inserting ''or causes the violation of'' after ''violates''; and

(ii) by striking ''$5,000'' and inserting ''$25,000''; and

(B) by striking the third sentence;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(B) in subparagraph (B), by striking the second sentence; and

(3) in paragraph (3)—

(A) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(B) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(C) by striking the third sentence.

(b) CONSTRUCTION.—Nothing in this section shall be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

SEC. 202. CRIMINAL PENALTIES.

(a) REPORTING STANDARDS.—

(1) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''Sec.
''2081. Definitions.
''2082. Failure to inform and warn.
''2083. Relationship to existing law.

''§ 2081. Definitions

''In this chapter—

''(1) the term 'appropriate Federal agency' means an agency with jurisdiction over a covered product, covered service, or business practice;

''(2) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity;

''(3) the term 'business practice' means a method or practice of—

''(A) manufacturing, assembling, designing, researching, importing, or distributing a covered product;

''(B) conducting, providing, or preparing to provide a covered service; or

''(C) otherwise carrying out business operations relating to covered products or covered services;

''(4) the term 'covered product' means a product manufactured, assembled, designed, researched, imported, or distributed by a business entity that enters interstate commerce;

''(5) the term 'covered service' means a service conducted or provided by a business entity that enters interstate commerce;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product), covered service, or business practice of the business entity; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) an appropriate Federal agency;

''(ii) employees of the business entity; or

''(iii) individuals, other than employees of the business entity, who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product, covered service, or business practice has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'warn affected employees' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger in the course of work for a business entity, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product), covered service, or business practice of a business entity, a business entity and any responsible corporate officer with respect to the covered product, covered service, or business practice, shall—

''(1) as soon as practicable and not later than 24 hours after acquiring such knowledge, verbally inform an appropriate Federal agency of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that an appropriate Federal agency has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform an appropriate Federal agency in writing of the serious danger;

''(3) as soon as practicable, but not later than 30 days after acquiring such knowledge, warn affected employees in writing, unless the business entity or responsible corporate officer has actual knowledge that affected employees have been so warned; and

''(4) as soon as practicable, but not later than 30 days after acquiring such knowledge, inform individuals, other than affected employees, who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''(c) CIVIL ACTION TO PROTECT AGAINST RETALIATION.—

''(1) PROHIBITION.—It shall be unlawful to knowingly discriminate against any person in the terms or conditions of employment, in retention in employment, or in hiring because the person informed a Federal agency, warned employees, or informed other individuals of a serious danger associated with a covered product, covered service, or business practice, as required under this section.

''(2) ENFORCEMENT ACTION.—

''(A) IN GENERAL.—A person who alleges discharge or other discrimination by any person in violation of paragraph (1) may seek relief under paragraph (3), by—

''(i) filing a complaint with the Secretary of Labor; or

''(ii) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(B) PROCEDURE.—

''(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49.

''(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49 shall be made to the person named in the complaint and to the employer.

''(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49.

''(iv) STATUTE OF LIMITATIONS.—An action under subparagraph (A) shall be commenced not later than 180 days after the date on which the violation occurs, or after the date on which the employee became aware of the violation.

''(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

''(3) REMEDIES.—

''(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

''(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

''(i) reinstatement with the same seniority status that the employee would have had, but for the discrimination;

''(ii) the amount of back pay, with interest; and

''(iii) compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.

''(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this subsection shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

''(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the date that is 1 year after the date of enactment of this Act.

(b) PROHIBITION ON RENDERING SAFETY ELEMENTS INOPERATIVE.—Section 30122 is amended by amending subsection (b) to read as follows:

''(b) PROHIBITION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a person may not knowingly make inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable motor vehicle safety standard prescribed under this chapter unless the person reasonably believes the vehicle or equipment will not be used (except for testing or a similar purpose during maintenance or repair) when the device or element is inoperative.

''(2) EXCEPTION.—The prohibition under paragraph (1) does not apply to a modification made by an individual to a motor vehicle or item of equipment owned or leased by that individual.''.

(c) CRIMINAL LIABILITY.—Section 30170 is amended by adding at the end the following;

''(c) CRIMINAL LIABILITY FOR TAMPERING WITH MOTOR VEHICLE SAFETY ELEMENTS.—Whoever knowing that he will endanger the safety of any person on board a motor vehicle or anyone who he believes will board the same, or with a reckless disregard for the safety of human life, violates section 30122(b) under this title shall be subject to criminal penalties under section 33(a) of title 18.''.

SEC. 203. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) enter into cooperative agreements (in coordination with the Department of State) and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State),'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

SEC. 204. IMMINENT HAZARD AUTHORITY.

Section 30118(b) is amended—

(1) in paragraph (1), by striking ''(1) The Secretary may'' and inserting ''(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may'';

(2) in paragraph (2), by inserting ''ORDERS.—'' before ''If the Secretary''; and

(3) by adding after paragraph (2) the following:

''(3) IMMINENT HAZARDS.—

''(A) DECISIONS AND ORDERS.—If the Secretary makes an initial decision that a defect or noncompliance, or combination of both, under subsection (a) presents an imminent hazard, the Secretary—

''(i) shall notify the manufacturer of a motor vehicle or replacement equipment immediately under subsection (a); and

''(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

''(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard; and

''(II) remedy the defect or noncompliance under section 30120 of this title;

''(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy; and

''(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.

''(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

''(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term 'imminent hazard' means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.''.

SEC. 205. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall take effect on the date that is 18 months after the date of enactment of this Act.

SEC. 206. UNATTENDED CHILDREN WARNING SYSTEM.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of performance requirements to warn a driver that a child or other unattended passenger remains in a rear seating position after a vehicle motor is disengaged.

(b) SPECIFICATIONS.—In completing the research under subsection (a), the Secretary shall consider performance requirements that—

(1) sense weight, the presence of a buckled seat belt, or other indications of the presence of a child or other passenger; and

(2) provide an alert to prevent hyperthermia and hypothermia that can result in death or severe injuries.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the date that the research under subsection (a) is complete, the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code. The Secretary shall complete the rulemaking and issue a final rule not later than 2 years after the date the rulemaking is initiated.

(2) REPORT.—If the Secretary determines that the standard described in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

SEC. 207. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard requiring a motor vehicle with a gross vehicle weight rating greater than 26,000 pounds be equipped with crash avoidance and mitigation systems, such as forward collision automatic braking systems and lane departure warning systems.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles, stopped vehicles, pedestrians, cyclists, and other road users.

(c) EFFECTIVE DATE.—The regulations prescribed by the Secretary under this section shall take effect 2 years after the date of publication of the final rule.

SEC. 208. MOTOR VEHICLE PEDESTRIAN PROTECTION.

Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by pedestrians who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian populations, including children and older adults.

TITLE III—FUNDING

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Section 30104 is amended—

(1) by striking ''$98,313,500''; and

(2) by striking ''this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001.'' and inserting the following: ''this chapter and to carry out the Motor Vehicle Safety Act of 2015—

''(1) $179,000,000 for fiscal year 2016;

''(2) $187,055,000 for fiscal year 2017;

''(3) $195,659,530 for fiscal year 2018;

''(4) $204,268,549 for fiscal year 2019;

''(5) $214,073,440 for fiscal year 2020; and

''(6) $223,920,818 for fiscal year 2021.''.

TITLE IV—RECALL PROCESS IMPROVEMENTS

SEC. 401. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended to read as follows:

''§ 30120A. Recall obligations and bankruptcy of a manufacturer

''Notwithstanding any provision of title 11, United States Code, a manufacturer's duty to comply with section 30112, sections 30115 through 30121, and section 30166 of this title shall be enforceable against a manufacturer or a manufacturer's successors-in-interest whether accomplished by merger or by acquisition of the manufacturer's stock, the acquisition of all or substantially all of the manufacturer's assets or a discrete product line, or confirmation of any plan of reorganization under section 1129 of title 11.''.

SEC. 402. DEALER REQUIREMENT TO CHECK FOR AND REMEDY RECALL.

Section 30120(f) is amended to read as follows:

''(f) DEALERS.—

''(1) FAIR REIMBURSEMENT TO DEALERS.—A manufacturer shall pay fair reimbursement to a dealer providing a remedy without charge under this section.

''(2) REQUIREMENTS.—Each time a defective or noncomplying motor vehicle is presented to a dealer by the owner of that motor vehicle for any service on that motor vehicle, the dealer shall—

''(A) inform the owner of the defect or noncompliance; and

''(B) with consent from the owner, remedy the defect or noncompliance without charge under this section.''.

SEC. 403. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

SEC. 404. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking for a regulation to require a warning system in each new motor vehicle to indicate to the operator in a conspicuous manner when the vehicle is subject to an open recall.

(b) FINAL RULE.—The Secretary shall prescribe final standards not later than 3 years after the date of enactment of this Act.

SEC. 405. STATE NOTIFICATION OF OPEN SAFETY RECALLS.

(a) GRANT PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(b) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(A) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(B) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(C) notify the motor vehicle owner of the safety recalls described in subparagraph (B); and

(3) provide such other information or notification as the Secretary may require.

SEC. 406. RECALL COMPLETION PILOT GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(b) GRANTS.—To carry out this program, the Secretary shall make a grant to a State to be used to implement the pilot program

described in subsection (a) in accordance with the requirements under subsection (c).

(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in section 405 of this Act;

(3) except as provided in subsection (d), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(4) provide such other information or notification as the Secretary may require.

(d) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under subsection (c)(3) if—

(1) the recall occurred not earlier than 75 days prior to the registration or renewal date;

(2) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(3) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(e) AWARD.—In selecting an applicant for award under this section, the Secretary shall consider the State's methodology for—

(1) determining safety recalls on a motor vehicle;

(2) informing the owner or lessee of a motor vehicle of the safety recalls;

(3) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(4) determining performance in increasing the safety recall completion rate.

(f) PERFORMANCE PERIOD.—A grant awarded under this section shall require a performance period for at least 2 years.

(g) REPORT.—Not later than 90 days after the completion of the performance period under subsection (f) and the obligations under the pilot program, the grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(h) EVALUATION.—Not later than 1 year after the date the Secretary receives the report under subsection (g), the Secretary shall evaluate the extent to which safety recalls identified under subsection (c) have been remedied.

SEC. 407. IMPROVEMENTS TO NOTIFICATION OF DEFECT OR NONCOMPLIANCE.

(a) IMPROVEMENTS TO NOTIFICATION.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY ELECTRONIC MAIL.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 219—DESIGNATING JULY 25, 2015, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 219

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 25, 2015, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 220—COMMEMORATING THE 50TH ANNIVERSARY OF THE MEDORA MUSICAL

Ms. HEITKAMP (for herself and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 220

Whereas the Medora Musical, a nationally renowned musical production of Western American patriotism, held its first production on July 1, 1965, alongside what is now the Theodore Roosevelt National Park;

Whereas more than 3,500,000 guests have experienced the incredible tribute in the Medora Musical to Theodore Roosevelt and his life in the North Dakota Badlands;

Whereas the Burning Hills Amphitheater, which is home to the Medora Musical and overlooks the Little Missouri River Valley, seats as many as 2,900 guests each night and features the Burning Hills Singers, the Coal Diggers Band, and various comedy and variety acts;

Whereas thousands of performers audition to join the professional team of the Medora Musical and work alongside 300 annual employees representing 20 or more countries and more than 500 volunteers to create one of the finest attractions in North Dakota;

Whereas each summer, the Medora Musical runs an impressive season with a 2 hour show every night for 94 consecutive days;

Whereas the Theodore Roosevelt Medora Foundation, established in 1986 by philanthropist and entrepreneur Harold Schafer, has played a profound role in promoting North Dakota tourism and bringing families of all generations together;

Whereas the city of Medora, North Dakota, home to the Medora Musical and gateway to the Theodore Roosevelt National Park, hosts more than 250,000 visitors each year, and more than 600,000 tourists from around the world visit the park each year;

Whereas the Theodore Roosevelt Medora Foundation, which has invested more than $30,000,000 in Medora, North Dakota, raised more than $36,000,000 in donations from more than 3,700 contributors to preserve the history of Medora, North Dakota, and the values of President Theodore Roosevelt;

Whereas President Theodore Roosevelt, following his time in the Badlands near Medora, North Dakota, likened the wondrous appeal of the Badlands to a one-of-a-kind beauty found nowhere else in the world;

Whereas President Theodore Roosevelt often said he would not have been President had it not been for his experiences in North Dakota, and many of those experiences are preserved today through the Medora Musical, Theodore Roosevelt National Park, and the Theodore Roosevelt Medora Foundation; and

Whereas, on July 1, 2015, the Medora Musical celebrates its 50th anniversary: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Medora Musical on its 50th anniversary;

(2) recognizes the remarkable talents and achievements of the many cast and crew members and volunteers of the Medora Musical who embody the true spirit of the patriotism and stewardship of the United States; and

(3) acknowledges the contributions of the Theodore Roosevelt Medora Foundation to preserving the life and legacy of President Theodore Roosevelt.

SENATE RESOLUTION 221—RECOGNIZING THE 100TH ANNIVERSARY OF ROCKY MOUNTAIN NATIONAL PARK

Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 221

Whereas in 1909, reflecting on the beauty of what would become Rocky Mountain National Park, park promoter, Enos Mills wrote, ''In years to come when I am asleep

beneath the pines, thousands of families will find rest and hope in this park'';

Whereas on January 26, 1915, President Woodrow Wilson signed into law the Act commonly known as the ''Rocky Mountain National Park Act'' (38 Stat. 798, chapter 19), which gave that land the special designation of a national park and preserved the land for the enjoyment of all people of the United States;

Whereas 2015 marks the 100th anniversary of the establishment of Rocky Mountain National Park;

Whereas Rocky Mountain National Park is not only a State treasure, but a national treasure that attracts more than 3,000,000 visitors each year, and benefits national, State, and local economies by generating millions of dollars in revenue;

Whereas Rocky Mountain National Park provides visitors with unparalleled opportunities to experience hundreds of miles of hiking trails, nearly 150 lakes, and scenic vistas including tundra and montane ecosystems;

Whereas on March 30, 2009, 95 percent of Rocky Mountain National Park was designated as wilderness and the park showcases the diverse natural beauty of these rugged mountains;

Whereas Rocky Mountain National Park has an average altitude higher than any other national park in the United States, with dozens of mountains higher than 12,000 feet in elevation, including Longs Peak, which stands at a massive 14,259 feet;

Whereas Rocky Mountain National Park remains an iconic Colorado landscape with significant cultural connections to Native Americans;

Whereas Rocky Mountain National Park protects 415 square miles of diverse ecosystems and is home to a wide array of wildlife, including bighorn sheep, bears, beavers, marmots, moose, mountain lions, and elk;

Whereas the National Park Service will continue the long tradition of preserving and protecting Rocky Mountain National Park for years to come, providing access to the wilderness and wildlife within Rocky Mountain National Park for generations of Americans; and

Whereas on September 4, 2015, the National Park Service intends to re-dedicate Rocky Mountain National Park for the next 100 years;

Now, therefore, be it

Resolved, That the Senate-

(1) congratulates and celebrates Rocky Mountain National Park on the 100th anniversary of the establishment of the park;

(2) encourages all people of Colorado and of the United States to visit that unique national treasure; and

(3) declares September 4, 2015, as Rocky Mountain National Park Day.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2178. Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2179. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2180. Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2182. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2183. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2184. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2185. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2186. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2187. Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2188. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2189. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2190. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2191. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2192. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2193. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2194. Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2195. Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2196. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2197. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2198. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2199. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2200. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2201. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2202. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2203. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2204. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2205. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2206. Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2207. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2208. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2209. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2210. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2211. Mr. BENNET submitted an amendment intended to be proposed to

amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr . NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

TEXT OF AMENDMENTS

SA 2178. Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 170, strike lines 20 through 25, and insert the following:

''(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is $5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.'';

SA 2179. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

PART C—LOCAL LEADERSHIP IN EDUCATION

SEC. 10301. SHORT TITLE.

This part may be cited as the ''Local Leadership in Education Act''.

SEC. 10302. PROHIBITIONS IN THE ELEMENTARY AND SECONDARY EDUCATION ACT.

(a) GENERAL PROHIBITIONS.—Section 9527 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7907), as amended by section 9110, is further amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) GENERAL PROHIBITIONS.—

''(1) IN GENERAL.—An officer or employee of the Federal Government shall not directly or indirectly, through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401)—

''(A) mandate, direct, or control a State, local educational agency, or school's academic standards, curriculum, program of instruction, or allocation of State or local resources;

''(B) mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

''(C) incentivize a State, local educational agency, or school to adopt any specific academic standards or a specific curriculum or program of instruction, which shall include providing any priority, preference, or special consideration during an application process based on any specific academic standards, curriculum, or program of instruction;

''(D) make financial support available in a manner that is conditioned upon a State, local educational agency, or school's adoption of specific instructional content, academic standards, or curriculum, or on the administration of assessments or tests, even if such requirements are specified in this Act; or

''(E) mandate or require States to administer assessments or tests to students.

''(2) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government directly or indirectly, whether through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401), to do any activity prohibited under subsection (a).'';

(2) by redesignating subsection (c) as subsection (a); and

(3) by adding at the end the following:

''(b) PROHIBITION ON ASSESSMENTS IN TITLE I.—Part A of title I shall be carried out without regard to any requirement that a State carry out academic assessments or that local educational agencies, elementary schools, and secondary schools make adequate yearly progress.''.

(b) PROHIBITION ON WAIVER CONDITIONS, REQUIREMENTS, OR PREFERENCES.—Section 9401 (20 U.S.C. 7861), as amended by section 9105, is further amended by striking subsection (h) and inserting the following:

''(h) PROHIBITION ON WAIVER CONDITIONS.—

''(1) IN GENERAL.—The Secretary shall not establish as a condition for granting a waiver under this section—

''(A) the approval of academic standards by the Federal government; or

''(B) the administration of assessments or tests to students.

''(2) EFFECT ON PREVIOUSLY ISSUED WAIVERS.—

''(A) IN GENERAL.—Any requirement described in paragraph (1) that was required for a waiver provided to a State, local educational agency, Indian tribe, or school under this section before the date of enactment of the Local Leadership in Education Act shall be void and have no force of law.

''(B) PROHIBITED ACTIONS.—The Secretary shall not—

''(i) enforce any requirement that is void pursuant to subparagraph (A); and

''(ii) require the State, local educational agency, Indian tribe, or school to reapply for a waiver, or to agree to any other condition to replace any requirement that is void pursuant to subparagraph (A), until the end of the period of time specified under the waiver.

''(C) NO EFFECT ON OTHER PROVISIONS.—Any other provisions or requirements of a waiver provided under this section before the date of enactment of the Local Leadership in Education Act that are not affected by subparagraph (A) shall remain in effect for the period of time specified under the waiver.''.

SEC. 10303. PROHIBITION IN THE GENERAL EDUCATION PROVISIONS ACT.

Section 438 of the General Education Provisions Act (20 U.S.C. 1232a) is amended—

(1) by striking ''No provision of any applicable program shall be construed to authorize any department, agency, officer, or employee of the United States to'' and inserting ''A department, agency, officer, or employee of the United States shall not'';

(2) by inserting ''(including the development of curriculum)'' after ''over the curriculum''; and

(3) by striking ''to'' after ''institution or school system, or''.

SEC. 10304. PROHIBITION IN RACE TO THE TOP FUNDING.

Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by inserting after section 14007 the following:

''SEC. 14007A. PROHIBITION ON ASSESSMENTS.

''Notwithstanding any other provision of law, no funds provided under section 14006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5, 123 Stat. 283) shall be used to develop, pilot test, field test, implement, administer, or distribute any assessment or testing materials.''.

SA 2180. Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 28, between lines 6 and 7, insert the following:

''(vi) include in the plan a description of assessments referred to in paragraph (2), or an accountability system referred to in paragraph (3), of subsection (b), nor may the Secretary require inclusion of a description of such assessments or system in a plan or application, or use inclusion of such assessments or system as a factor in awarding Federal funding, under any other provision of this Act; or

On page 28, line 7, strike ''(vi)'' and insert ''(vii)''.

On page 36, strike line 18 and all that follows through line 25 on page 58, and insert the following:

''(2) ASSESSMENTS.—A State may include in the State plan a description of, and may implement, a set of high-quality statewide academic assessments.

''(3) ACCOUNTABILITY.—A State may include in the State plan a description of, and may implement, an accountability system.

On page 146, strike line 1 and all that follows through line 23, on page 166.

On page 183, between lines 6 and 7, insert the following

SEC. 1008A. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

After section 1118, as redesignated by section 1004(3), insert the following:

''SEC. 1119. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

''Notwithstanding any other provision of law, including any other provision of this Act, wherever in this Act a reference is made to assessments or accountability under this part, including a reference to a provision under paragraphs (2) or (3) of section 1111(b)—

''(1) in the case of a State that elects to implement assessments referred to in section 1111(b)(2), a reference to assessments under this part shall be deemed to be a reference to those assessments and shall be carried out to the extent practicable based on the State-determined assessments;

''(2) in the case of a State that elects to implement an accountability system referred to in section 1111(b)(3), a reference to accountability under this part shall be deemed to be a reference to accountability

under that system, and shall be carried out to the extent practicable based on the State-determined accountability system; and

''(3) in the case of any State not described in paragraph (1) or (2), the reference shall have no effect.''.

On page 185, strike line 19 and all that follows through line 2 on page 228 and insert the following:

SEC. 1012. REPEAL.

Part B of title I (20 U.S.C. 6361 et seq.) is repealed.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: ''; and

''(iii) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

SA 2182. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 469, line 22, strike ''as well as'' and insert ''or encourage and develop skills that contribute to''.

SA 2183. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 40, between lines 14 and 15, insert the following:

''(IV) the inclusion of students in programs that use a Native American language, including American Indian, Native Hawaiian, and Alaska Native languages, as the predominant medium language of instruction, including programs funded by the Bureau of Indian Education, who shall have the option to be assessed in a valid and reliable manner in the language of instruction and form most likely to yield accurate data on what such students know and can do in academic content areas, provided that these students are assessed in English in reading or language arts, even where such assessment is also administered in a Native American language;

SA 2184. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 228, between lines 2 and 3, insert the following:

''SEC. 1206. DEMONSTRATION OF NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

''(a) PURPOSE.—The purpose of this section is to demonstrate coordinated best practice in carrying out the educational purposes and provisions of the Native American Languages Act (25 U.S.C. 2901) in a variety of existing schools taught predominantly through the medium of Native American languages located on or near lands controlled by a Native American entity.

''(b) AWARDING OF PROJECT.—The Secretary shall award a grant to carry out a demonstration project under this section to an entity that meets the criteria described in subsection (c) and has the most experience in Native American language medium education.

''(c) DEMONSTRATION PROJECT.—The demonstration project shall—

''(1) include established schools or programs that have been in existence for not less than 10 years;

''(2) serve Alaska Natives, Native Hawaiians, and American Indians, with at least 1 example school or program from each of these Native categories assisted under this section;

''(3) include example classes in preschool, elementary school, intermediate school, and high school;

''(4) include a diversity of program types located in a variety of school types, including at least 1 example in each of a Bureau of Indian Affairs school, a public school, a charter school, and a private school;

''(5) be for a period of 3 years with an extension for an additional 2 years at the discretion of the Secretary;

''(6) be visited in whole or in part by the Secretary and the Secretary of the Interior or their designees;

''(7) be lead and coordinated by an entity within a tribal, State, or private institution of higher education with a high level of experience in serving the needs of Native American language medium education at a variety of levels and circumstances on a State and national level; and

''(8) provide opportunities for participation of other tribal, State, and private institutions of higher education.

''(d) WAIVERS.—The Secretary may further the purpose of this section by waiving provisions of this Act that the Secretary determines appropriate and not in conflict with other Federal law.

''(e) FUNDING.—The Secretary may fund the demonstration project under this section with unspent funds from other provisions of this Act.

SA 2185. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

''PART J—INNOVATION SCHOOLS DEMONSTRATION AUTHORITY

''SEC. 5910. INNOVATION SCHOOLS.

''(a) PURPOSE.—The purpose of the flexibility authority under this part is to provide local educational agencies with the flexibility to create locally-designed innovation schools in order to achieve increased autonomy and support for innovation schools.

''(b) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency that receives a local flexibility agreement under this part.

''(2) ELIGIBLE STATE EDUCATIONAL AGENCY.—The term 'eligible State educational agency' means a State educational agency that has adopted policies or procedures that allow the development, consideration, and approval of innovation school plans, consistent with the provisions of this part.

''(3) INNOVATION SCHOOL.—The term 'innovation school' means a public school that—

''(A) is established for the purpose of generating enhanced opportunities for students to learn and achieve through increased educator and school-level professional autonomy and flexibility;

''(B) is a collaborative initiative enjoying strong buy-in, pursuant to subparagraphs (F) and (G) of subsection (f)(1), from key stakeholders, including parents, education employees, and representatives of such employees, where applicable;

''(C) ensures equitable access for all student populations;

''(D) operates with the same degree of transparency and is held to the same accountability standards applicable to other schools in the school district served by the local educational agency that serves the innovation school; and

''(E) is not a magnet school.

''(c) AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to allow eligible State educational agencies to receive flexibility authority to provide local educational agencies with flexibility agreements if such eligible State educational agencies—

''(A) demonstrate that flexibility agreements are necessary for the successful operation of innovation schools; and

''(B) provide a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to innovation schools.

''(2) EXCEPTION.—Flexibility authority and flexibility agreements shall not be granted under paragraph (1) with respect to any provision under part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, or section 504 of the Rehabilitation Act of 1973.

''(d) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—Each eligible State educational agency receiving flexibility authority under subsection (c) shall, to the extent practicable and applicable, ensure that local flexibility agreements made with eligible entities—

''(1) prioritize local educational agencies that—

''(A) serve the largest numbers or percentages of students from low-income families; or

''(B) will use the provided flexibility for innovative strategies in schools identified as in need of intervention and support under section 1114; and

''(2) are geographically diverse, including provided to local educational agencies serving urban, suburban, or rural areas.

''(e) STATE APPLICATIONS AND REQUIREMENTS.—

''(1) IN GENERAL.—An eligible State educational agency desiring to receive flexibility authority under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) DESCRIPTION OF PROGRAM.—A description of the eligible State educational agency's objectives in supporting innovation schools, and how the objectives of the program will be carried out, including—

''(i) a description of how the State educational agency will—

''(I) support the success of innovation schools;

''(II) inform local educational agencies, communities, and schools of the opportunity for local flexibility agreements under this part;

''(III) work with eligible entities to ensure that innovation schools access all Federal, State, and local funds such schools are eligible to receive;

''(IV) work with eligible entities to ensure that innovation schools receive waivers to all Federal, State, and local laws necessary to implement innovation schools' innovation plans;

''(V) ensure each eligible entity works with innovation schools to ensure inclusion of all students and promote retention of students in the school; and

''(VI) share best and promising practices among innovation schools and other schools;

''(ii) a description of how the State educational agency will actively monitor each eligible entity in a local flexibility agreement to hold innovation schools accountable to ensure a high-quality education, including by approving, re-approving, and revoking the innovation plan and its attendant flexibility based on the performance of the innovation school, in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes; and

''(iii) a description of how the State educational agency will approve local flexibility agreements, including—

''(I) a description of the application each local educational agency desiring to enter into such a flexibility agreement will submit, which application shall include—

''(aa) the school innovation plan;

''(bb) a description of the roles and responsibilities of local educational agencies and of any other organizations with which the local educational agency will partner to open innovation schools, including administrative and contractual roles and responsibilities;

''(cc) a description of the quality controls that will be used by the local educational agency, such as a contract or performance agreement that includes a school's performance in the State's academic accountability system and impact on student achievement;

''(dd) a description of the planned activities to be carried out under the flexibility agreement; and

''(ee) a description of waivers and other flexibility needed to implement the school innovation plan; and

''(II) a description of how the State educational agency will review applications from local educational agencies.

''(B) STATE ASSURANCES.—Assurances from the State educational agency that—

''(i) each eligible entity will ensure that innovation schools have a high degree of autonomy over budget and operations;

''(ii) the State educational agency—

''(I) and each eligible entity entering into a local flexibility agreement under this section will ensure that each innovation school that receives funds under the entity's program is meeting the requirements of this Act, , part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

''(II) will ensure that each eligible entity adequately monitors and provides adequate technical assistance to each innovation school in recruiting, enrolling, and meeting the needs of all students, including children with disabilities and English learners;

''(iii) the State educational agency will ensure that the eligible entity will monitor innovation schools, including by—

''(I) using annual performance data, including graduation rates and student academic achievement data, as appropriate;

''(II) if applicable, reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

''(III) holding innovation schools accountable to the academic, financial, and operational quality controls outlined in the innovation plan, such as through renewal, nonrenewal, or revocation of the school's innovation plan;

''(iv) the State educational agency will ensure that, to the greatest extent possible, State and local rules, generally applicable to public schools, will be waived, or otherwise not apply, to the extent necessary, to innovation plans at each innovation school;

''(v) eligible entities will ensure that each innovation school makes publicly available information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for students in the innovation school; and

''(vi) the State educational agency consulted with local educational agencies, schools, teachers, principals, other school leaders, and parents in developing the State application.

''(2) ADDITIONAL ELEMENTS.—The provisions of peer review, approval, determination, demonstration, revision, disapproval, limitations, public review, and additional information applicable to State plans under paragraphs (3), (4), (5), (6), (7), and (8)(B) of section 1111(a) shall apply in the same manner to State applications submitted under this subsection.

''(f) LOCAL EDUCATIONAL AGENCY APPLICATIONS AND REQUIREMENTS.—A local educational agency that desires to enter into a local flexibility agreement shall submit to the State educational agency such information that the State educational agency shall require, including—

''(1) the plans for all approved innovation schools to be served by the local educational agency, which shall include—

''(A) a statement of the innovations school's mission and why designation as an innovation school would enhance the school's ability to achieve its mission;

''(B) a description of the innovations the public school would implement, which may include, innovations in school staffing, curriculum and assessment, class scheduling and size, use of financial and other resources, and faculty recruitment, employment, evaluation, compensation, and extracurricular activities;

''(C) if the innovation school seeks to establish an advisory board, a description of—

''(i) the membership of the board (which may include representatives of teachers, parents, students, the local educational agency, the State educational agency, the business community, institutions of higher education, or other community representatives);

''(ii) its responsibilities in designing and furthering the mission of the innovation school; and

''(iii) how the board will ensure coordination with the local educational agency and State educational agency;

''(D) a listing of the programs, policies, or operational documents within the public school that would be affected by the public school's identified innovations and the manner in which they would be affected, which shall include—

''(i) the research-based educational program the school would implement;

''(ii) the length of school day and school year at the school;

''(iii) the student engagement policies to be implemented at the school;

''(iv) the school's instruction and assessment plan;

''(v) the school's plan to use data, evaluation, and professional learning to improve student achievement;

''(vi) the proposed budget for the school;

''(vii) the proposed staffing plan or staff compensation model for the school; and

''(viii) the professional development needs of leaders and staff to implement the program and how those needs will be addressed;

''(E) an identification of the improvements in academic performance that the school expects to achieve in implementing the innovations;

''(F) evidence that a majority of the administrators employed at the public school support the request for designation as an innovation school;

''(G) evidence that not less than two-thirds of the regularly employed employees at the school vote by secret ballot to approve the school's innovation school plan;

''(H) evidence that the school has strong parental support, demonstrated in a manner determined appropriate by the State educational agency;

''(I) a description of any regulatory or policy requirements that would need to be waived for the public school to implement its identified innovations; and

''(J) any additional information required by the local educational agency in which the innovation plan would be implemented;

''(2) a description of any rules or regulations that the local educational agency will waive in order to provide autonomy to the innovation schools and why waiving such regulations will benefit students;

''(3) a description of any State regulations that the local educational agency seeks to waive in order to provide autonomy to innovation schools, and why waiving such regulations will benefit students; and

''(4) a description of the process that the local educational agency will use to regularly review the progress of innovation schools, including student performance and performance in the State's accountability system and decide whether to revoke or continue the innovation school's autonomy.

''(g) TEACHER CERTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this part, except as provided under paragraph (2), not more than 5 percent of the teachers in an innovation school granted flexibility under this part may be unlicensed or uncertified at any one time. Such unlicensed or uncertified teachers shall become licensed or certified within 3 years of being hired.

''(2) STATE REQUIREMENTS.—Innovation schools located in a State with a more lenient teacher license or certification requirement than the requirement described in paragraph (1) may hire teachers in accordance with State teacher license or certification requirements.

''(h) REPORTING REQUIREMENTS AND ASSESSMENTS.—

''(1) REPORTING.—Each eligible State educational agency receiving the flexibility authority granted by the Secretary under this section shall submit to the Secretary, at the end of the third year of the demonstration period and at the end of any renewal period, a report that includes the following:

''(A) The number of students served by each innovation school under this part and, if applicable, the number of new students served during each year of the demonstration period, expressed as a total number and as a percentage of the students enrolled in the State and relevant local educational agencies.

''(B) The number of innovation schools served under this part.

''(C) An overview of the innovations implemented in the innovation schools and the innovation school zones in the districts of innovation.

''(D) An overview of the academic performance of the students served in innovation schools, including a comparison between the students' academic performance before and since implementation of the innovations.

''(2) EVALUATION.—The Director of the Institute of Education Sciences (or a comparable, independent research organization) shall conduct an evaluation of the program under this part after year 3 and 5 of the program and every 2 years thereafter.

''(i) RULE OF CONSTRUCTION AND PROHIBITIONS.—

''(1) RULE OF CONSTRUCTION REGARDING EMPLOYMENT.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

''(2) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this part shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes the terms governing innovation schools served under this part.

''(j) DURATION OF FLEXIBILITY DEMONSTRATION AUTHORITY AND AGREEMENTS.—

''(1) FLEXIBILITY DEMONSTRATION AUTHORITY.—Flexibility demonstration authority under this part shall be awarded for a period that shall not exceed 5 fiscal years, and may be renewed by the Secretary for 1 additional 2-year period.

''(2) LOCAL FLEXIBILITY AGREEMENTS.—Local flexibility agreements awarded by an eligible State educational agency under this part shall be for a period of not more than 5 years.''.

SA 2186. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. PROMISE NEIGHBORHOODS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—PROMISE NEIGHBORHOODS

''SEC. 5910. SHORT TITLE.

''This part may be cited as the 'Promise Neighborhoods Act of 2015'.

''SEC. 5911. PURPOSE.

''The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities, including ensuring school readiness, high school graduation, and college and career readiness for such children, and access to a community-based continuum of high-quality services.

''SEC. 5912. PIPELINE SERVICES DEFINED.

''In this part, the term 'pipeline services' means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

''(1) High-quality early learning opportunities.

''(2) High-quality schools and out-of-school-time programs and strategies.

''(3) Support for a child's transition to elementary school, support for a child's transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce, including any comprehensive readiness assessment as deemed necessary.

''(4) Family and community engagement.

''(5) Family and student supports, which may be provided within the school building.

''(6) Activities that support college and career readiness.

''(7) Community-based support for students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

''SEC. 5913. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services that meet the purpose of this part by carrying out the activities in neighborhoods with high concentrations of low-income individuals and multiple signs of distress, which may include poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration, and persistently low-achieving schools or schools with an achievement gap.

''(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

''(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years, and may be renewed for an additional period of not more than 5 years

''(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b), after the third year of the grant period shall be contingent on the eligible entity's progress toward meeting the performance metrics described in section 5918(a).

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

''(2) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind donations.

''(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

''(e) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), including the requirement for funds for private sources for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

''(f) RESERVATION FOR RURAL AREAS.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve not less than 20 percent for eligible entities that propose to carry out the activities described in section 5916 in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

''SEC. 5914. ELIGIBLE ENTITIES.

''In this part, the term 'eligible entity' means—

''(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

''(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

''(3) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

''(A) A high-need local educational agency.

''(B) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

''(C) The office of a chief elected official of a unit of local government.

''(D) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''SEC. 5915. APPLICATION REQUIREMENTS.

''(a) IN GENERAL.—An eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

''(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4), and supported by evidence-based practices.

''(2) A description of the neighborhood that the eligible entity will serve.

''(3) Measurable annual goals for the outcomes of the grant, including performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant.

''(4) An analysis of the needs and assets, including size and scope of population affected of the neighborhood identified in paragraph (1), including—

''(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

''(B) an analysis of community assets and collaborative efforts, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum, early learning, family and student supports, local businesses, and institutions of higher education;

''(C) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

''(D) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

''(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will collect data on children served by each pipeline service and increase the percentage of children served over time.

''(6) A description of the process used to develop the application, including the involvement of family and community members.

''(7) A description of how the pipeline services will facilitate the coordination of the following activities:

''(A) Providing high-quality early learning opportunities for children, including by providing opportunities for families and expectant parents to acquire the skills to promote early learning and child development, and ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act, where applicable.

''(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based education reforms, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for college admissions and success.

''(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

''(D) Providing social, health, nutrition, and mental health services and supports, including referrals for essential healthcare and preventative screenings, for children, family, and community members, which may include services provided within the school building.

''(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to college courses for and college enrollment aide or guidance, and other supports for at-risk youth.

''(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

''(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part, and the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development, providing services for students, families, and communities within the school building, and collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

''(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

''(11) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

''(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

''(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

''(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

''(3) each partner's mission and the plan that will govern the work that the partners do together;

''(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

''(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

''SEC. 5916. USE OF FUNDS.

''(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

''(1) support planning activities to develop and implement pipeline services;

''(2) implement the pipeline services, as described in the application under section 5915; and

''(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

''(b) SPECIAL RULES.—

''(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

''(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

''(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

''(A) Assessments that provide rewards or sanctions for individual children or teachers.

''(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

''(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

''SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.

''(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

''(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

''(2) information relating to the performance metrics described in section 5918(a); and

''(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

''SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

''(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall address the entity's progress toward meeting the goals of this part to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decision making and access to a community-based continuum of high-quality services, beginning at birth.

''(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

''SEC. 5919. NATIONAL ACTIVITIES.

''From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include research, technical assistance, professional development, dissemination of best practices, and other activities consistent with the purposes of this part.

''SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2187. Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, line 18, insert ''disability category as described in subparagraphs (A)(i) and (if applicable for the State) (B)(i) of section 602(3) of the Individuals with Disabilities Education Act,'' after ''homeless status,''.

SA 2188. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 12 and 13, insert the following:

''(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

''(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in actionable steps to inform and differentiate instruction and support;

''(ii) ensure effective student transitions from elementary school to middle grades and

middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable such students to stay on the path to graduation;

''(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

''(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

''(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

On page 69, line 13, strike ''(M)'' and insert ''(N)''.

On page 69, line 17, strike ''(N)'' and insert ''(O)''.

On page 772, between lines 14 and 15, insert the following:

''(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.''.

At the end of the bill, add the following:

SEC. 1020__. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

SA 2189. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. IMPROVING SECONDARY SCHOOLS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—IMPROVING SECONDARY SCHOOLS

''SEC. 5910. PURPOSES.

''The purposes of this part are to increase the number and percentage of students who—

''(1) successfully matriculate from middle school to high school;

''(2) graduate from high school college- and career-ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

''(3) earn college-level credit and postsecondary credentials, including industry-based credentials, such as through early college and dual enrollment while in high school;

''(4) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and real world workplace experiences; and

''(5) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics, particularly for student groups historically underrepresented in these fields.

''SEC. 5911. DEFINITIONS.

''In this part:

''(1) APPLIED LEARNING.—The term 'applied learning' means a strategy that engages students in opportunities to apply rigorous academic content aligned with college-level expectations to real world experience, through such means as project-based, work-based, or service-based learning, and develops students' cognitive competencies and pertinent employability skills.

''(2) ATTRITION.—The term 'attrition' means the reduction in a school's student population as a result of transfers or dropouts and includes students who have been enrolled for a minimum of 3 weeks within the academic year.

''(3) CHRONICALLY ABSENT.—The term 'chronically absent', when used with respect to a student—

''(A) means a student who misses not less than 10 percent of the school days at a school; and

''(B) does not include any school days a student misses due to an in-school or out-of-school suspension, or for which a student was not enrolled at such school.

''(4) COMPETENCY-BASED LEARNING MODEL.—

''(A) IN GENERAL.—The term 'competency-based learning model' means an education model in which students advance academically based upon multiple demonstrations of competence in defined content-specific concepts and higher order skills, such as critical thinking and problem solving.

''(B) REQUIREMENTS.—In a competency-based learning model the following applies:

''(i) Competencies include explicit, measurable, and transferable learning objectives.

''(ii) Assessment is used to identify gaps in a student's knowledge and to provide frequent and meaningful feedback on the student's progression toward filling such gaps and moving on to higher levels of knowledge.

''(iii) Each student receives timely, differentiated support based on the student's individual learning needs.

''(iv) Student agency is emphasized through transparency of goals and gaps in knowledge, and multiple means to close those gaps.

''(5) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency or a consortium of local educational agencies—

''(A) in partnership with—

''(i) 1 or more institutions of higher education; and

''(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

''(B) that may include 1 or more external partners, such as a qualified intermediary.

''(6) ELIGIBLE HIGH SCHOOL.—The term 'eligible high school' means a high school that—

''(A) does not receive funding under section 1114(c);

''(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

''(7) ELIGIBLE MIDDLE SCHOOL.—The term 'eligible middle school' means a middle school—

''(A) that does not receive funding under section 1114(c);

''(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) from which a significant number or percentage of students go on to attend an eligible high school.

''(8) INDUSTRY-BASED CREDENTIAL.—The term 'industry-based credential' has the meaning given the term 'recognized postsecondary credential' in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(9) PERSONALIZED LEARNING.—The term 'personalized learning' means a learning environment that addresses students' academic and non-academic needs and provides students with an individualized sequence of academic content, skill development, support services, and ensures that each student has an advisor designed to enable the student to achieve the student's individual learning goals and ensure the student graduates on time and ready for college and a career by having developed skills and competencies, including the ability to think critically, solve complex or non-routine problems, evaluate arguments on the basis of evidence, and communicate effectively.

''(10) QUALIFIED INTERMEDIARY.—The term 'qualified intermediary' means an entity that has—

''(A) a demonstrated record of working on grant-related middle school and high school redesign activities; and

''(B) expertise in building and sustaining partnerships with entities such as employers, schools, community-based organizations, institutions of higher education, social service organizations, economic development organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth (including connecting employers to classrooms, designing and implementing contextualized pathways to postsecondary education and careers, developing integrated curricula, delivering professional development, and connecting students to internships and other work-based learning opportunities).

''(11) STUDENT-CENTERED LEARNING APPROACHES.—The term 'student-centered learning approaches' means instruction and curriculum that—

''(A) are—

''(i) based on personalized learning; and

''(ii) mastery oriented or based on competency-based learning models;

''(B) enable students to have supports to take increased responsibility over their education and develop self-regulation skills; and

''(C) are designed to foster the skills and dispositions students need to succeed in college, career, and citizenship, and the competencies described under paragraph (4).

''(12) TRANSFER RATE.—The term 'transfer rate' means the rate at which students transfer from one high school to another high school, or from one high school to another education setting, for a reason other than due to a change in primary residence, as verified through written documentation by the local educational agency serving the student at the time of the transfer.

''SEC. 5912. GRANTS AUTHORIZED.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall make grants to State educational agencies with approved State plans to achieve the purposes of this part.

''(2) COMPETITIVE BASIS.—For any fiscal year for which the amount appropriated under section 5916 is less than $300,000,000, the Secretary shall award grants to State educational agencies under paragraph (1) on a competitive basis.

''(3) FORMULA BASIS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall award grants

to State educational agencies from allotments made under subsection (b).

''(b) DETERMINATION OF ALLOTMENTS.—

''(1) RESERVATION OF FUNDS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall reserve, from the total amount appropriated under section 5916 for the fiscal year—

''(A) one half of 1 percent, which shall be awarded, on a competitive basis, by the Bureau of Indian Education for activities consistent with the purposes of this part; and

''(B) not more than 2.5 percent for national activities, including evaluation, dissemination of best practices, and technical assistance.

''(2) STATE ALLOTMENT.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall allot to each State the sum of, from the total amount appropriated under section 5916 for a fiscal year and not reserved under paragraph (1)—

''(A) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in which at least 50 percent of enrolled students are student from low-income families, as determined by the local educational agency pursuant to section 1113, in the State bears to the total of such percentages for all the States; and

''(B) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in the State bears to the total of such percentages for all the States.

''(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the remaining States in accordance with this subsection.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—A State educational agency awarded a grant under this section shall use not less than 95 percent of the grant funds to award subgrants to eligible entities under section 5914.

''(2) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the grant funds for evaluation and capacity building activities, including training, technical assistance, professional development, and administrative costs of carrying out responsibilities under this part.

''SEC. 5913. STATE APPLICATION.

''(a) IN GENERAL.—In order to receive a grant for any fiscal year, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of how the State educational agency will utilize funds reserved under section 5912(c)(2) for State activities.

''(2) A description of the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis.

''(3) An assurance that subgrants awarded to eligible entities under section 5914 will be for a period of 5 years, conditional after 3 years on satisfactory progress on the leading performance indicators described in section 5914(b)(2)(G)(i), and renewable for 3 additional 1-year periods, based on satisfactory progress on the core indicators in section 5914(b)(2)(G)(ii).

''(4) An assurance that the State educational agency will allow eligible entities to utilize funds awarded under section 5914 for planning purposes for not more than 1 year after receiving a subgrant, and withhold subsequent allocations of subgrant funds if the State educational agency determines an eligible plan to be insufficient to effectively achieve the purpose of this part.

''(5) An assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs.

''(6) A description of how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, including how performance on leading performance indicators described in section 5914(b)(2)(G)(i) and core indicators in section 5914(b)(2)(G)(ii) will be incorporated into the evaluation.

''(7) An articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires credit earned as a result of the successful completion of a dual enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

''(8) A description of the policies and strategies that will be implemented to improve school climate.

''(c) APPROVAL; DISAPPROVAL; NOTIFICATION; RESPONSE; FAILURE TO RESPOND.—The provisions of approval, disapproval, notification, response, and failure to respond applicable to State applications under subsections (b), (c), (d), (e), and (f) of section 4203 shall apply in the same manner to State applications submitted under this section.

''SEC. 5914. SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) IN GENERAL.—A State that receives a grant under this part shall use the portion of the grant funds described under section 5912(c)(1) to award subgrants to eligible entities.

''(b) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include, at a minimum, the following:

''(A) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible to all students.

''(B) A description of the responsibilities to be carried out by each member of the eligible entity and additional external partners or qualified intermediaries.

''(C) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

''(D) A description of the comprehensive needs assessment and capacity analysis of the eligible entity, eligible middle schools, and eligible high schools that will be served under the subgrant.

''(E) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-related learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

''(F) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

''(G) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

''(i) leading indicators, which may include—

''(I) annual, average attendance rates and the number and percentage of students who are chronically absent;

''(II) rates, including disproportionality, of expulsions, suspensions, school violence, harassment, and bullying (as defined under State or local laws or policies); and

''(III) annual student mobility rates, transfer rates, and attrition rates;

''(ii) core indicators, which may include—

''(I) graduation rates;

''(II) dropout recovery (re-entry) rates;

''(III) percentage of students who have on-time credit accumulation at the end of each grade, and whom are on track to graduate within 4 years, and the percentage of students failing a core subject course;

''(IV) percentage of students who successfully transitioned from 8th to 9th grade; and

''(V) student achievement data, including the percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2); and

''(iii) indicators of postsecondary education readiness, which may include—

''(I) percentage of students successfully completing rigorous postsecondary education courses while attending a secondary school, such as Advanced Placement or International Baccalaureate courses;

''(II) percentage of students who have on-time credit accumulation at the end of each grade or who have earned postsecondary education credit;

''(III) rates of workplace experience and other indicators of the acquisition of employability skills, including the number and percentage of students earning a recognized postsecondary credential, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

''(IV) the number and percentage of students completing a registered apprenticeship program (as defined in section 171(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226)).

''(c) REQUIRED USES OF FUNDS.—

''(1) DISTRICTWIDE REQUIRED USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use not less than 15 percent of the subgrant funds to—

''(A) implement an early warning indicator system in eligible middle schools and eligible high schools to identify struggling students and create a system of timely and effective evidence-based and linguistically and culturally relevant interventions, by—

''(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

''(ii) identifying specific indicators of student progress and performance to determine whether students are on track to graduate secondary school in 4 years and to guide decision making, such as academic performance in core courses, postsecondary education credit accumulation, and attendance, including the percentage of students who are chronically absent;

''(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

''(iv) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

''(B) provide support and credit recovery opportunities for students with disabilities, English learners, and students who are overaged and under-credited, at secondary schools served by the eligible entity or other appropriate settings by offering activities;

''(C) provide dropout recovery or re-entry programs that are designed to encourage and support dropouts returning to an educational system, program, or institution following an extended absence in order to graduate college- and career-ready;

''(D) provide evidence-based middle school to high school transition programs and supports, including through curricula alignment and early high school programs that allow students to earn high school credit in middle school;

''(E) strengthen student transitions between schools by implementing a transition strategy based on data collection that monitors the transition between middle school and high school, and high school and postsecondary transitions, and encourages collaboration among elementary school, middle school, and high school grades; and

''(F) provide teachers, principals, other school leaders, non-instructional staff, students, and families with high-quality, easily accessible, and timely information, beginning in middle school, about—

''(i) secondary school graduation requirements;

''(ii) postsecondary education application processes;

''(iii) postsecondary education admissions processes and requirements, including requirements for pursuing postsecondary degrees in STEM-related subjects, including computer science;

''(iv) public financial aid and other available private scholarship and grant aid opportunities;

''(v) regional and national labor market information, including information about national and local STEM-related career opportunities, including in computer science; and

''(vi) other programs and services for increasing rates of college access and success for students from low-income families.

''(2) REQUIRED USE OF FUNDS IN ELIGIBLE MIDDLE SCHOOLS AND ELIGIBLE HIGH SCHOOLS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds in eligible middle schools and eligible high schools to implement a comprehensive approach that will improve academic achievement and increase on-time grade and graduation completion by—

''(A) using early warning indicator and intervention systems described in paragraph (1)(A);

''(B) providing personalized learning and applied learning opportunities;

''(C) implementing organizational practices and school schedules that allow for collaborative teacher, principal, and other school leader participation, team teaching, and common instructional planning time, including across middle school and high school grades to facilitate effective teaching and learning and positive teacher-student interactions;

''(D) increasing the number of teachers certified in the subject area they are assigned to teach;

''(E) providing teachers, principals, and other school leaders with ongoing high-quality professional development, including through the use of professional learning communities and joint training for secondary teachers and postsecondary educators, coaching, and mentoring, that prepares teachers, principals, and other school leaders to—

''(i) address the academic challenges of students;

''(ii) understand the developmental needs of students and how to address those needs in an educational setting;

''(iii) implement data-driven interventions; and

''(iv) provide academic guidance to students in student-to-staff ratios that allows students to make informed decisions about academic options, including financial aid counseling for postsecondary education, so that students can graduate college and career ready; and

''(F) improving access to rigorous courses by—

''(i) in the case of an eligible middle school, providing all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science; and

''(ii) in the case of an eligible high school, providing all students pathways to earn at least 12 postsecondary education credits while in high school;

''(G) promoting the continuous use of student data that results in actionable steps to inform and differentiate instruction and support, including the use of timely data reports that measures attendance, course performance, postsecondary education credit accumulation, and other on-track indicators for all students;

''(H) providing ongoing mechanisms for strengthening family and community engagement;

''(I) providing college and career pathways through such activities as—

''(i) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school students in high-skill, high-demand industries in collaboration with local and regional employers including in STEM-related subject areas, such as computer science, and work-based learning experiences;

''(ii) in the case of eligible high schools, providing dual enrollment, early college, or accelerated learning courses and postsecondary education credit-bearing advanced coursework opportunities, including opportunities to earn industry-based credentials or other recognized postsecondary education credentials, including opportunities for secondary school students who over-age or under-credited and those who have dropped out of school; or

''(iii) designing curricula and sequences of courses, including in STEM-related subjects such as computer science, in collaboration with teachers from the eligible high school and faculty from the partner institution of higher education so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

''(J) strengthening the transition between middle school and high school and high school and postsecondary education through such activities as—

''(i) providing academic and career counseling, such as through low student-to-counselor ratios, that allow students to make informed decisions about academic and career options, including the use of current labor-market information for students, families, teachers, principals, and other school leaders;

''(ii) providing high-quality, age appropriate, college and career exploration opportunities, including college campus visits, work-related learning opportunities, particularly in high demand regional industry areas; and

''(iii) providing academic and support services;

''(K) making more strategic use of learning time, which may include the effective application of technology and redesigning or extending school calendars, flexible scheduling, implementation of competency-based learning models, and time for educators to carry out systemic reform, including the activities described under this part; and

''(L) providing integrated services to address the social, emotional, health, and behavioral needs of students.

''(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

''SEC. 5915. REPORTS.

''Each eligible entity receiving a subgrant under this part shall collect and report annually to the public and the State educational agency, and the State educational agency shall annually report to the Secretary, such information on the results of the activities assisted under the subgrant as the Secretary may reasonably require, including performance on the indicators described in section 5914(b)(2)(I) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

''SEC. 5916. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2190. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

''PART J—IMPROVING SECONDARY SCHOOLS

''SEC. 5910. PURPOSES.

''The purposes of this part are to support student dropout prevention, intervention, and recovery and increase the number and percentage of students who—

''(1) successfully matriculate from middle school to high school;

''(2) graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

''(3) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and workplace experiences, and earn college credit and postsecondary credentials, including industry-based credentials, such as through early college high school courses and dual or concurrent enrollment while in high school; and

''(4) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics (referred to in this part as 'STEM'), particularly for student groups historically underrepresented in these fields.

"SEC. 5911. DEFINITIONS.

''In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or local educational agency or a consortium of local educational agencies—

''(A) in partnership with—

''(i) 1 or more institutions of higher education; and

''(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

''(B) that may include 1 or more external partners, such as a qualified intermediary.

''(2) ELIGIBLE HIGH SCHOOL.—The term 'eligible high school' means a high school that—

''(A) does not receive funding under section 1114(c);

''(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

''(3) ELIGIBLE MIDDLE SCHOOL.—The term 'eligible middle school' means a middle school—

''(A) that does not receive funding under section 1114(c);

''(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) from which a significant number or percentage of students go on to attend an eligible high school.

"SEC. 5912. GRANTS AUTHORIZED.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to geographically and regionally diverse, including rural and remote areas, eligible entities to achieve the purposes of this part.

''(b) GRANT DURATION.—Grants awarded under this part shall be for a period of 5 years, including 1 year which may be used for planning purposes, and may be renewable based on performance on indicators described in section 5913(b)(5).

"SEC. 5913. APPLICATIONS.

''(a) IN GENERAL.—In order to receive a grant for any fiscal year, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible and developmentally appropriate to all students.

''(2) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

''(3) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-based learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

''(4) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

''(5) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

''(A) the number and percentage of students who successfully transitioned from 8th to 9th grade;

''(B) student achievement data, including the number and percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2);

''(C) the number and percentage of students earning credit toward a postsecondary education credential, an industry-based credential, or a postsecondary credential; and

''(D) the number and percentage of students who are on-track to graduate high school, high school graduation rates, and dropout recovery (re-entry) rates.

''(6) A description of the articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires postsecondary credit earned as a result of the successful completion of a dual or concurrent enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

''(c) REQUIRED USES OF FUNDS.—An eligible entity that receives a grant under this section shall use funds to—

''(1) provide college and career pathways through such activities as—

''(A) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school, including in STEM-related subject areas, including computer science;

''(B) in the case of eligible high schools, providing dual or concurrent enrollment courses, early college high school courses, or accelerated learning courses and other opportunities to earn transferable postsecondary education credit and industry-based credentials; and

''(C) designing curricula and sequences of courses so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

''(2) implement an early warning indicator system in eligible middle schools and eligible high schools to promote the continuous use of student data that results in actionable steps to inform and differentiate instruction and support and improve school climate, which may include the use of timely data reports that measures attendance, course performance, disciplinary actions, secondary and postsecondary education credit accumulation, and other on-track indicators for all students;

''(3) in the case of an eligible middle school, provide all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science;

''(4) provide credit recovery and dropout recovery programs;

''(5) provide evidence-based middle school to high school, and high school to postsecondary education, transition programs and supports; and

''(6) provide teachers, principals, and other school leaders with ongoing high-quality professional development to support the activities described under this subsection.

''(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

"SEC. 5914. REPORTS.

''Each eligible entity receiving a grant under this part shall collect and report annually to the public and the Secretary such information on the results of the activities assisted under the grant as the Secretary may reasonably require, including performance on the indicators described in section 5913(b)(5) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

"SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2191. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

''(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school climate;

''(II) school safety;

''(III) class size;

''(IV) availability and use of common planning time and opportunities to collaborate; and

''(V) community engagement;

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(iv) includes the development and implementation of a plan with the groups described in clause (iii), that shall be publicly reported and shall include, at a minimum, annual benchmarks to address the results of the assessment described in this subparagraph; and

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SA 2192. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 1020___. PROHIBITION ON MARKETING OF ELECTRONIC CIGARETTES TO CHILDREN.

(a) ELECTRONIC CIGARETTE DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ''electronic cigarette'' means any electronic device that delivers nicotine, flavor, or other chemicals via a vaporized solution to the user inhaling from the device, including any component, liquid, part, or accessory of such a device, whether or not sold separately.

(2) EXCEPTION.—In this section, the term ''electronic cigarette'' shall not include any product that—

(A) has been approved by the Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes; and

(B) is marketed and sold solely for a purpose approved as described in subparagraph (A).

(b) PROHIBITION.—

(1) IN GENERAL.—No person may advertise, promote, or market in commerce in a State described in paragraph (2) an electronic cigarette in a manner that—

(A) the person knows or should know is likely to contribute towards initiating or increasing the use of electronic cigarettes by children who are younger than 18 years of age; or

(B) the Federal Trade Commission determines, regardless of when or where the advertising, promotion, or marketing occurs, affects or appeals to children described in subparagraph (A).

(2) COVERED STATES.—A State described in this paragraph is a State in which the sale of an electronic cigarette to a child who is younger than 18 years of age is prohibited by a provision of Federal or State law.

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of subsection (b)(1) shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) RULEMAKING.—The Federal Trade Commission shall promulgate standards and rules to carry out this section in accordance with section 553 of title 5, United States Code.

(d) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (b)(1) in a practice that violates such subsection, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—For purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person who violates subsection (b)(1), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with subsection (b)(1) by an amount not greater than $16,000.

(B) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraph (A) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (b)(1), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) CONSTRUCTION.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the marketing of electronic cigarettes, including the marketing of electronic cigarettes to children.

(f) RELATION TO STATE LAW.—This section shall not be construed as superseding, altering, or affecting any provision of law of a State, except to the extent that such provision of law is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

SA 2193. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 783, between lines 11 and 12, insert the following:

(2) in section 9572 (as redesignated by section 4001(5)), by adding at the end the following:

''(6) SMOKING.—The term 'smoking' means the use of any tobacco or tobacco-derived product, including an electronic cigarette.''.

SA 2194. Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 110, strike lines 7 through 17 and insert the following:

''(1) INFORMATION FOR PARENTS .—

''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

SA 2195. Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 132, line 1, insert ''school-based mental health programs,'' after ''counseling,''.

SA 2196. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 10202. SOS CAMPUS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Survivor Outreach and Support Campus Act'' or the ''SOS Campus Act''.

(b) INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.—Part B of title I of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.) is amended by adding at the end the following:

''SEC. 124. INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.

''(a) ADVOCATE.—

''(1) IN GENERAL.—

''(A) DESIGNATION.—Each institution of higher education that receives Federal financial assistance under title IV shall designate an independent advocate for campus sexual assault prevention and response (referred to in this section as the 'Advocate') who shall be appointed based on experience and a demonstrated ability of the individual to effectively provide sexual assault victim services.

''(B) NOTIFICATION OF EXISTENCE OF AND INFORMATION FOR THE ADVOCATE.—Each employee of an institution described in subparagraph (A) who receives a report of sexual assault shall notify the victim of the existence of, contact information for, and services provided by the Advocate of the institution.

''(C) APPOINTMENT.—Not later than 180 days after the date of enactment of the Survivor Outreach and Support Campus Act, the Secretary shall prescribe regulations for institutions to follow in appointing Advocates under this section. At a minimum, each Advocate shall—

''(i) report to an individual outside the body responsible for investigating and adjudicating sexual assault complaints at the institution; and

''(ii) submit to such individual an annual report summarizing how the resources supplied to the advocate were used, including the number of male and female sexual assault victims assisted.

''(2) ROLE OF THE ADVOCATE.—In carrying out the responsibilities described in this section, the Advocate shall represent the interests of the student victim even when in conflict with the interests of the institution. The Advocate may not be disciplined, penalized, or otherwise retaliated against by the institution for representing the interest of the victim, in the event of a conflict of interest with the institution.

''(b) SEXUAL ASSAULT.—In this section, the term 'sexual assault' means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including when the victim is incapable of giving consent.

''(c) RESPONSIBILITIES OF THE ADVOCATE.—Each Advocate shall carry out the following, regardless of whether the victim wishes the victim's report to remain confidential:

''(1)(A) Ensure that victims of sexual assault at the institution receive, with the victim's consent, the following sexual assault victim's assistance services available 24 hours a day:

''(i) Information on how to report a campus sexual assault to law enforcement.

''(ii) Emergency medical care, including follow up medical care as requested.

''(iii) Medical forensic or evidentiary examinations.

''(B) Ensure that victims of sexual assault at the institution receive, with the victim's consent, the following sexual assault victim's assistance services:

''(i) Crisis intervention counseling and ongoing counseling.

''(ii) Information on the victim's rights and referrals to additional support services.

''(iii) Information on legal services.

''(C) The services described in subparagraphs (A) and (B) may be provided either—

''(i) pursuant to a memorandum of understanding (that includes transportation services), at a rape crisis center, legal organization, or other community-based organization located within a reasonable distance from the institution; or

''(ii) on the campus of the institution in consultation with a rape crisis center, legal organization, or other community-based organization.

''(D) A victim of sexual assault may not be disciplined, penalized, or otherwise retaliated against for reporting such assault to the Advocate.

''(2) Guide victims of sexual assault who request assistance through the reporting, counseling, administrative, medical and health, academic accommodations, or legal processes of the institution or local law enforcement.

''(3) Attend, at the request of the victim of sexual assault, any administrative or institution-based adjudication proceeding related to such assault as an advocate for the victim.

''(4) Maintain the privacy and confidentiality of the victim and any witness of such sexual assault, and shall not notify the institution or any other authority of the identity of the victim or any such witness or the alleged circumstances surrounding the reported sexual assault, unless otherwise required by the applicable laws in the State where such institution is located.

''(5) Conduct a public information campaign to inform the students enrolled at the institution of the existence of, contact information for, and services provided by the Advocate, including—

''(A) posting information—

''(i) on the website of the institution;

''(ii) in student orientation materials; and

''(iii) on posters displayed in dormitories, cafeterias, sports arenas, locker rooms, entertainment facilities, and classrooms; and

''(B) training coaches, faculty, school administrators, resident advisors, and other staff to provide information on the existence of, contact information for, and services provided by the Advocate.

''(d) CLERY ACT AND TITLE IX.—Nothing in this section shall alter or amend the rights, duties, and responsibilities under section 485(f) or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (also known as the Patsy Takemoto Mink Equal Opportunity in Education Act).''.

SA 2197. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10202. REPORT ON CYBERSECURITY EDUCATION.

(a) IN GENERAL.—Not later than June 1, 2016, the Secretary of Education shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education curricula are meeting the need of public and private sectors for cyberdefense. Such report shall include—

(1) an assessment of learning outcomes required for future cybersecurity professionals;

(2) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

(3) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals;

(4) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education; and

(5) an assessment of which additional resources the Secretary, State educational agencies, and local educational agencies may need to meet the recommendations described in paragraph (4).

(b) DEFINITIONS.—In this section, the terms ''elementary school'', ''local educational agency'', ''secondary school'', and ''State educational agency'' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SA 2198. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 64, strike lines 1 through 14.

On page 126, strike lines 8 through 11.

On page 134, strike lines 10 through 15.

On page 137, strike lines 3 through 7.

Beginning on page 181, strike line 19 and all that follows through line 6 on page 183.

On page 292, lines 16 and 17, strike '', early childhood directors''.

On page 293, lines 8 and 9, strike '', children who are in early childhood education programs''.

On page 346, line 18, strike ''early education'' and insert ''kindergarten''.

On page 346, lines 21 and 22, strike ''State-designated early childhood education programs and''.

Beginning on page 349, strike line 21 and all that follows through line 2 on page 350.

On page 350, lines 5 and 6, strike '', or a State-designated early childhood education program''.

On page 350, lines 10 and 11, strike ''(which may include State-designated early childhood education programs)''.

On page 352, line 17, strike ''early childhood education'' and insert ''kindergarten''.

Beginning on page 353, strike ''The State'' on line 23 and all that follows through line 5 on page 354.

On page 357, lines 14 and 15, strike ''early education'' and insert ''kindergarten''.

Beginning on page 358, strike line 7 and all that follows through line 4 on page 361.

On page 363, line 6, strike ''early childhood education and''.

On page 364, lines 16 and 17, strike ''early childhood education program staff,''.

On page 388, line 9, strike ''early childhood educators,''.

On page 388, line 16, strike ''early childhood educators,''.

On page 390, lines 22 and 23, strike '', including those in early childhood settings''.

On page 400, lines 2 and 3, strike '', including early childhood education programs''.

On page 405, line 14, strike '', including early childhood educators''.

On page 416, strike lines 14 through 18 and insert the following:

''(6) as appropriate, to coordinate the transition of English learners from early childhood education programs, such as Head Start or State-run preschool programs, to elementary programs;

On page 423, lines 19 and 20, strike '', including children in early childhood education programs''.

On page 443, lines 8 and 9, strike ''early childhood, elementary school,'' and insert ''elementary school''.

On page 448, line 18, strike ''early childhood,''.

On page 495, line 11, strike ''early childhood, elementary school,'' and insert ''elementary school''.

On page 517, strike lines 16 through 19.

On page 519, strike lines 1 through 5.

On page 578, lines 6 and 7, strike ''preschool and''.

On page 579, line 9, strike ''Head Start providers,''.

On page 579, lines 10 and 11, strike '', early childhood development personnel''.

On page 579, line 14, strike ''preschool and''.

On page 580, line 7, strike ''preschool and''.

Beginning on page 609, strike line 22 and all that follows through line 4 on page 610.

Beginning on page 611, strike line 12 and all that follows through line 4 on page 630.

On page 668, strike lines 10 through 11.

On page 676, strike lines 1 through 8.

Beginning on page 706, strike line 3 and all that follows through line 5 on page 707.

On page 760, strike lines 1 through 4.

SA 2199. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, insert the following:

''(V) providing educator training to increase students' entrepreneurship skills; and

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SA 2200. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. _____. ESTABLISHING A SPECIAL COMMITTEE ON CHILDREN.

(a) SPECIAL COMMITTEE ESTABLISHED.—

(1) IN GENERAL.—There is established a special committee of the Senate to be known as the Special Committee on Children (hereinafter in this section referred to as the ''special committee'').

(2) MEMBERS.—The special committee shall consist of 19 members, including a chairman. The members and the chairman of the special committee shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate.

(b) TREATED AS A STANDING COMMITTEE OF THE SENATE.—For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, and for purposes of section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301), the special committee shall be treated as a standing committee of the Senate.

(c) DUTY.—

(1) IN GENERAL.—It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to children and their welfare, including—

(A) programs and services relating to the health, welfare, safety, housing, nutrition, education, economic stability, civil rights needs of children, and Federal programs and services that have a purpose of benefitting children or have the effect of benefitting children; and

(B) the effectiveness of such programs and services.

(2) LIMITATION.—No proposed legislation shall be referred to the special committee, and the special committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(d) REPORT.—The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to subsection (c)(1), together with such recommendations as the special committee considers appropriate.

(e) AUTHORIZED ACTIVITIES.—The special committee, or any duly authorized subcommittee thereof, is authorized, in its discretion to—

(1) make investigations into any matter within its jurisdiction;

(2) make expenditures from the contingent fund of the Senate;

(3) employ personnel;

(4) hold hearings;

(5) sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate;

(6) require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such other expenditures as it deems advisable;

(7) take depositions and other testimony;

(8) procure the service of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(9) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable basis the services of personnel of any such department or agency.

(f) POWER TO ADMINISTER OATHS.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(g) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(h) QUORUM.—A majority of the members of the special committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

(i) ENACTMENT.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it is deemed a part of the rules of the Senate, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules relating to the procedure of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SA 2201. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 24 and all that follows through page 38, line 4, and insert the following:

''(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

SA 2202. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10204. DEPARTMENT OF EDUCATION SALARY CAP.

Notwithstanding any other provision of law, the average salary of an employee of the Department of Education shall not be higher than the national average salary for a teacher, as determined by data from the National Center for Education Statistics.

SA 2203. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 102____. FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds the following:

(1) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016 (S. 1695, 114th Congress) (referred to in this section as

the ''proposed appropriations Act''), as reported out of the Committee on Appropriations of the Senate on June 25, 2015, reduces investments in critical middle-class priorities by $3,575,000,000, compared to the appropriation levels enacted for fiscal year 2015.

(2) The proposed appropriations Act reduces investments in critical middle-class priorities by $13,231,000,000, compared to the Democratic funding alternative that is consistent with pre-sequester funding levels provided in the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240).

(3) These funding cuts would bring Federal investments in programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to their lowest levels since fiscal year 2002.

(4) Of the lowest-achieving 5 percent of schools that receive funds under part A of title I of such Act (20 U.S.C. 6311 et seq.), about two-thirds of students do not meet grade level standards.

(5) The proposed appropriations Act cuts funding for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) by $850,000,000, compared to the President's fiscal year 2016 budget request and the Democratic funding alternative offered in the Committee on Appropriations of the Senate.

(6) Research consistently shows that high-quality early education is critical to the educational development of every child.

(7) The proposed appropriations Act provides no funding for preschool development grants, a cut of $750,000,000 compared to the President's fiscal year 2016 budget request and the Democratic funding alternative offered in Committee.

(8) The education funding cuts in the proposed appropriations Act are largely the result of the artificial and arbitrary spending caps triggered by the lack of a bipartisan budget agreement as envisioned by the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240).

(9) Congress has previously provided relief from these cuts in the form of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1165), which provided relief from sequestration equally for defense and nondefense investments for fiscal years 2014 and 2015.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the fiscal and economic challenges of the United States are a top priority for Congress, and the deep, automatic budget cuts of sequestration remains an unreasonable and inadequate budgeting tool either to address the deficits and debt of the Nation or provide the resources needed to educate our children and grow the economy;

(2) this Act was supported unanimously in Committee;

(3) fulfilling the promise of this Act will require Congress to provide funding at levels above sequestration;

(4) Congress should immediately begin negotiations on a successor to the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1165) that provides equal relief from sequestration for defense and nondefense investments, including education, for fiscal year 2016 and beyond; and

(5) for fiscal year 2016, Congress should provide $18,554,875,000 for key programs under the Elementary and Secondary Education Act of 1965 and other education programs, as amended by this Act and consistent with the pre-sequester funding levels called for by the bipartisan Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240), including—

(A) programs under part A of title I of the Elementary and Secondary Education Act of 1965;

(B) the striving readers comprehensive literacy program under part E of title I of such Act, as such Act was in effect on the day before the date of enactment of this Act, or its successor;

(C) the 21st century community learning centers program under part B of title IV of the Elementary and Secondary Education Act of 1965;

(D) English language acquisition grants under title III of such Act;

(E) preschool development grants under title XIV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 112–10); and

(F) investing in innovation grants under such title.

SA 2204. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, line 3, insert '', including plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement'' after ''programs''.

On page 80, between lines 2 and 3, insert the following:

''(xviii) If the State uses funds under this part for preschool services, information that shows how children younger than the mandatory age of school entry are served directly by a local educational agency, or through contract or other collaboration with early childhood programs, including early childhood home visitation programs, as described under section 511 of the Social Security Act (42 U.S.C. 711), including—

''(I) the number of children served, disaggregated by income, race, and disability status;

''(II) a description of the services received; and

''(III) the amount the State spent using grant funds under this part on services for such children.

On page 80, line 3, strike ''(xviii)'' and insert ''(xix)''.

On page 265, between lines 17 and 18, insert the following:

''(xiv) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood center directors, and other early childhood providers to participate in efforts to align State early learning guidelines with State academic and other standards, curriculum, and assessment practices from prekindergarten to the third grade and promote quality early learning experiences from birth through age 8.

On 265, line 18, strike ''(xiv)'' and insert ''(xv)''.

Beginning on page 283, strike line 22 and all that follows through page 284, line 3, and insert the following: ''leadership competencies of principals on instruction in the early grades, developmentally appropriate strategies to measure whether young children are progressing, and principals' ability to support teachers, teacher leaders, early childhood educators, and other professionals in the school learning community to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school, and promoting effective prekindergarten through grade 3 alignment;''.

SA 2205. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 274, between lines 21 and 22, insert the following:

''(xi) increasing and improving opportunities for teachers to take on meaningful leadership roles and responsibilities for additional compensation without having to leave their role as teacher; and

On page 277, between lines 6 and 7, insert the following:

''(F) a description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership in order to positively impact student achievement, build the capacity of teachers, and effectively negotiate or collaborate with principals, teachers and representatives of teachers, and local educational agency leaders.

On page 285, after line 25, insert the following:

''(O) providing additional compensation for teachers or making other systemic changes to create or enhance opportunities for meaningful teacher leadership, such as initiatives that include—

''(i) increased time for common planning, within and across content areas and grade levels;

''(ii) designated time for effective teachers to—

''(I) receive training on mentoring; and

''(II) plan and execute mentoring activities;

''(iii) career ladders and lattices, providing for additional pay for professional growth, which may include hybrid roles in which teachers lead from the classroom;

''(iv) teacher-designed and teacher-implemented professional development activities;

''(v) opportunities for experiential and professional learning, which may include observation;

''(vi) feedback mechanisms for continuous improvement of school environment and activities, including school working conditions and the social-emotional well-being of teachers;

''(vii) the development of policy collaboratively by teachers, and the representatives of teachers, and the leaders of the school, local educational agency, community, or State; and

''(viii) other innovative approaches to leverage teacher leadership; and

On page 296, between lines 4 and 5, insert the following:

''(F) training and supporting principals to identify, develop, and maintain school leadership teams, which shall include teacher leaders and others as designated by the principal, using various leadership models, except that such models shall not include forced or involuntary transfers; and

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SA 2206. Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. _____. CERTAIN EDUCATIONAL INSTITUTIONS EXEMPT FROM EMPLOYER HEALTH INSURANCE MANDATE.

(a) EXEMPTION.—

(1) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(F) EXCEPTION FOR CERTAIN EDUCATIONAL INSTITUTIONS.—The term 'applicable large employer' shall not include—

''(i) any elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965),

''(ii) any local educational agency or State educational agency (as such terms are defined in section 9101 of such Act), and

''(iii) any institution of higher education (as such term is defined in section 102 of the Higher Education Act of 1965).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2014.

(b) STUDY OF IMPACT ON EDUCATION.—The Secretary of Education shall—

(1) study the impact of the employer health insurance mandate under section 4980H of the Internal Revenue Code of 1986 as in effect on the day before the date of enactment of this Act and the impact of such mandate as in effect on the day after the date of enactment of this Act on—

(A) in coordination with the national assessment of title I under section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491), the ability of State educational agencies, local educational agencies, elementary schools, and secondary schools to meet the purposes of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and

(B) in coordination with the annual data collection conducted through the Integrated Postsecondary Education Data System described in section 132(i)(4) of the Higher Education Act of 1965 (20 U.S.C. 1015a(i)(4)), the ability of institutions of higher education to maintain academic programs; and

(2) not later than one year after the date of the enactment of this Act, submit separate written reports to Congress with respect to the studies conducted under subparagraphs (A) and (B) of paragraph (1).

SA 2207. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

PART J—PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH

SEC. 5911. PURPOSE; FINDINGS.

(a) PURPOSE.—The purpose of this part is to authorize a performance partnerships pilot program for disconnected youth to promote coordination between Federal agencies in order to improve outcomes for disconnected youth in communities.

(b) FINDINGS.—Congress finds the following:

(1) Recent events in communities across the United States have illustrated, in part, the importance of improving opportunities, outcomes, and services for disconnected populations.

(2) One in 6 youth, nationwide, are not connected to the labor force.

(3) There are 2,500,000 children being raised by parents who were disconnected youth themselves.

(4) The United States has a responsibility to improve outcomes for disconnected youth by investing in innovative strategies to address the needs of disconnected populations.

(5) The Committee on Appropriations of the Senate has recognized the value in investing in such partnerships and has supported Performance Partnership Pilots for Disconnected Youth in recent appropriations bills for the Departments of Health, Human Services, and Education, and related agencies.

SEC. 5912. PERFORMANCE PARTNERSHIPS PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DISCONNECTED YOUTH.—The term ''disconnected youth'' means an individual who—

(A) is between the ages 14 to 24, inclusive; and

(B)(i) is homeless, in foster care, or involved with the criminal justice system; or

(ii) is not working and not enrolled in an elementary school, secondary school, institution of higher education, or other educational institution.

(2) PARTICIPATING FEDERAL AGENCY.—The term ''participating Federal agency'' means the Department of Education, the Department of Health and Human Services, the Department of Labor, and the Corporation for National and Community Service, as appropriate based on the specific Performance Partnership Pilot involved.

(3) PERFORMANCE PARTNERSHIP PILOT.—The term ''Performance Partnership Pilot'' is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

(A) involve 2 or more Federal programs (administered by one or more Federal agencies)—

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

(4) LEAD FEDERAL ADMINISTERING AGENCY.—The term ''lead Federal administering agency'' is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular performance partnership agreement on behalf of that agency and the other participating Federal agencies.

(b) FLEXIBILITY OF FUNDS.—Participating Federal agencies may carry out not more than 10 Performance Partnership Pilots under this section. Each Performance Partnership Pilot shall—

(1) provide flexibility to the entities participating in the Performance Partnership Pilot with respect to discretionary funds under the authority of the participating Federal agencies, as specified in the performance partnership agreement;

(2) be designed to improve outcomes for disconnected youth, by increasing the rate at which disconnected youth achieve success in meeting educational, employment, or other key goals; and

(3) involve Federal programs targeted to disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment, and other related social services.

(c) PERFORMANCE PARTNERSHIP AGREEMENTS.—Federal agencies may use Federal funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a performance partnership agreement that—

(1) is entered into between—

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the agreement), and

(B) the respective representatives of all of the State, local, or tribal governments that are participating in the agreement; and

(2) specifies, at a minimum, the following information:

(A) The length of the agreement (which shall not extend for more than 3 years after the date upon which the parties enter into the agreement).

(B) The Federal programs and federally funded services that are involved in the Performance Partnership Pilot.

(C) The Federal funds that are being used in the Performance Partnership Pilot (by the respective Federal account identifier, and the total amount from such account that is being used in the Performance Partnership Pilot) in accordance with subsection (b)(1), and any period of availability for obligation (by the Federal Government) of any such funds.

(D) The non-Federal funds that are involved in the Performance Partnership Pilot, by source (which may include private funds as well as governmental funds) and by amount.

(E) The State, local, or tribal programs that are involved in the Performance Partnership Pilot.

(F) The populations to be served by the Performance Partnership Pilot.

(G) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(H) The cost-effective State, local, or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(I) The outcome (or outcomes) that the Performance Partnership Pilot is designed to achieve.

(J) The appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating State, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Performance Partnership Pilot is achieving, and has achieved, the specified outcomes that the Performance Partnership Pilot is designed to achieve.

(K) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the Pilot.

(L) In cases where, during the course of the Performance Partnership Pilot, it is determined that the Performance Partnership Pilot is not achieving the specified outcomes that it is designed to achieve—

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Performance Partnership Pilot; and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Performance Partnership Pilot, upon completion, will have achieved such specified outcomes.

(d) AGENCY HEAD DETERMINATIONS.—

(1) IN GENERAL.—A participating Federal agency may participate in a Performance Partnership Pilot (including by providing funds described in subsection (b)(1) that have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Performance Partnership Pilot—

(A) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Performance Partnership Pilot, and

(B) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services.

(2) CONSIDERATION.—In making the determination under paragraph (1), the head of a participating Federal agency may take into consideration the other Federal funds described in subsection (b)(1) that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Performance Partnership Pilot.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—For the purpose of carrying out the Performance Partnership Pilot in accordance with the performance partnership agreement, and subject to the written approval of the Director of the Office of Management and Budget, the head of each participating Federal agency may transfer the Federal funds described in subsection (b)(1) that are being used in the Pilot to an account of the lead Federal administering agency that includes other Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (f), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated, except as provided in paragraph (2).

(2) EXCEPTION.—Funds transferred under paragraph (1) shall remain available for obligation by the Federal Government until the expiration of the period of availability for those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond (which shall not extend for more than 3 years after the date upon which the parties enter into the performance partnership agreement).

(f) WAIVER AUTHORITY.—In connection with the participation by a Federal participating agency in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal participating agency to which Federal funds described in subsection (b)(1) were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head—

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, except that—

(A) the head of the agency shall not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels;

(B) the head of the agency shall issue, for any requirement described in this paragraph) a written determination, prior to granting the waiver, with respect to such discretionary funds that the granting of such waiver for purposes of the Performance Partnership Pilot—

(i) is consistent with both—

(I) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the head of the agency issued under subsection (d);

(ii) is necessary to achieve the outcomes of the Performance Partnership Pilot as specified in the performance partnership agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either—

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) the head of the agency shall provide at least 60 days advance written notice to the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and all other committees of jurisdiction in the House of Representatives and the Senate.

(g) APPLICABILITY TO EXISTING PERFORMANCE PARTNERSHIP PILOTS.—Nothing in this part shall be construed to apply to any Performance Partnership Pilot carried out under the authority of section 524 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (Public Law 113–325; 128 Stat. 2522) or section 526 of the Department of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 413).

SA 2208. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 72, between lines 19 and 20, insert the following:

''(L) assessments adopted pursuant to subsection (b) require students to spend on average less than 2 percent of the average instructional time taking such assessments (except in the case of assessments that are determined to be performance-based, competency-based, or to justify the additional time), where such calculation of time spent on such assessments shall not include any additional time spent taking assessments provided as an appropriate accommodation to children with disabilities or students with a disability who are provided accommodations under another Act;

SA 2209. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 20, line 18, insert '', periodically review those strategies and the resulting data, use that information to continuously improve the strategies,'' after ''title''.

On page 69, between lines 12 and 13, insert the following:

''(M) how the State will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the State will use the results from such review or evaluation to refine and continuously improve such programs and activities;

On page 106, between lines 23 and 24, insert the following:

''(17) how the local educational agency will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the local educational agency will use the results from such review or evaluation to refine and continuously improve such programs and activities;

SA 2210. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 52, between lines 9 and 10, insert the following:

''(L) LIMITATION ON ASSESSMENT TIME.—

''(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

''(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

''(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

''(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

SA 2211. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

''(2) TESTING TRANSPARENCY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear, concise, and easily accessible manner on the local educational agency's website and, to the extent practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency or school, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and to the extent such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

''(i) the subject matter assessed;

''(ii) the purpose for which the assessment is designed and used;

''(iii) the source of the requirement for the assessment; and

''(iv) to the extent such information is available—

''(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

''(II) the time and format for disseminating results.

''(B) LEA THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

''(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school climate;

''(II) school safety;

''(III) class size;

''(IV) availability and use of common planning time and opportunities to collaborate; and

''(V) community engagement;

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

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SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON GRANTS TO SANCTUARY CITIES.

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following:

''(d) LIMITATION ON GRANTS TO SANCTUARY CITIES.—

''(1) SANCTUARY CITY DEFINED.—In this section, the term 'sanctuary city' means a State or a political subdivision of a State that has in effect a statute, resolution, directive, policy, or practice that—

''(A) prohibits, or in any way restricts, an officer or employee—

''(i) from sending to, or receiving from, the Department of Homeland Security information regarding the citizenship or immigration status of an individual; or

''(ii) from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties, including with respect to the issuance of federal detainers; or

''(B) is otherwise not in compliance with the requirements of subsection (a) or (b).

''(2) LIMITATION ON GRANTS.—A sanctuary city is not eligible to receive a grant under the Edward Byrne Memorial Justice Assistance Grant Program established pursuant to subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).''.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr. NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; as follows:

On page 3, line 21, strike ''on'' and insert ''for''.

On page 4, line 1, insert '', through electronic or other means,'' after ''available''.

On page 4, line 3, strike ''on'' and insert ''for''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 9, 2015, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., to conduct a hearing entitled ''Understanding America's Long-Term Fiscal Picture.''

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

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 9, 2015, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Amy Griffin, a fellow in Senator FRANKEN's office, be granted floor privileges during the remainder of this Congress.

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

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that Boris Granovskiy, a fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

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

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Molly Johnson, an intern in my office, be granted floor privileges for the duration of today's session in the Senate.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the following detailees, fellows, and interns on my Finance Committee staff be granted floor privileges for the remainder of the session: Sara Brundage, Jenni Greenlee, Daniel Hafner, Ernie Jolly, Jennifer Kay, Nolan Mayther, Alexandra Menardy, Tori Miller, J'Lill Mitchell, Nikesh Patel, Angelique Salizan, and Jay Weismuller.

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

AMENDING THE UNITED STATES COTTON FUTURES ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2620, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2620) to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2620) was ordered to a third reading, was read the third time, and passed.

UNITED STATES MERCHANT MARINE ACADEMY IMPROVEMENTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 93, S. 143.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 143) to allow for improvements to the United States Merchant Marine Academy and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 143) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Merchant Marine Academy Improvements Act of 2015''.

SEC. 2. MELVILLE HALL OF UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term ''Foundation'' means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 132, S. 1180.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1180) to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrated Public Alert and Warning System Modernization Act of 2015''.

SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

''(a) IN GENERAL.—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

''(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the 'public alert and warning system') to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and

''(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

''(b) IMPLEMENTATION REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

''(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

''(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

''(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

''(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

''(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

''(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

''(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

''(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

''(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United States reasonably understand the functions of the public alert and warning system and how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

''(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

''(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

''(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

''(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

''(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

''(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

''(3) to the extent technically feasible, be designed—

''(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

''(B) to improve the ability of remote areas to receive alerts;

''(4) promote local and regional public and private partnerships to enhance community preparedness and response;

''(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

''(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

''(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other man-made disaster or threat to public safety.

''(e) PERFORMANCE REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

''(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

''(B) describe the performance of the public alert and warning system, including—

''(i) the type of technology used for alerts and warnings issued under the system;

''(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

''(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

''(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

''(D) identify other necessary improvements to the system; and

''(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

''(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).''.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the ''Administrator'') shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the ''Subcommittee'').

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf, and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and

(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) RECOMMENDATIONS.—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) REPORT.—

(A) SUBCOMMITTEE SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) SUBMISSION BY NATIONAL ADVISORY COUNCIL.—If the National Advisory Council approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) TERMINATION.—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term ''participating commercial mobile service provider'' has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) LIMITATIONS.—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider; [or]

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, [2006.] *2006; or*

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The bill (S. 1180), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrated Public Alert and Warning System Modernization Act of 2015''.

SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

''(a) IN GENERAL.—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

''(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the 'public alert and warning system') to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and

''(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

''(b) IMPLEMENTATION REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

''(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

''(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

''(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

''(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

''(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

''(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

''(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

''(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

''(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United States reasonably understand the functions of the public alert and warning system and how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

''(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

''(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

''(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

''(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

''(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

''(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

''(3) to the extent technically feasible, be designed—

''(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

''(B) to improve the ability of remote areas to receive alerts;

''(4) promote local and regional public and private partnerships to enhance community preparedness and response;

''(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

''(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

''(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other man-made disaster or threat to public safety.

''(e) PERFORMANCE REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

''(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

''(B) describe the performance of the public alert and warning system, including—

''(i) the type of technology used for alerts and warnings issued under the system;

''(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

''(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

''(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

''(D) identify other necessary improvements to the system; and

''(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

''(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).''.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the ''Administrator'') shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the ''Subcommittee'').

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf, and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and

(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) RECOMMENDATIONS.—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) REPORT.—

(A) SUBCOMMITTEE SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) SUBMISSION BY NATIONAL ADVISORY COUNCIL.—If the National Advisory Council approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) TERMINATION.—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term ''participating commercial mobile service provider'' has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) LIMITATIONS.—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider;

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, 2006; or

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

E–WARRANTY ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 142, S. 1359.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1359) to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Fischer-Nelson amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2214) was agreed to, as follows:

(Purpose: To improve the bill)

On page 3, line 21, strike ''on'' and insert ''for''.

On page 4, line 1, insert '', through electronic or other means,'' after ''available''.

On page 4, line 3, strike ''on'' and insert ''for''.

The bill (S. 1359), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''E-Warranty Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Many manufacturers and consumers prefer to have the option to provide or receive warranty information online.

(2) Modernizing warranty notification rules is necessary to allow the United States to continue to compete globally in manufacturing, trade, and the development of consumer products connected to the Internet.

(3) Allowing an electronic warranty option would expand consumer access to relevant consumer information in an environmentally friendly way, and would provide additional flexibility to manufacturers to meet their labeling and warranty requirements.

SEC. 3. ELECTRONIC DISPLAY OF TERMS OF WRITTEN WARRANTY FOR CONSUMER PRODUCTS.

(a) IN GENERAL.—Section 102(b) of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2302(b)) is amended by adding at the end the following:

''(4)(A) Except as provided in subparagraph (B), the rules prescribed under this subsection shall allow for the satisfaction of all

requirements concerning the availability of terms of a written warranty on a consumer product under this subsection by—

''(i) making available such terms in an accessible digital format on the Internet website of the manufacturer of the consumer product in a clear and conspicuous manner; and

''(ii) providing to the consumer (or prospective consumer) information with respect to how to obtain and review such terms by indicating on the product or product packaging or in the product manual—

''(I) the Internet website of the manufacturer where such terms can be obtained and reviewed; and

''(II) the phone number of the manufacturer, the postal mailing address of the manufacturer, or another reasonable non-Internet based means of contacting the manufacturer to obtain and review such terms.

''(B) With respect to any requirement that the terms of any written warranty for a consumer product be made available to the consumer (or prospective consumer) prior to sale of the product, in a case in which a consumer product is offered for sale in a retail location, by catalog, or through door-to-door sales, subparagraph (A) shall only apply if the seller makes available, through electronic or other means, at the location of the sale to the consumer purchasing the consumer product the terms of the warranty for the consumer product before the purchase.''.

(b) REVISION OF RULES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall revise the rules prescribed under such section to comply with the requirements of paragraph (4) of such section, as added by subsection (a) of this section.

(2) AUTHORITY TO WAIVE REQUIREMENT FOR ORAL PRESENTATION.—In revising rules under paragraph (1), the Federal Trade Commission may waive the requirement of section 109(a) of such Act (15 U.S.C. 2309(a)) to give interested persons an opportunity for oral presentation if the Commission determines that giving interested persons such opportunity would interfere with the ability of the Commission to revise rules under paragraph (1) in a timely manner.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 219, designating July 25, 2015, as ''National Day of the American Cowboy''; S. Res. 220, commemorating the 50th Anniversary of the Medora Musical; and S. Res. 221, recognizing the 100th anniversary of Rocky Mountain National Park.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc.

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

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

EVERY CHILD ACHIEVES ACT OF 2015

AMENDMENT NO. 2119, AS MODIFIED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Gardner amendment No. 2119, that the modification of the page and line numbers, which is at the desk, be made.

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

The amendment (No. 2119), as modified, is as follows:

On page 19, line 24, insert ''public charter school representatives (if applicable),'' before ''specialized''.

On page 98, line 10, insert ''public charter school representatives (if applicable),'' after ''leaders,''.

LETTER OF RESIGNATION FROM THE U.S. AIR FORCE ACADEMY BOARD OF VISITORS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following letter of resignation from the U.S. Air Force Academy Board of Visitors be printed in the RECORD.

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

U.S. SENATE,
July 8, 2015.

Hon. JOSEPH R. BIDEN, Jr.
Vice President of the United States, The White House, Washington, DC.

DEAR MR. VICE PRESIDENT: I have been honored to serve as a member of the U.S. Air Force Academy Board of Visitors for the past four years. I have appreciated the opportunity to represent and advise one of the finest military academies in the world.

Serving as a member of the Board has been one of the great honors of my career. However, due to my increasingly demanding schedule, I regret that I must resign from my position. I am fully confident that your next appointee will be an outstanding person of character who embodies the values and ideals of the U.S. Air Force.

Again, thank you for the opportunity to serve the men and women of the Air Force Academy.

Sincerely,

LINDSEY O. GRAHAM,
U.S. Senator.

ORDERS FOR MONDAY, JULY 13, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, July 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each; that lastly, following morning business, the Senate then resume consideration of S. 1177.

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

ADJOURNMENT UNTIL MONDAY, JULY 13, 2015, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Monday, July 13, 2015, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DARLENE MICHELE SOLTYS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE NATALIA COMBS GREENE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL DAVID W. ASHLEY
COLONEL JEREMY O. BAENEN
COLONEL STEPHEN F. BAGGERLY
COLONEL SAMUEL W. BLACK
COLONEL CHRISTINE M. BURCKLE
COLONEL DAVID B. BURGY
COLONEL JANUS D. BUTCHER
COLONEL JOHN D. CAINE
COLONEL CRAIG A. CAMPBELL
COLONEL JOSEPH S. CHISOLM
COLONEL FLOYD W. DUNSTAN
COLONEL DOUGLAS A. FARNHAM
COLONEL LAURIE M. FARRIS
COLONEL JERRY L. FENWICK
COLONEL DAWN M. FERRELL
COLONEL DOUGLAS E. FICK
COLONEL ARTHUR J. FLORU
COLONEL DONALD A. FURLAND
COLONEL TIMOTHY H. GAASCH
COLONEL KERRY M. GENTRY
COLONEL JEROME M. GOUHIN
COLONEL RANDY E. GREENWOOD
COLONEL ROBERT J. GREY, JR.
COLONEL EDITH M. GRUNWALD
COLONEL GREGORY M. HENDERSON
COLONEL ELIZABETH A. HILL
COLONEL JOHN S. JOSEPH
COLONEL JILL A. LANNAN
COLONEL JAMES M. LEFAVOR
COLONEL JEFFREY A. LEWIS
COLONEL TIMOTHY T. LUNDERMAN
COLONEL ERIC W. MANN
COLONEL BETTY J. MARSHALL
COLONEL SHERRIE L. MCCANDLESS
COLONEL KEVIN T. MCMANAMAN
COLONEL DAVID J. MEYER
COLONEL ROBERT A. MEYER, JR.
COLONEL STEVEN S. NORDHAUS
COLONEL SCOTT W. NORMANDEAU
COLONEL RICHARD C. OXNER, JR.
COLONEL KIRK S. PIERCE
COLONEL THERESA B. PRINCE
COLONEL DAVID L. ROMUALD
COLONEL EDWARD A. SAULEY III
COLONEL KEITH A. SCHELL
COLONEL BRIAN M. SIMPLER
COLONEL CHARLES G. STEVENSON
COLONEL BRADLEY A. SWANSON
COLONEL DEAN A. TREMPS
COLONEL WILLIAM M. VALENTINE
COLONEL RICHARD W. WEDAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. STEVEN A. SCHAICK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JEFFREY A. DOLL

DISCHARGED NOMINATION

The Senate Committee on Energy and Natural Resources was discharged from further consideration of the following nomination pursuant to the

order of June 28, 1990 and the nomination was placed on the Executive Calendar:

*MONICA C. REGALBUTO, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXTENSIONS OF REMARKS

STUDENT SUCCESS ACT

SPEECH OF

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 25, 2015

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes:

Ms. CLARKE of New York. Mr. Chair, I rise in opposition to H.R. 5 The Student Success Act. I rise in opposition to this bill because education is a civil right. The Elementary and Secondary Schools Act, also known as ESEA, was initially passed in 1965 as part of President Johnson's ''War on Poverty.'' President Johnson understood that without a good education, economic stability was impossible and poverty inevitable.

The goal of the original ESEA was to provide a fair and equitable education to every child in America. Unfortunately, H.R. 5 is neither fair nor equitable. This bill creates the warped concept of Title I Portability, which would shift resources from poor school districts such as the ones in my district of Brooklyn, New York to wealthier communities. Children in poor districts stand to lose upward of $85 per student, while children in wealthier communities would gain an average of $290 dollars per student.

It ends the Safe and Drug Free Schools Program, among 70 other programs also slated for elimination. You would think that with the rise in school shootings and rampant school violence, that if we ever needed a Safe and Drug Free School Program it would be now.

It also eliminates Title III, which helped to ensure that English Language Learners attain English proficiency. H.R. 5 not only figuratively, but also literally, silences the voices of our Hispanic students and in doing so relegates them to a life of inequity and poverty.

Under H.R. 5, New York State is projected to receive $1.52 billion in 2016 and $6.943 billion over the 2016–2021 period. This is $46 million less in 2016 and $606 million less over the 2016–2021 period than under the President Obama's budget. In fact, my district of Brooklyn, New York is in Kings County. Kings County, with a poverty rate of 33.3 percent, will see a $39.9 million cut in Title I funding under this bill.

Today, we Democrats are shining a light on H.R. 5 so that America can see how ugly, dangerous and divisive this bill really is. And just like during the civil rights movement, we won't back down! We won't give up! We will fight until every child in America—Black, Brown, Asian or White—has a fair, equitable, and quality public school education—because Education is a Civil Right.

RECOGNIZING THE DEDICATED SERVICE OF JOE VIOLANTE TO OUR GREAT NATION AND HER WARRIORS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. MILLER of Florida. Mr. Speaker, on July 31, our Nation's veterans will lose one of their strongest advocates when Joe Violante retires as the National Legislative Director for the Disabled American Veterans at DAV's National Service and Legislative Headquarters here in Washington, DC.

A New Jersey native, Mr. Violante joined the Marine Corps in 1969. He served with the 2nd Battalion, 4th Marines and Battalion Landing Team 2/4 in Southeast Asia where he was injured. After being discharged in 1972 with the rank of sergeant, Mr. Violante received a bachelor's degree in history and political science from the University of New Mexico, and eventually earned his law degree from San Fernando Valley College of Law, in California. Following private practice in California, Mr. Violante began working as a VA Staff Attorney at the Board of Veterans' Appeals in 1985. But Joe felt he could better-serve veterans by working for an organization that advocates for veterans.

Leaving the VA, Mr. Violante joined DAV's professional staff as Staff Counsel/Judicial Appeals Representative at the United States Court of Appeals for Veterans Claims in 1990. Following his time at the Board, Mr. Violante was appointed Legislative Counsel for DAV in 1992 and was later promoted to Deputy National Legislative Director in 1996 and Legislative Director in 1997. In addition to his work at DAV, Mr. Violante has served on numerous boards and committees.

Mr. Violante served as a member of the Board of the National Foundation for Women Legislators from 2001 to 2009 and a member of the Board of Governors of the Federal Circuit Bar Association from 2001 to 2004. Additionally, Mr. Violante co-hosted ''Veterans' Forum,'' a local cable television program dedicated to veterans' issues from 1991 to 1994; chaired the Veterans Appeals' Committee and Legislative Committee of the Federal Circuit Bar Association from 1992 to 1996 and 1997 to 2001, respectively; was vice-chair of the American Bar Association Coordinating Committee on Veterans Benefits and Services from 1991 to 1994; and at-large member of the Board of Governors of the Veterans' Law Committee of the Federal Bar Association from 1992 to 1993.

Mr. Speaker, it would be a challenge to find someone who has done more as an advocate for veterans than Mr. Joe Violante. So, in the long-standing tradition of the Navy and Marine Corps, I wish Joe and his family fair winds and following seas. Bravo Zulu Marine.

IN HONOR OF MIKE ROOS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. FARR. Mr. Speaker, I rise today to honor the long and distinguished public service career of our friend, Mr. Mike Roos. I had the great honor of working with Mike as colleagues in the California State Assembly along with several other current and former members of this House. I count myself fortunate to call him a good friend. After many years of public service, Mike is retiring from Mike Roos and Company, the public affairs firm that he founded in 1999, and turning to the next chapter of his life.

The firm that Mike shaped specializes in government relations, corporate issues management, media relations, and ballot measure campaigns. Prior to establishing Mike Roos and Company, Mike served as President and CEO of the Los Angeles Alliance for Restructuring Now, a coalition of business and civic leaders from the Los Angeles Area dedicated to implementing systemic reform and restructuring within the Los Angeles Unified School District. His significant efforts in this capacity have undoubtedly changed countless lives of children in the Los Angeles area for the better.

Mike's distinguished Assembly career began in 1977. He earned the love and respect of both his Democratic and Republican colleagues. His own caucus chose him Majority Floor Leader in his second term, a position he held until his 1987 election as Assembly Speaker Pro Tempore. He had the reputation as a genuine legislator—someone who used the power of lawmaking to make the lives of the People of California better. Perhaps his most well known achievement is the Mello Roos Community Facilities Act of 1982 and the Roberti-Roos Weapons Control Act of 1989. Mike authored the finest and strictest laws to date protecting the confidentiality of HIV patients, as well as the law creating the Alternative Test Sites Program, which established centers where individuals could receive free, anonymous testing for the AIDS antibody. He consistently fought for a better education for all, authoring legislation prohibiting sex discrimination in California's educational institutions.

Prior to his election to the State Assembly, Mike served as the Executive Director of the Coro Foundation, a leadership training program for future leaders in public service. Thanks to his substantial experience and insight, he continues to be a valuable consultant to civic and educational organizations, speaking on topics ranging from education reform to the legislative process in California politics.

Mr. Speaker, I know I speak for the whole House in thanking Mike for his years of service on behalf of the people of California. I know he looks forward to spending more time with his family in this next chapter of his life, including his four daughters Shelby, Melissa,

Catherine, and Caroline. I wish him nothing but success and happiness.

RECOGNIZING BRIAN NEWBY ON HIS PROMOTION TO THE RANK OF MAJOR GENERAL

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. GRANGER. Mr. Speaker, I rise today to honor Brian C. Newby on his promotion to the rank of Major General, United States Air Force.

I have known Major General Newby for many years and have the honor of calling him my friend. He is a man of integrity and kindness. He is the epitome of what a General should be.

Major General Newby was born in Dayton, Ohio, but attended Western Hills High School in Fort Worth. He was commissioned in 1983 as a distinguished graduate of the Air Force ROTC program at Texas Tech University and earned a law degree from the University of Texas Law School in 1986.

For more than 25 years he has been a true National Guardsman, serving his country while also working at senior positions in government and at a top legal firm.

He served as the Chief of Staff and Deputy Commander of the Texas Air National Guard before being promoted to Brigadier General.

Major General Newby also served as Chief of Staff to former Texas Governor Rick Perry and in that capacity co-chaired the State of Texas' recovery efforts following Hurricane Ike. He also served as the Governor's General Counsel before being appointed to serve as Chief of Staff.

He currently holds an Of Counsel position at Cantey Hanger, LLP of Fort Worth while also maintaining his own legal practice.

Major General Newby has been and continues to be an incredible public servant.

RECOGNIZING PAUL GROMOSIAK FOR HIS SUSTAINED COMMITMENT TO THE NIAGARA FALLS COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Mr. Paul Gromosiak for his passionate support of and commitment to the City of Niagara Falls and Niagara Falls State Park. As a tribute to his hard work and dedication, a monument will be placed at Heritage Park commemorating his impact on the community.

As a committed life-long Western New Yorker, Mr. Gromosiak has inspired countless individuals who have come to visit the Niagara Falls State Park. He graduated from Niagara University with a B.S. in Chemistry and went on to receive a permanent certification in mathematics as well as in chemistry and general science from the State University of New York.

Mr. Gromosiak has spent countless hours walking the park and helping visitors learn more about the nation's oldest park. Moreover, he has authored numerous books about the place that means so much to him. In addition to being a well-respected historian, he is also an engaging teacher and a dedicated leader in the community. He worked as a chemistry teacher in the Niagara Falls School District as well as a chemist for both the Eastman Kodak Company and the Hooker Chemical Company.

Mr. Gromosiak is frequently interviewed by national and local media for his insight on the history and continued progress of Niagara Falls. In 1989, Mr. Gromosiak appeared on the CBS program ''America Tonight'' for a special segment on the environment surrounding Niagara Falls. He served as a guest columnist for The Buffalo News and The Niagara Gazette. Furthermore, he was consulted in 1993 by Canada's weekly news magazine MacLean's for information on the storied custom of honeymooning in the Falls. In 1997, he was featured in the PBS documentary ''Fading in the Mist,'' speaking about efforts to maintain the natural environment of Niagara Falls. Mr. Gromosiak also contributed to a web page on the history of Niagara Falls.

Mr. Gromosiak has been an avid fighter for the City of Niagara Falls and has championed projects such as the Niagara Experience Center as well as the relocation of the Stone Chimney. His ideas have sparked interest in and made the region's history more accessible to the public, as exemplified by his emphasis on history as an experience.

Family and friends of Mr. Gromosiak can attend the event to unveil the monument in his honor. It takes place on Friday, July 10th at 11pm at Heritage Park on Main and Buffalo.

Mr. Speaker, thank you for allowing me a few moments to recognize Mr. Paul Gromosiak. I ask that my colleagues join me in congratulating Mr. Gromosiak for his vital influence on the City of Niagara Falls, the State Park, and the community. His outstanding impact is derived from a deep understanding of the region's rich history, an innovative vision for its future, and a passion for its success.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE CAPE, ISLANDS AND SOUTHEAST MASSACHUSETTS CHAPTER OF THE AMERICAN RED CROSS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 100th anniversary of the Cape, Islands and Southeast Massachusetts Chapter of the American Red Cross.

Established in 1915, this Chapter of the American Red Cross of Massachusetts has served as a lifeline within our community—responding to the needs of residents and visitors alike by providing food, shelter and other disaster assistance in emergencies, teaching life-saving skills, and organizing blood drives. The Cape, Islands, and Southeast Chapter reaches a population of more than 1.2 million people across Barnstable, Bristol, Plymouth, Nantucket and Dukes counties and saves millions more from suffering the harm or loss of a loved one.

The American Red Cross of Massachusetts has served as a pillar for our community through the world's most trying times and through local and regional challenges. During the First World War, the Red Cross notably sent nurses to treat recovering soldiers and undertook initiatives such as knitting over 90,000 pairs of socks and treating the sick infected with influenza during the height of the epidemic. In 1955 when Hurricanes Edna, Carol and Hazel hit Massachusetts the Chapter provided shelter and food services to over 200 people across Cape Cod. By 1991, the number of people it was able to provide shelter to had increased to 17,000. After the 9/11 terrorist attacks the Chapter's blood drives was inundated with willing volunteers that individuals were asked to return at a later date. Chapter volunteers responded once again when Hurricane Katrina struck the shores of the southern United States by sending volunteers down to the areas hardest hit. And, most recently, when tragedy struck closer to home at the Boston Marathon in 2013, Chapter volunteers were quick to become involved in relief efforts.

Furthermore, this Chapter has a global reach. Volunteers have gone on to serve in the International Red Cross across the globe, from war-torn Afghanistan to impoverished African nations. Chapter volunteers exemplify the Red Cross' mission to prevent and alleviate human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors. I am proud of the work they have done in Southeast Massachusetts and beyond.

Mr. Speaker, I ask my colleagues to join me in celebrating the 100th anniversary of the Cape, Islands and Southeast Massachusetts Chapter of the American Red Cross. I take comfort knowing that this Chapter will remain a vital humanitarian organization in not only the Commonwealth, but across the nation and the world, for generations to come.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

SPEECH OF

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes:

Mr. COLLINS of Georgia. Mr. Chair, this amendment is critically important. The designation of the Northern Long Eared Bat as threatened has had a significant impact on the Ninth District of Georgia, despite the fact that the only evidence it is there is a geo-tagged dot on a map.

These bats are listed as threatened because White Nose Syndrome has led to a drastic decline in their population. Humans don't cause White Nose Syndrome but they are being penalized for it. There are some counties in my district where the bat has never been seen, but because they're in the bat's ''range'' they are subject to burdensome restrictions.

A construction project for a new interchange in my home, Hall County, was delayed because of the need to survey for the bat.

What's worse, even if no bats are found during the preconstruction bat survey, Fish and Wildlife Service requires a clearing restriction in construction contracts for prime-building months if certain factors contributing to a quality bat habitat are present. These types of restrictions increase prices and create unnecessary and burdensome delays on important infrastructure projects. Similar restrictions can also negatively affect other sectors such as forestry, ranching, and utilities.

The underlying bill takes important steps to address the problematic requirements associated with the bat's status as a threatened species. This amendment goes the extra step to prevent the current situation from getting even worse by prohibiting the use of funds to list the Northern Long Eared Bat as endangered.

I urge my colleagues to support this amendment.

TRIBUTE TO JERRY MATHIASEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Jerry Mathiasen of Council Bluffs. Jerry was recently named the president and CEO of the Pottawattamie County Community Foundation (PCCF). He had previously served as the interim president and CEO at PCCF before his most recent post. PCCF serves as a community builder within Council Bluffs and the surrounding area by leveraging partnerships and providing grants across the county to improve the lives of its citizens.

As a native of Council Bluffs, Jerry returned home after serving in the administration of Governor Terry Branstad for 14 years. Once home, he gave his time and talents to the Iowa West Foundation for almost 18 years. Jerry has had a long, successful career as a philanthropic leader and has earned the title of President and CEO of PCCF.

I applaud and congratulate Jerry for his recent promotion to President and CEO of PCCF. I am proud to represent him in the United States Congress and I know that my colleagues will join me in congratulating Jerry and wishing him nothing but continued success in the future.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote #417 on House Amendment 64 to H.R. 5. Had I been present, I would have voted "no."

HONORING CHANCELLOR WILLIAM ''BRIT'' KIRWAN

HON. ANDY HARRIS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HARRIS. Mr. Speaker, I rise today to honor an outstanding educator and faithful public servant, Chancellor William "Brit" Kirwan, for his years of faithful dedication to the University System of Maryland. After 46 years as an exemplary advocate of educational excellence, Mr. Kirwan retired last month. I would like to thank him for his passion, dedication, and commitment to the students of Maryland. From his 24 years as a faculty member, to his decade serving as President of the University of Maryland, College Park, and on to his 12 year tenure as Chancellor of the Maryland University System, Chancellor Kirwan has touched and contributed to the lives of countless Marylanders. In addition to his stewardship of Maryland's institutions of higher education, Chancellor Kirwan has also been a national thought leader on a wide range of topics including innovation, academic transformation and higher education's role in economic development. Among others, Chancellor Kirwan has received the Carnegie Corporation Leadership Award, the Tech Council of Maryland's Lifetime Achievement Award in Education, the Regional Visionary Award from the Greater Baltimore Committee, and the Maryland Chamber of Commerce's Public Service Award. His achievements speak for themselves. Chancellor Kirwan's services have been greatly appreciated and his efforts will be sorely missed. I congratulate Chancellor Kirwan on his many accomplishments and wish him all the best in his retirement. Mr. Speaker, I ask my colleagues to join me today in paying tribute to Chancellor William "Brit" Kirwan for his years of leadership and excellence in the education of Maryland's students.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. CLARKE of New York. Mr. Speaker, I was unavoidably detained in my district and missed recorded votes #390 through 391. Had I been present,

On Roll Call #390, Motion to Close Portions of the Conference on H.R. 1735—National Defense Authorization Act for Fiscal Year 2016, I would have voted YES;

On Roll Call #391, Concur in the Senate Amendment to H.R. 91—Veteran's I.D. Card Act, I would have voted YES.

TRIBUTE TO KNAPP PROPERTIES INC.

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Knapp Properties, Incorporated of Des Moines, Iowa. Knapp Properties was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past 75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Knapp Properties has lived up to these goals and strives to treat all of their associates with the same respect and integrity that they would expect in return. This attitude spreads throughout the entire organization from their President, Gary Neugent.

I applaud and congratulate Knapp Properties for earning this prestigious award. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Knapp Properties Inc. and wishing them nothing but continued success in the future.

IRAN

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. BLUM. Mr. Speaker, I appreciate the work of the Chairman and the Members of her subcommittee.

I rise today with grave concerns about this agreement that could very well lead to an increased likelihood of a nuclear Iran.

This outcome is unacceptable and the consequences would have harmful effects on our country and the region.

Simply put, we cannot trust a country that continues to sponsor and sanction terrorism against U.S. interests and actively promotes the destruction of our strongest ally in the Middle East—Israel.

The United States must limit opportunities for Iran to obtain nuclear weapons rather than providing avenues for the spread of such weapons.

A nuclear Iran will be very unlikely to respond to peaceful international intervention. By permitting Iran to obtain nuclear weapons capability—even after 10 years—we will increase the likelihood of future military action in the Middle East.

This will increase the burden on our already strained military and put the brave men and women of our armed forces at risk unnecessarily—while increasing the possibility of further destabilization in multiple countries in the Middle East.

Additionally, by lifting the sanctions on Iran and releasing the money held in accounts held abroad will we be promoting the further funding by Iran of terrorist activities and groups such as Hamas and the Taliban. Strengthening a regime well known for state sponsorship of terrorism goes against all reason.

Further, we can be sure that other countries are looking at this agreement with Iran as a bellwether of permissive activity. If one country in the region is allowed by the United States to obtain a nuclear weapon, surely others will look to follow suit.

It's my belief that Congress should step up the pressure and reject any agreement that

does not meet our nation's strategic objectives. I am deeply concerned that the U.S., once a strong leader on the world stage, is now allowing ourselves to be duped and undercut by a country with an agenda of terror and instability rather than the peace and cooperation that developed nations seek.

I urge my colleagues to reject any agreement that diminishes the standing of the U.S. and does not completely cut off weaponized nuclear capabilities for Iran.

RECOGNIZING RIGIDIZED METALS CORPORATION FOR ITS OUTSTANDING INNOVATION AND ITS PASSION FOR THE BUFFALO COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Rigidized Metals Corporation as it celebrates its 75th Anniversary. Along with the dedicated team of Rigidized Metals, CEO Rick Smith has made significant contributions to metal technology while sustaining strong local ties. Rigidized Metals consistently seeks to improve both its product and the region, focusing on energy and environmental sustainability as well as maintaining the highest quality product.

Since 1940, Rigidized Metals has been fostering collaboration, passion, and achievement both in its field and among its employees. The company continues to attend events such as trade shows to continue its improvement and discuss ways to further reduce cost, energy use, and environmental harm. Rigidized Metals manufactures, textures, and finished metals that are not only made of sixty-percent recycled material but that are also one-hundred-percent recyclable. Moreover, Rigidized Metals has received LEED Credits, which recognizes its leadership in energy and environmental design.

Besides their positive ecological impact, the company strives for durability, strength, and natural beauty in their products. From impact resistant railing overlooking Niagara Falls to scratch-resistant textured metal in the National Hockey League's locker room, Rigidized Metal's products are designed expertly to augment each unique environment, considering factors such as acoustics, shade and reflection. Its Cave of the Winds project in Niagara Falls required a unique curvature, lightweight structure, moisture resistance, and a textured depth. Another local project at the Burchfield Penny Art Center includes light and projector totems along the side of the institute, allowing for a new and public approach to viewing art.

The company does not shy from a challenge and is recognized for its national influence. A research collaboration with the University at Buffalo School of Architecture combines industry and academia to achieve a seemingly impossible vertical metal installation that opens up the field to further metal work opportunities.

Family and friends of the Rigidized Metals team will attend the anniversary celebration to commemorate its achievements and usher in a new era of innovation. It took place on Wednesday, July 8th at 4pm at 658 Ohio Street, where the newly remodeled transfer station was revealed. The revitalization of the station reflects Rigidized Metals work within the community as it reinvigorates historic landmarks rather than build new facilities. It now features a gallery showroom for products at a key location on Ohio Street, connecting the Inner and Outer Harbors.

Mr. Speaker, thank you for allowing me a few moments to recognize Rigidized Metal Corporation and my good friend Rick Smith on the occasion of the company's 75th Anniversary. Rick is the third generation president. The company was founded by his grandfather, Rick Smith, followed by his father, until Rick took the reins in 2000. I ask that my colleagues join me in congratulating the company for its leadership in quality, architectural design, sustainability, and commitment to community. Its exceptional impact resides in its pioneering technology, longstanding leadership, and passion for future success in Buffalo and beyond.

CELEBRATING THE SERVICE OF JOSHUA ZARKA

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. MEADOWS. Mr. Speaker, I rise today to recognize the excellent work of Joshua Zarka. Since 2011, Josh has served as the Minister for Congressional Affairs at the Israeli Embassy in Washington, D.C. At the end of July, Josh will conclude his service at the Embassy and return to Israel for a new chapter in his career.

The United States has historically maintained a warm relationship with Israel. This friendship is built by those at the executive level, but nurtured by diplomatic staffs, such as Josh, who work tirelessly behind the scenes to further our countries' shared goals. In his role as a liaison to the United States Congress, Josh has worked with many of my colleagues and me to strengthen this relationship. Josh's energy and commitment to follow up on even the smallest details was evident each and every day.

Joshua Zarka serves as an example of how diplomacy should take place—friends first. His desire to serve Israel and the broader U.S.-Israel relationship is seldom seen and equal. He will be dearly missed, and I wish him well in his studies at the Israel National Defense College.

HONORING TONY J. JARAMILLO, SR.

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to join with family and friends in celebrating Tony J. Jaramillo, Sr.'s 87th birthday.

Tony was born July 14, 1928 in Socorro County to Juan and Flora Jaramillo—he was the eldest of eight children. When it came time to start high school, Tony received a scholarship to attend Lourdes High School in Albuquerque with the intent of becoming a priest. Ultimately, Tony decided not to stay at Lourdes and would later graduate from Socorro High School in 1947. Shortly after, in 1948, he married the love of his life, Gloria Jean Bowers and they started a family.

What drives Tony is his passion for politics, his selfless dedication to public service, and his resolve to ensure that the citizens of Socorro are living in a thriving community. He has held many elected offices during his lifetime, beginning with Justice of the Peace from 1966 through 1970; member of the Socorro School Board from 1966 through 1972; member of the Socorro City Council from 1970 through 1978; Mayor of Socorro from 1978 through 1986; and Socorro County Manager from 1986 through 1990. He has also been very involved in the Democratic Party, serving as the Democratic Party Chairman from 1972 to 1988 where he actively engaged the New Mexico Legislature.

As a businessman, Tony has been very successful. A licensed Real Estate Broker, he owned and operated a Property and Casualty Agency for many years and was the owner of La Fiesta Bakery and the Mountain Mail Newspaper. Many in Socorro remember his time as the manager of the local Loma Theater, a position he held for over 20 years. And, when he served as mayor, he made economic development a priority and brought the Industrial Park and new businesses to the city.

He and his wife, Gloria, raised eight children and they have many grandchildren and great grandchildren. I would like to extend a ''Happy Birthday'' to Tony J. Jaramillo, Sr., and thank him for his dedicated public service and for his efforts to create a vibrant community for the citizens of Socorro.

SPEECH OF MARYAM RAJAVI, THE ELECTED PRESIDENT OF THE NATIONAL COUNCIL OF RESISTANCE OF IRAN (NCR) IN 2015 PARIS GRAND GATHERING OF THE IRANIAN RESISTANCE—13 JUNE 2015

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. PITTENGER. Mr. Speaker, I submit the following speech by Maryam Rajavi, the elected President of the National Council of Resistance of Iran (NRC).

In the name of God, In the name of Iran, In the name of Freedom, In the name of 120,000 shining stars, the blazing flames of honor and dignity who defied the religious tyranny, and In the name of all the unsung heroes and heroines who made the ultimate sacrifice so that others could live free; so that in the darkest hour of her history, Iran shines with stars, stands proud and cries out: ''Down with the velayat-e faqih regime!''

VOICE AND MESSAGE OF IRAN'S GENUINE OWNERS

Elected representatives of nations around the globe, Honorable dignitaries, My fellow compatriots, here and all over Iran: I sincerely extend my gratitude to you all for joining this gathering. We have come here to convey to the world the voice and message of Iran's rightful owners, the Iranian people.

Amid an unrelenting uproar over the Iranian regime's ominous nuclear program and three inhuman wars in the region, we have come to say that those who are speaking on behalf of Iran are in fact the enemies of Iran and all Iranians. The people of Iran neither want nuclear weapons, nor meddling in Iraq, Syria or Yemen, nor despotism, torture and shackles. The people of Iran are the tens of millions of enraged teachers, students, nurses and workers who demand freedom, democracy, jobs and livelihood.

They say: First, the velayat-e faqih regime has reached the end of the line. Second, the only way to end the violations of human rights in Iran, the nuclear impasse, the crises in the region, and the confrontation with ISIS and terrorism, is to topple the Caliph of regression and terrorism in Iran.

MAJOR CHANGE, A COMMON DEMAND

Look at Iran as it has risen up today. It is inflamed and seething despite nearly 1,800 executions during Hassan Rouhani's tenure: The uprising in Mahabad and the protests in Sanandaj, Sardasht, Saqqez and Marivan, reflect the courage and upheaval of Iranian Kurds in the face of crime and injustice. Successive demonstrations by teachers all across our nation echo the cries of those who have been ignored and have now risen up for the right to life and right to freedom; The daily strikes and sit-ins by workers resonate the outcries of starving families nationwide; Dozens of armed clashes involving young Baluchis, Kurds and Arabs reflect the fury of an enchained nation which has been denied of any means to protest; Hundreds of hunger strikes and protests by political prisoners, embody the perseverance of a nation that has defeated the mullahs even in torture chambers; The sit-ins of the mothers of death-row prisoners, the protests of Gonabadi and Ahl-e Haq dervishes, and the suffering of impoverished street venders are the rumblings of a mountain about to erupt. Look at today's Iran. Do you see any Iranian not discontented or not wanting change?

The 15 million deprived and destitute citizens languishing in shanty towns in the suburbs, the 10 to 15 million young people who cannot find jobs and the millions of families feeling the heavy burden of high prices, all of them, feel the same pain and demand major change. So, I am speaking to you, my beloved countrymen and women across the nation. Your resistance, your struggle and your solidarity are stronger than any other force. Stand up to the ruling regime and create 1,000 Ashrafs, meaning 1,000 bastions of rebellion in Iran. Major uprisings will arise out of your protests. And the army of rebellion and liberation will be the harbinger of Iran's freedom for the world.

A DEFEATED NUCLEAR STRATEGY

Ladies and gentlemen: The nuclear program that projected the power of the velayat-e faqih regime for the past quarter century is now a source of the mullahs' weakness and impasse. Why did Khamenei acquiesce to the Geneva Accord, despite being only two to three months away from nuclear weapons capability? The answer is simple: Because he feared another eruption of uprisings; because his nuclear strategy has run aground; and because in the words of his foreign minister, the regime's strategic capacity has been eroded. This explains why the Geneva Accord destabilized the regime and the Lausanne Agreement destabilized it even further. Unlike Khomeini, who drank from the chalice of poison of ceasefire in the Iran-Iraq war in 1988, Khamenei could not agree to a comprehensive deal with the P5+1. He says, ''I neither agree nor disagree.'' This means that his regime is at an impasse. The same situation prevails as pertains to the final, comprehensive agreement. Whether or not Khamenei agrees to it, the regime cannot escape the prospects of being overthrown.

WRAPPING UP THE BOMB-MAKING STRUCTURE

Unfortunately, western governments, the United States in particular, violated UN Security Council resolutions and offered major concessions, propelling the regime closer to the Bomb. I should therefore remind western governments that the Iranian people and Resistance will not accept any agreement that does not dismantle the regime's bomb-making infrastructure. UN Security Council resolutions must be implemented fully. Uranium enrichment must be halted completely. All suspect sites, military or otherwise must be inspected. And the regime must provide answers to the military dimensions of its nuclear project and make its nuclear experts available for IAEA questioning.

P5+1 Leaders: If you do not want a nuclear-armed fundamentalist regime, stop appeasing it. Do not bargain over the human rights of the Iranian people and recognize their organized Resistance which is striving for freedom. You are gravely mistaken in thinking that there is no solution. There is a solution for ending the mullahs' nuclear weapons program: regime change by the Iranian people and Resistance. As the Iranian Resistance's Leader Massoud Rajavi has declared, ''Resistance against this regime is our duty and our inalienable right. We have been and will be at war with this regime. With or without enrichment, with and without nuclear weapons, and under any circumstances, the struggle for freedom is the inalienable right of the Iranian people.''

FAILURES AND FLAWS OF VALI-E FAQIH

Ladies and gentlemen: The regime's critical situation can be seen in Khamenei's failures and in the erosion of his standing. Khamenei has failed to unify the ruling clique. His acquiescence to Rouhani's presidency reflects this failure. This failure, however, was initially neither because of international sanctions nor due to the economic crisis. The most important reason was the Resistance and the Iranian people's uprisings. Today, the regime's Supreme Leader and its President have faced off, bashing one another on a daily basis. The power struggle is reaching the final phase. Rafsanjani has openly called for dividing the power and authority of the Supreme Leader. For the first time, a rival faction has taken shape against Khamenei. The pro-Khamenei faction has significantly split and disintegrated. In other words, the body whose task is to preserve the regime in times of tension and turmoil is itself crumbling. Indeed, the ruling theocracy has rotted at its core. All signs point to the end of this decadent regime.

MULLAHS TRAPPED IN THREE WARS

Ladies and gentlemen: Today, the clerical regime has fallen into the trap of three regional wars, in which it can neither advance nor retreat. The bubble-like expansion of the ruling theocracy has put it in a perilous predicament. In Syria, what the mullahs built is teetering because it was erected on quicksand. Although the clerical regime has spent billions of dollars annually to prop up Bashar Assad, today the Syrian dictator is gasping for air. I hope that on victory day, Khamenei joins Assad before the International Criminal Court for the slaughter of 300,000 Syrian men, women and children. In Iraq, the clerical regime has lost its puppet government of Nouri al-Maliki. This is the beginning of the regime's demise not only in Iraq but also throughout the region. Although the regime continues to commit genocide against the Sunnis by the Quds Force that meddles in Iraq under the pretext of fighting the ISIS, these efforts will prove futile and will not restore the regime's losses. And in Yemen, Khamenei sought to take over the country to gain the upper hand during the nuclear talks and amid the regional crisis. It, however, turned the largest regional coalition against Tehran. When Bashar Assad is toppled or when the regime's forces are defeated in Iraq or in Yemen, the regime's entire front in the Middle East will collapse. This regime lacks the capability to advance in these three wars. On the other hand, if it retreats, it will implode. Such an impasse thus attests to the certainty of the overthrow of the velayat-e faqih regime.

NECESSARY EVICTION FROM THE ENTIRE REGION

Today, western and Arab world's policy makers stress that ISIS and Bashar Assad are the two sides of the same coin. I add that the Caliph in Tehran is the godfather of both of them. The fact is that ISIS emerged out of the atrocities perpetrated by Bashar Assad and Maliki committed on orders from the clerical regime. I therefore call upon western governments to refrain from taking sides with the Tehran regime. In Iraq, do not collaborate with the regime's Revolutionary Guards Corps and the so-called Shiite militias who are a hundred times more dangerous than the other henchmen. The solution in Iraq is to evict the mullahs' regime forces, to empower Sunni power-sharing, and to arm the Sunni tribes. The solution in Syria is to evict the Iranian regime's forces and to support the people of Syria in overthrowing Assad's dictatorship. The solution in Yemen is to stand up to Tehran, as the Arab coalition has already done. This must be pursued until the regime is uprooted all across the region. Indeed, the solution is to evict the Iranian regime from the entire region and to topple the Caliph of regression and terrorism Iran.

AN ORGANIZED MOVEMENT

Ladies and gentlemen: When social conditions are ripe for change, there is no element more vital than the existence of an organized movement. This explains why the mullahs fear and attempt to destroy the People's Mojahedin (PMOI/MEK) and the National Council of Resistance of Iran. The mullahs have always considered the PMOI's presence in Iraq as an existential threat because they are the vanguard force in the fight against religious fascism. The PMOI and the NCRI hoisted the banner of peace in diametric opposition to Khomeini's persistence on prolonging the Iran-Iraq war. The PMOI formed the National Liberation Army. The PMOI and the NCR foiled the nefarious conspiracies of the Iranian regime and its appeasers, and nullified the unjust terrorist label by winning in more than 20 courts in the United States, Canada, the United Kingdom, and elsewhere in Europe. The PMOI and the National Council of Resistance discredited and terminated the 15-year-long case opened by the French Judiciary. They upheld the Iranian people's right to regime change.

TERMINATION OF PRISON CONDITIONS AND BLOCKADE OF CAMP LIBERTY

Dear friends: Over the past three decades, the mullahs have endeavored to annihilate this movement more than anything else. Their efforts include thousands of conspiracies and churning out allegations particularly against the Resistance Leader Massoud Rajavi. They have also fired 1,000 missiles at PMOI and National Liberation Army bases in 2000. We all recall that in an attempt to crack down on the June 2009 uprisings, the regime first attacked Camp Ashraf. Similarly, the morning after his defeat during the Presidential elections in 2013, Khamenei ordered a rocket attack on Camp Liberty. And two years ago, when he decided to sign the

nuclear accord, he ordered that Ashraf residents be massacred. The mullahs' real aim is to annihilate the residents of Liberty or secure their surrender to the regime. This explains why the regime is hindering their relocation out of Iraq, On the other hand, by repeatedly violating international treaties and reneging on their written obligations toward the Ashrafis, the U.S. and the UN have in practice sided with the religious fascism ruling Iran. I once again call on the U.S. and the UN to take urgent action to protect the Camp Liberty residents and put an end to the medical and logistical siege of the camp and its prison-like conditions. If the United States does not guarantee that the PMOI is protected against attacks by the terrorist Quds Force, it must, at least, return part of its member's personal arms for self-defense and protection purposes.

HOPE AND CAUSE

Dear friends: Change in Iran is within reach because not only has the regime rotted to the core, but Iranian society is also ready for change and path to that change has already been paved. This path has been opened and led by Massoud Rajavi and this is his great mandate. When he left the Shah's prison, Massoud asked: ''How could anyone shackle and enchain a nation forever?'' In pursuit of the ideal of freedom, Massoud Rajavi created a movement that has propelled Iran towards freedom. Yes, the national uprising of June 20, 1981, the National Council of Resistance and the National Liberation Army, Ashraf City and Camp Liberty, are all cornerstones that he shaped and inspired in order to secure freedom in Iran. The late Ayatollah Taleqani said that interrogators at Evin Prison feared Massoud Rajavi's name. Now, the ruling mullahs and their cohorts also fear both his name and his words because he has turned the forbidden word of ''toppling the regime'' into a major movement that has driven the religious fascism into an impasse. He has taught the vanguard generation of Iran that in the struggle against the velayat-e faqih's barbarism, the only gem blessed with an eternal spirit is one's commitment to an ideal, having faith, maintaining hope, being truthful, and making sacrifices. The PMOI, which just this year will celebrate its fiftieth anniversary, has advanced a struggle for a cause and ideal, without focusing on what they will themselves gain from it. Having an ideal means standing as resolute as a mountain, yet flowing as freely as a river, and gripping ever so tightly the banner of liberty despite all the storms and calamities. It means shedding all fears of both the length of the struggle and the enormous price it demands. This is the path that guides the ship of freedom toward the shores of salvation.

From the PMOI founder Mohammad Hanifnejad and his associates to young people who join our ranks every day, from the men who believe in the ideal of equality to the 1,000 vanguard women who form the PMOI's Central Council, they all have one thing in common. They have chosen the tradition of sacrificing themselves without expecting any reciprocity. They adhere to a tradition that has guided the actions of vanguards and pioneers of freedom since the beginnings of time; the tradition of embracing a fiery commitment and remaining faithful to the idea that this world is defined by change and not by destiny. Our Constitution is freedom, democracy and equality With this ideal and this faith, we are determined to build a free and democratic society. A century ago, the Mojahedin of the Constitutional Movement sought to realize ''justice, freedom, equality and unity.'' Afterwards, the great nationalist leader of Iran, Dr. Mohammad Mossadeq, rose up and said, ''The aim is to ensure that people participate in every aspect of affairs, whether good or bad, and take over the affairs of the nation.'' Subsequently, the Fedayeen and the PMOI and other vanguard militants opened the path to overthrowing the Shah's dictatorship. And now, our Resistance—with a galaxy of fallen heroes and heroines from Ashraf Rajavi and Moussa Khiabani to Sedigheh Mojaveri and Neda Hassani to Zohreh Ghaemi and Giti Givechian—has arisen to ensure freedom of choice for each and every one of our fellow Iranians. We have rejected the ruling tyrannical regime. We have rejected forcible and misogynous religion. And we have rejected the Constitution of the velayat-e faqih. Our Constitution is freedom, democracy and equality. Our Constitution has not been drafted by the Assembly of Experts, a collection of criminals. It has been engraved in the hearts of each and every Iranian. And it will be drafted by elected representatives of the Iranian people in a Constituent Assembly. This Constitution is founded on a free, tolerant and advanced republic. It is founded on pluralism, separation of religion and state, women's equality and their active and equal participation in political leadership. We believe in equal rights for all ethnic and religious minorities and a society devoid of torture and executions. My fellow compatriots, who have gathered here, and my dear compatriots who are hearing me right now all across Iran, are you ready to expand the campaign for Iran's liberation and overthrow the velayat-e faqih regime? Indeed, to carry out this great responsibility, which will herald a glorious future, we pledge before Iran's history and nation that we are ready, ready, ready. Indeed, with the hope and faith in freedom, we have gone through half a century of struggle against two dictatorships. And we will continue with ever-greater hope and determination until freedom and democracy reign supreme in Iran. Yes, we can break the chains; And flow to the sea like a river; With a radiant cause, we can; Destroy the darkness of injustice; We can and we must sing in unison; In every breath, of Iran's freedom; No doubt, the future belongs to you; Hundreds of hails to you and your struggle.

May victory be yours!

TRIBUTE TO CHERYL BEAVER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and to congratulate Cheryl Beaver of Clarinda, Iowa for being selected as the Educator of the Year by the Iowa Family and Consumer Sciences Educator Association. After attending Iowa State University, Cheryl worked for the Clarinda Community School District, where she has taught high school in Family Consumer Science (FCS) for the past 34 years. In addition to her teaching career, Cheryl has further invested in her students with her leadership of the Family, Career and Community Leaders of America (FCCLA) at the Clarinda High School and Clarinda Middle School.

Cheryl takes great pride in teaching life skills and promoting family life in her schools and community. She teaches valuable life skills in consumer resource management, family living, food and nutrition, culinary arts, interior design, human development, child development, and textiles and clothing. She has earned the respect and admiration of students by giving them the opportunities for personal growth, expanding their leadership potential and developing indispensable skills to serve their families, communities, and workplaces. Cheryl teaches with energy and integrity. She treats all of her students equally and cares for their personal growth. Cheryl is a positive role model and has dedicated her life to improving her students' lives both in and outside of the classroom.

I commend Cheryl's leadership and her caring style because it will leave a lasting impact on many of her students. Cheryl is an Iowan who is making a great difference in the lives of her students and for that we are deeply proud. She has dedicated her life to helping and serving others and so it is with great honor that I recognize her today. I know my colleagues in the U.S. House of Representatives join me in honoring her accomplishments. I thank her for her service and wish her and her family all the best moving forward.

RECOGNIZING DAYTON RASMUSSEN, SAM ROSSINI, AND GARRETT WAITE OF THE WATERLOO BLACK HAWKS

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. BLUM. Mr. Speaker, today I rise to acknowledge three players on the Waterloo Black Hawks, a United States Hockey League (USHL) team from my district, as they prepare to represent the United States in a prestigious international hockey tournament.

Goalie Dayton Rasmussen, defenseman Sam Rossini, and forward Garrett Waite were chosen to participate on the national team for the Ivan Hlinka Memorial Cup Tournament in the Czech Republic and Slovakia this August. The tournament, hosted by the Czech Ice Hockey Association and Slovak Ice Hockey Federation, serves as the premier hockey tournament for under-18 teams.

As the co-chair of the Congressional Slovak Caucus and a member of the Congressional Czech Caucus, I look forward to this international display of athletics in Slovakia and the Czech Republic. I am excited to watch these three Waterloo Black Hawks represent their country and hope they do so with the utmost dignity and class that reflects my constituents in Iowa. This type of international cultural exchange with our friends in Eastern Europe demonstrates the universal appeal of sportsmanship, competition, and international diplomacy that athletics can provide.

Congratulations to Dayton, Sam, and Garrett on their selection to the United States under-18 team and I wish them the best of luck in the tournament.

MR. MARK MOELLER—EMBODIMENT OF SERVICE

HON. JOHN RATCLIFFE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. RATCLIFFE. Mr. Speaker, I submit the recognition of an outstanding public servant,

leader, and family man, Rockwall Police Chief Mark Moeller. Chief Moeller plans to retire on July 17th after 38 years in law enforcement, the past 13 years serving as chief. He began his career with the Dallas Police Department in 1977, where he worked in several divisions and held a variety of positions including detective, sergeant, and lieutenant. In 2002, he was appointed Chief of the Rockwall Police Department, where he brought his broad base of experience and wisdom to lead the Department through unprecedented growth and change. During that time, he tirelessly served the citizens of Rockwall and the surrounding area with the highest level of professionalism and integrity, and his community is forever grateful for his dedication.

When Chief Moeller began his tenure in Rockwall, the city had a population of 20,000 and 42 sworn officers. The city now supports 43,000 residents and has almost doubled the number of sworn officers to 79. Included among Chief Moeller's many accomplishments in Rockwall, he established a fully trained SWAT team and a police volunteer program, Citizens on Patrol. A career highlight was twice earning recognition from the Texas Police Chiefs Association, which requires meeting 166 standards.

Mark earned a Bachelor of Science in Criminal Justice Administration and a Master of Science in Human Relations and Business, and he is a graduate of the FBI National Academy. In retirement, he plans to travel with his wife of almost 36 years, Debbie, volunteer more with the First United Methodist Church, Helping Hands, and Habitat for Humanity. He and Debbie also plan to spend time with their two married children, Matt and Kimberly, and their four wonderful grandchildren. Chief Mark Moeller leaves behind a distinguished legacy, and the influence of his steadfast and progressive leadership will be felt for many years to come. I ask my colleagues to join me today in congratulating Mark Moeller, and wishing him all the best in this next chapter of life.

PERSONAL EXPLANATION

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Wednesday, July 8, 2015, I recorded an incorrect vote on an amendment that was offered to the Student Success Act.

On roll call number 410 to the Student Success Act, I intended to vote YES.

TRIBUTE TO RANDY CHAPMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Randy Chapman of Sidney, Iowa, on his recent retirement as a Deputy with the Fremont County Sheriff's Department. For more than 20 years, Randy has served in law enforcement in Fremont County. Randy started his career as the Sidney Police Chief before joining the Fremont County Sheriff's Department in 1994. He said helping people was the reason for becoming an officer and a deputy.

Randy said, ''I got to take care of many issues and in the process I was able to help many county residents.'' He has seen many changes in the methods and procedures of being an effective law enforcement officer. Randy reflected, ''being a native of the Sidney area has helped me perform my duties. People knew I was fair and that I did not play favorites. It has been a rewarding career.''

Randy Chapman made a difference by helping and serving others. It is with great honor that I recognize him today. I know that my colleagues in the House join me in honoring his accomplishments. I thank him for his service to Fremont County, Iowa, and wish him and his family all the best moving forward.

RECOGNIZING MR. ROBERT GENE LAWSON

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Mr. Robert Gene Lawson, a renowned professor who greatly contributed to law reform efforts and education in Kentucky. He retired on July 1 after 50 years of teaching at the University of Kentucky, College of Law. He advanced the lives of countless students through education and public service. A few of his students include U.S. Senate Majority Leader MITCH MCCONNELL, Governor Steve Beshear, U.S. Representative ANDY BARR, and most of the Kentucky Supreme Court. He was also one of my favorite professors, and I have a great deal of respect and admiration for him.

Professor Lawson was born in 1938 in a small coal mining community in West Virginia. His father, a coal miner, urged him to escape the coal camp through education, and Professor Lawson worked his way through tuition-free Berea College and then went on to receive a law degree from the University of Kentucky in 1963. He practiced law for two years and then accepted an invitation to teach at his alma mater in 1965. He served as the Dean of the College of Law from 1971–1973 and again from 1982–1988. Professor Lawson is a Member of the University of Kentucky, College of Law Hall of Fame, and University of Kentucky Hall of Distinguished Alumni.

In addition to his impressive teaching history, Professor Lawson has many other significant accomplishments that contributed to the Commonwealth of Kentucky. He was the principal drafter of Kentucky's Penal Code, and its rules of Courtroom Evidence, and led investigation into the Beverly Hills Supper Club fire in 1977 that killed 165 people in Northern Kentucky. Bob Lawson has tirelessly worked with the General Assembly to ensure that state jails and prisons are housing criminals and not people, such as the mentally ill and the addicted, who can be rehabilitated into productive members of society. Professor Lawson has written an important paper on criminal and evidence law, books that now occupy the shelves of law libraries and judicial chambers.

The University of Kentucky and the entire Commonwealth have surely benefitted from Professor Lawson's time and service. His legacy will carry on as his students continue to serve in the legal profession and public service, and I personally thank him for his years of honorable dedication and tutelage.

THE CLAIMS LICENSING ADVANCEMENT FOR INTERSTATE MATTERS ACT (CLAIM ACT)

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Claims Licensing Advancement for Interstate Matters Act, known as the CLAIM Act to help consumers save millions of dollars in insurance costs and create more jobs.

Under current law, independent claims adjusters face a hodgepodge of inconsistent state regulations that only serve to delay the prompt adjustment of claims for natural disasters, accident victims, and other tragedies in life. Independent claims adjusters must take a license examination in each state in which they work. This requires adjusters to take time off from their job and travel to each state in which they seek a license. This is a costly burden on the claims adjusters, the companies that employ them, and ultimately, the consumer. Sadly, it is the consumer who currently pays for these costs in higher premiums.

Today, it is my pleasure to introduce a bill that would end this costly burden. The CLAIM Act would lead to a process that would provide independent claims adjusters licensing reciprocity so their home-state license is valid in any other state.

This legislation builds upon the success Congress has already had in encouraging states to coordinate licensing for agents and brokers, and appropriately expands that precedent to claims adjusters, who face many of the same licensing issues.

To be clear, the CLAIM Act does not create a new federal law and does not ''federalize'' the insurance industry. The CLAIM Act respects states' rights to continue to regulate insurance. The CLAIM Act would make sure that each state keeps its independence to adopt rules as they see fit and recognizes that state insurance regulators are best situated to address insurance licensing standards.

The goal of this bill is to streamline the claims adjustment process so that individual claims adjusters can respond in the fastest possible and most cost-effective manner possible. I look forward to further discussing the issues of uniformity and reciprocity and the CLAIM Act as we move forward in the Committee process.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,929,875,352.39. We've added $7,525,052,826,439.31 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO PELLA CORPORATION

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Pella Corporation of Pella, Iowa. Pella Corporation has reached an important milestone this year and I join them in celebrating their 90th anniversary of providing window services to America.

Since its founding on February 6, 1925, Pella Corporation has strived to provide innovative products to meet the needs of their customers and has been determined to maintain excellence through even the toughest of times. They kept their doors open during the Great Depression, both World Wars, and the 2007–2009 recession. Even during these trying times, they have continued to care for their hardworking employees and the communities where their manufacturing facilities are located. They continue to strive for excellence in everything they do and provide a beacon of leadership not only in Pella, but in the entire state of Iowa.

It is with great honor that I recognize Pella Corporation and its hard working employees today for their hard work and perseverance. I also invite my colleagues in the House to join me in congratulating Pella Corporation on their 90th anniversary. I wish them nothing but continued success for another 90 years.

TRIBUTE TO THE ANCIENT AND ACCEPTED SCOTTISH RITE MASONS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. CLYBURN. Mr. Speaker, I rise today to offer my congratulations to the Ancient and Accepted Scottish Rite Masons as they celebrate their 151 years of service.

The Scottish Rite Masons is a national organization of individuals that strive to enrich the lives of their members and enhance the communities in which they live. The Scottish Rites' first Supreme Council was founded in Charleston, South Carolina in 1801, and a second Supreme Council was created in New York in 1806.

The Scottish Rite Masons' mission proclaims that they ''emulate the principles of brotherly love, tolerance, charity and truth while actively embracing high social, moral and spiritual values including fellowship, compassion, and dedication to God, family and country.''

They also produce a strategic plan that displays five objectives, including offering Masonic knowledge, establishing a public relations department, supporting philanthropic activities, providing a framework for effective leadership and providing financial stability for a long-term success of the Fraternity.

The Scottish Rite Masons have been instrumental in assisting youth in their academic pursuits and have made generous contributions to the American Heart Association, American Cancer Foundation, YMCA, NAACP and a myriad of other non-profit entities.

Mr. Speaker, The Ancient and Accepted Scottish Rite Masons have improved the lives of many and continue to make outstanding and a wide-range of contributions to our society. I ask that you and my colleagues join me in congratulating them on this celebration.

IN HONOR OF NATIONAL GASTROPARESIS AWARENESS MONTH

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. MOORE. Mr. Speaker, I rise today on behalf of Americans affected by gastroparesis, also known as delayed gastric emptying, in observance of National Gastroparesis Awareness Month in August.

Gastroparesis is a chronic medical condition where the stomach cannot empty properly in the absence of any observable blockage. Factors causing gastroparesis may include long-standing diabetes, complications from surgeries, or other illnesses, such as MS and Parkinson's disease.

Gastroparesis is relatively common, affecting an estimated 5 million Americans including thousands in my district in Milwaukee. While it can strike anyone at any age, gastroparesis is four times more likely to affect women than men.

Gastroparesis can be debilitating and sometimes life threatening. Symptoms (including nausea or vomiting, stomach fullness, inability to finish a meal, and others) usually occur during and after eating a normal sized meal and can result in problems, such as severe dehydration, difficulty managing blood glucose levels, obstruction, and malnutrition.

There is no cure for gastroparesis. Treatments like dietary measures, medications, procedures to maintain nutrition, and surgery can only reduce symptoms and related problems with the hope of maintaining quality of life.

Studies reveal a growing incidence of gastroparesis, as well as increasing rates of related hospitalizations and emergency room visits. However, as gastroparesis is a poorly understood condition, delayed diagnosis, treatment, and management of the condition are frequent challenges faced by this patient population.

Gastroparesis creates a significant burden on individuals and families. It also places a burden of direct and indirect costs on the community, economy, and U.S. healthcare system.

I applaud the efforts of nonprofit groups like the International Foundation for Functional Gastrointestinal Disorders (IFFGD) from Milwaukee, as well as other patient organizations, to provide education and support that will help those affected by gastroparesis.

I urge my fellow colleagues to join me in recognizing August as National Gastroparesis Awareness Month in an effort to improve our understanding and awareness of this condition, as well as support increased research for effective treatments of people affected by gastroparesis.

IN MEMORY OF GERALDINE SIMMONS RUTLEDGE

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mrs. DINGELL. Mr. Speaker, I rise today with a heavy heart to honor the life of Mrs. Geraldine Rutledge. Known affectionately as ''Gerri'' to her friends and family, she was born on April 8, 1945, and passed peacefully on Thursday, July 2, 2015 at her home surrounded by her family and friends.

Mrs. Rutledge received her formal education in the Ecorse Public School system in Ecorse, Michigan. She continued her higher education at Tennessee State University in Nashville, Tennessee, where she earned an undergraduate degree in Elementary Education. She later received a graduate degree from Eastern Michigan University. Her teaching career spanned more than thirty years in the Willow Run Community Schools, and she retired in 2000 from Henry Ford Elementary School. During her tenure, she was an active member of the Michigan Education Association, served two consecutive terms as President of the local union, and touched the lives of countless children.

On Christmas Eve, 1967, she married her college sweetheart, State Representative David Rutledge, a dear friend of mine. They are the loving parents of Felicia and Marcus and together, they supported each other's endeavors in business and public service.

As an active member of the community, Mrs. Rutledge was a faithful member of the Second Baptist Church of Ypsilanti. She continually worked to strengthen her relationship with God through biblical studies and church attendance. She was also an active member of the Red Hat Society, and Alpha Kappa Alpha Sorority, Inc.

Mr. Speaker, I ask my colleagues to join me today to honor the life and memory of Mrs. Geraldine Rutledge. She lived a life worthy of recognition. As she makes her way to her heavenly home, may her family and friends take comfort in the memory of the love she shared and the contributions she made to her community.

TRIBUTE TO CHILDREN'S CANCER CONNECTION

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Children's Cancer Connection of Des Moines, Iowa. Children's Cancer Connection was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past

75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Children's Cancer Connection has lived up to these goals and provided excellent service since 1988 to children battling childhood cancer. They offer their service at little or no cost to the families dealing with this devastating disease and do not turn away patients because of their finances.

I applaud and congratulate Children's Cancer Connection for earning this prestigious award and for their dedicated service to our community. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Children's Cancer Connection and wishing them nothing but continued success in their future endeavors.

IN HONOR OF THE RETIREMENT OF CHANCELLOR WILLIAM ENGLISH ''BRIT'' KIRWAN

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. CUMMINGS. Mr. Speaker, I rise today to congratulate Brit Kirwan, Chancellor of the University System of Maryland on his recent retirement. Dr. Kirwan has been a strong and inspirational leader of the university system in our great state, and we are sad to see him go.

Dr. Kirwan first left his mark on the University of Maryland when he served as an educator and instructor at our flagship campus in College Park for 25 years. When he left Maryland in 2002 to become President of the Ohio State University, he did so after having risen from an assistant professor in the mathematics department to department chair, provost, and eventually university president.

When Dr. Kirwan returned to Maryland in 2002, to become chancellor of the University System of Maryland he quickly set to work, helping to shift the focus of the system and create innovative ways to support student development. To do so he often used technology and the unique resources of the state of Maryland and national capital region to do so. Since Dr. Kirwan became chancellor, enrollment has risen 24 percent and the number of students receiving bachelor's degrees has also grown significantly, by 36 percent.

When he retired on June 30, completing a proud career of public service, Dr. Kirwan had led significant improvements to our university system that will benefit both students and faculty for decades to come. Mr. Speaker, I would like to thank Dr. Kirwan for his dedicated service to our students and congratulate him on an impressive career. The entire Maryland congressional delegation is proud to have worked alongside him and we wish him well in his hard earned retirement.

REMEMBERING THE LIFE OF VIVIAN E. JONES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. RANGEL. Mr. Speaker, today I rise with great sadness as I announce the passing of my longtime District Administrator, Vivian E. Jones. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable woman who, over her 45 years of service to me and this body, etched her name in the walls of Congress as one of its longest serving staff members.

Vivian's death on July 2, 2015, brought immense sorrow and loss to me, my staff, and to the countless constituents that counted on her assistance. The many who met and were touched by Vivian and her life's work can attest that she was equal parts strong mind and ample heart, a humble soul who cared deeply about the issues of the day and their impact on everyday people. And yet she was able to influence public decision making, develop activities of enormous impact and provide motivation, inspiration, and consolation to the younger members of my staff

Vivian Jones goes back to my days at lawfirm Weaver, Evans, Wingate & Wright. She was my administrative assistant when I first practiced law. Vivian became a part of my campaign staff in March of 1970, when I, then a young New York State Assemblyman, challenged the legendary Adam Clayton Powell, Jr. for the Congressional Seat.

Upon election to the Congress, she joined the Congressional Staff as my Executive Secretary. As a freshman Congressman, I was the beneficiary of Vivian's previous experience with secretarial and paralegal work. She immediately became responsible for my schedule and constituent services in the district office, which was all done without computers in those early days of my career in the House.

In 1975, Vivian succeeded Virginia Bell as the District Administrator (District Director). In her new role, Vivian's responsibilities expanded to the role of a Chief of Staff in the District. She managed the local district offices, directed work activities, supervised staff, and oversaw and coordinated activities in the different communities of the Congressional District. As a woman in this role in the 1970's and proceeding decades, she was quite an effective leader and powerful force in pushing my agenda forward in the district. She continued this role until January 1999, when Vivian relinquished her role, reducing her work load, and began working part-time.

Although only part-time, a loyal colleague, Vivian Jones, continued to coordinate my schedule in conjunction with the scheduler in Washington, DC. She handled all personnel matters pertaining to district staff, and prepared correspondences of varying complexity for my signature. Vivian continued to arrive at the office in the wee hours of the morning on her assigned days. As always, she remained committed to offering a sympathetic ear or to jump start a slow or reluctant bureaucracy for a constituent.

For over 50 years, Vivian's dynamic spirit and sense of purpose served me and all of her past colleagues as a motivation and driving force. She provided the people of the Congressional District incredible assistance over her many years of service to Congress and was a devoted friend to her colleagues and agency staff.

A simple speech from the floor of this sumptuous body will never ease the pain of losing such a precious soul. I can only hope that all of those whose lives were touched by her can take solace in knowing that all of her hard work, guidance, and care throughout the years exceeded all measures of selflessness and devotion to our country. As I stand here with my heart filled with grief, I honor her, not only for her courage, loyalty, faithfulness, and generosity, but also for her simply being a true embodiment of the vision and determination of women that have strengthened and transformed America. No one can ever replace such a precious human being. She is survived by her brother Neil Jones and her niece Joyce Rodriguez.

Mr. Speaker, rather than mourn her passing, I would hope that my colleagues join me in celebrating the life of our beloved Vivian Jones by remembering that she exemplified greatness in every way. She was, in life, a shining example of all the best in our land. There is no doubt that she will always be remembered for her extraordinary commitment, energy, wisdom, principle, and clear purpose which won the admiration of all those who were privileged to come to know her. As stated in Psalm 116:15, ''Precious in the sight of the LORD is the death of his saints.'' In rest, may she find the peace we all seek.

I PLEDGE ALLEGIANCE TO THE FLAG

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, each day, as we begin our work in Congress, we pledge allegiance to the flag of the United States of America, a flag that preserves our republic's promise of liberty and justice for all.

This is not the message of the Confederate battle flag. We all know this flag represents hate, intolerance, and bigotry. Like the Nazi flag, the Confederate flag must be retired to history books and museums. It has no place in the public square.

Unconscionably, House Republicans are defending the Confederate flag by blocking Democratic efforts to remove this rebel flag from the U.S. Capitol grounds. This comes just hours after House Republicans offered an amendment to undo Democratic amendments that bar the display of the Confederate flag in federal cemeteries, and bar the National Park Service from doing business with gift shops selling Confederate flag merchandise.

It is a cold, cruel irony that just as South Carolina votes to finally remove the Confederate flag at their statehouse, House Republicans now seek to protect this symbol of hate at the federal level.

Let us remove the Confederate flag from the grounds of the U.S. Capitol. Doing so will honor our country and show respect for the flag of the United States of America, which is the symbol of freedom, justice, and democracy for all.

TRIBUTE TO MIDWEST CONSTRUCTION & SUPPLY INC.

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Midwest Construction & Supply Incorporated of Grimes, Iowa. Midwest Construction & Supply was recently recognized for their outstanding commitment to business ethics by the Better Business Bureau (BBB) and presented with a 2015 Integrity Award.

The Better Business Bureau has been developing and administering self-regulation programs for the business community for the past 75 years. The Integrity Awards were established in 1993 to recognize exemplary businesses while promoting the BBB's mission of leadership in advancing marketplace trust.

Midwest Construction & Supply has lived up to these goals and provided excellent service and customer satisfaction for 57 years and over three generations. This attitude spreads throughout the entire organization from their President, Kalliope Eaton.

I applaud and congratulate Midwest Construction & Supply Inc. for earning this prestigious award. I am proud to represent them in the U.S. Congress and I know that my colleagues join me in congratulating Midwest Construction & Supply Inc. and wishing them nothing but continued success in the future.

HONORING COLONEL PETER AHERN ON HIS RETIREMENT

HON. MARTHA McSALLY

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 2015

Ms. MCSALLY. Mr. Speaker, I rise today to honor Colonel Peter Ahern on his many years of service to our country, and to wish him well on his upcoming retirement.

Colonel Ahern received his Bachelor's Degree from St. Ambrose University and was commissioned through the Platoon Leaders Course program in May of 1986. In 2007, he received a Masters of Arts Degree in National Security and Strategic Studies from the National War College.

Colonel Ahern served 29 years in the Marine Corps. His assignments included, but were not limited to, serving as Company Commander, 1st Recruit Training Battalion, MCRD San Diego; Battery Commander, 1st Battalion, 11th Marines, 1st Marine Division; Future Operations Division (J35) United States Africa Command, Stuttgart, Germany; Commanding Officer Chemical Biological Incident Response Force (CBIRF), II Marine Expeditionary Force; and culminating as Director, Strategic Initiatives Group (SIG), Headquarters Marine Corps.

Colonel Ahern participated in combat operations in Saudi Arabia and Kuwait (Operation Desert Shield/Desert Storm), Iraq (Operation Iraqi Freedom, OIF–II); and planning/advisory duties with the Ugandan Peoples Defense Force; and humanitarian assistance disaster relief operations in Japan (Operation TOMODACHI).

Colonel Ahern has received a number of awards over the course of his career, most notably the Defense Superior Service Medal, the Legion of Merit, the Meritorious Service Medal with three gold stars, the Navy Commendation Medal with two gold stars, the Joint Meritorious Achievement Medal, the Navy Achievement Medal, the Combat Action Ribbon, and the Navy-Marine Corps Expert Parachute Wings.

It's not an overstatement to say Colonel Ahern was one of the finest officers with whom I served. He and I were part of the initial cadre tasked to stand up Africa Command, and we worked closely on many security and humanitarian issues that arose anywhere on the continent. Colonel Ahern was an operationally-focused leader, a brilliant strategist, and utmost professional. He was instrumental to the success of Africa Command, not just while we served there, but long after he was reassigned as well.

I thank Colonel Ahern for his many years of service to our nation. It was a privilege to serve with him and call him a colleague, and I wish him all the best in his upcoming retirement.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4901–S4985

Measures Introduced: Twenty-six bills and four resolutions were introduced, as follows: S. 1723–1748, S.J. Res. 18, and S. Res. 219–221.

Pages S4952–53

Measures Reported:

S. 1725, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016. (S. Rept. No. 114–79)

S. 1300, to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1482, to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid. **Page S4952**

Measures Passed:

United States Cotton Futures Act: Senate passed H.R. 2620, to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act. **Page S4979**

United States Merchant Marine Academy Improvements Act: Senate passed S. 143, to allow for improvements to the United States Merchant Marine Academy. **Page S4980**

Integrated Public Alert and Warning System Modernization Act: Senate passed S. 1180, to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, after agreeing to the committee amendments.

Pages S4980–83

E-Warranty Act: Senate passed S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, after agreeing to the following amendment proposed thereto:

Pages S4983–84

McConnell (for Fischer/Nelson) Amendment No. 2214, relating to electronic warranties.

Pages S4983–84

National Day of the American Cowboy: Senate agreed to S. Res. 219, designating July 25, 2015, as "National Day of the American Cowboy". **Page S4984**

Medora Musical 50th Anniversary: Senate agreed to S. Res. 220, commemorating the 50th anniversary of the Medora Musical. **Page S4984**

Rocky Mountain National Park: Senate agreed to S. Res. 221, recognizing the 100th anniversary of Rocky Mountain National Park. **Page S4984**

Measures Considered:

Every Child Achieves Act—Agreement: Senate continued consideration of S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, taking action on the following amendments proposed thereto:

Pages S4904–15, S4920–26

Adopted:

By a unanimous vote of 98 yeas (Vote No. 227), Murray (for Brown) Amendment No. 2099 (to Amendment No. 2089), to amend part A of title IV of the Elementary and Secondary Education Act of 1965 to allow funds provided under such part to be used for a site resource coordinator.

Pages S4912, S4913–14

By a unanimous vote of 98 yeas (Vote No. 228), Toomey Modified Amendment No. 2094 (to Amendment No. 2089), to ensure that States have policies or procedures that prohibit aiding or abetting of sexual abuse. **Pages S4904, S4906–09, S4914**

Alexander (for Portman) Amendment No. 2147 (to Amendment No. 2089), to promote recovery support services for students. **Pages S4912, S4915**

Murray (for Manchin/Shaheen) Amendment No. 2103 (to Amendment No. 2089), to enable local educational agencies to use funds under part A of title IV of the Elementary and Secondary Education Act of 1965 for programs and activities that promote volunteerism and community service.

Pages S4912, S4915

Murray (for Kaine) Amendment No. 2096 (to Amendment No. 2089), to add career and technical education as a core academic subject.

Pages S4912, S4915

Alexander (for Heller/Manchin) Amendment No. 2121 (to Amendment No. 2089), to ensure timely and meaningful consultation between State educational agencies and Governors in the development of State plans under titles I and II and section 9302.

Pages S4912, S4915

Murray (for Feinstein/Portman) Amendment No. 2087 (to Amendment No. 2089), to provide for additional means of certifying children, youth, parents, and families as homeless. **Pages S4912, S4915**

Alexander (for Fischer) Amendment No. 2079 (to Amendment No. 2089), to ensure local governance of education. **Pages S4912, S4915**

Alexander (for Gardner/Peters) Amendment No. 2083 (to Amendment No. 2089), to enable local educational agencies to use funds under part A of title I for dual or concurrent enrollment programs at eligible schools. **Pages S4922–23**

Murray (for McCaskill) Amendment No. 2092 (to Amendment No. 2089), enabling States, as a consortium, to use certain grant funds to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States. **Pages S4922–23**

Murray (for Gillibrand/Ayotte) Amendment No. 2108 (to Amendment No. 2089), to amend the program under part E of title II to ensure increased access to science, technology, engineering, and mathematics subject fields for underrepresented students.

Pages S4922–23

Alexander (for Gardner) Modified Amendment No. 2119 (to Amendment No. 2089), to include charter school representatives in the list of entities with whom a State and local educational agency shall consult in the development of plans under title I. **Pages S4922–23, S4984**

Murray (for Casey) Amendment No. 2131 (to Amendment No. 2089), to improve the bill relating to appropriate accommodations for children with disabilities. **Pages S4922–23**

Murray (for Klobuchar/Hoeven) Amendment No. 2138 (to Amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 relating to improving student academic achievement in science, technology, engineering, and mathematics.

Pages S4922–23

Rejected:

By 44 yeas to 54 nays (Vote No. 226), Daines Amendment No. 2110 (to Amendment No. 2089), to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.)

Pages S4909–12, S4913

Pending:

Alexander/Murray Amendment No. 2089, in the nature of a substitute. **Page S4904**

Murray (for Peters) Amendment No. 2095 (to Amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities. **Page S4904**

Murray (for Warren/Gardner) Amendment No. 2120 (to Amendment No. 2089), to amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data. **Pages S4912, S4913**

Alexander (for Kirk) Amendment No. 2161 (to Amendment No. 2089), to ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources. **Pages S4923–25**

Alexander (for Scott) Amendment No. 2132 (to Amendment No. 2089), to expand opportunity by allowing Title I funds to follow low-income children. **Pages S4923–25**

Alexander (for Hatch/Markey) Amendment No. 2080 (to Amendment No. 2089), to establish a committee on student privacy policy. **Pages S4923–25**

Murray (for Franken) Amendment No. 2093 (to Amendment No. 2089), to end discrimination based on actual or perceived sexual orientation or gender identity in public schools. **Page S4925**

Murray (for Kaine) Amendment No. 2118 (to Amendment No. 2089), to amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation.

Page S4925

A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, July 13, 2015, Senate vote on or in relation to the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Alexander (for Hatch/Markey) Amendment No. 2080 (to Amendment No. 2089) (listed above), and Murray (for Kaine) Amendment No. 2118 (to Amendment No. 2089) (listed above). **Page S4926**

A unanimous-consent agreement was reached providing that at approximately 4 p.m., on Monday, July 13, 2015, Senate resume consideration of the bill. **Page S4984**

House Messages:

National Defense Authorization Act: Senate insisted on its amendment to H.R. 1735, to authorize

appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, agreed to the request of the House for a conference, and authorized the Presiding Officer to appoint conferees, after taking action on the following motions and motion to instruct conferees proposed thereto: **Pages S4915–20**

Adopted:

McConnell motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees. **Page S4919**

Rejected:

By 44 yeas to 52 nays (Vote No. 230), Reed Motion to Instruct Conferees to insist that the final conference report fully fund the President's budget request for the Department of Defense, including $534.3 billion in base budget funding and $50.9 billion in Overseas Contingency Operations budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and non-security spending categories. **Pages S4919–20**

During consideration of this measure today, Senate also took the following action:

By 81 yeas to 15 nays (Vote No. 229), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the McConnell motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees. **Page S4919**

The Chair was authorized to appoint the following conferees on the part of the Senate: Senators McCain, Inhofe, Sessions, Wicker, Ayotte, Fischer, Cotton, Rounds, Graham, Reed, Nelson, Manchin, Gillibrand, Donnelly, Hirono, and Kaine. **Page S4920**

U.S. Air Force Academy Board of Visitors—Agreement: A unanimous-consent agreement was reached providing that the letter of resignation from the United States Air Force Academy Board of Visitors be printed in the record. **Page S4984**

Nominations Received: Senate received the following nominations:

Darlene Michele Soltys, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

52 Air Force nominations in the rank of general.

1 Army nomination in the rank of general. **Page S4984**

Nomination Discharged: The following nomination was discharged from further committee consideration and placed on the Executive Calendar:

Monica C. Regalbuto, of Illinois, to be an Assistant Secretary of Energy (Environmental Management), which was sent to the Senate on February 25, 2015, from the Senate Committee on Energy and Natural Resources. **Pages S4984–85**

Messages from the House: **Page S4950**

Executive Communications: **Pages S4950–52**

Executive Reports of Committees: **Page S4952**

Additional Cosponsors: **Pages S4953–56**

Statements on Introduced Bills/Resolutions: **Pages S4956–63**

Additional Statements: **Pages S4948–50**

Amendments Submitted: **Pages S4963–79**

Authorities for Committees to Meet: **Page S4979**

Privileges of the Floor: **Page S4979**

Record Votes: Five record votes were taken today. (Total—230) **Pages S4913, S4914, S4919, S4920**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:34 p.m., until 3 p.m. on Monday, July 13, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4984.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported an original bill entitled, "State, Foreign Operations, and Related Programs Appropriations Act, 2016".

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of General Joseph F. Dunford, Jr., USMC, to be Chairman of the Joint Chiefs of Staff, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Michele Thoren Bond, of the District of Columbia, to be an Assistant Secretary of State (Consular Affairs), and Sarah Elizabeth Mendelson, of the District of Columbia, to be Representative on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the

United Nations, after the nominees testified and answered questions in their own behalf.

UNDERSTANDING AMERICA'S LONG TERM FISCAL PICTURE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine understanding America's long-term fiscal picture, after receiving testimony from Keith Hall, Director, Congressional Budget Office.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S.1482, to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid;

S.1300, to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations; and

The nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Travis Randall McDonough, to be United States District Judge for the Eastern District of Tennessee, and Waverly D. Crenshaw, Jr., to be United States District Judge for the Middle District of Tennessee.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 2990–2994, 2996–3017; and 3 resolutions, H. Res. 354–356, were introduced.

Pages H5028–30

Additional Cosponsors: **Pages H5031–32**

Report Filed: A report was filed today as follows:

H.R. 2995, making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes (H. Rept. 114–194). **Page H5028**

Speaker: Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H4959**

Recess: The House recessed at 11:47 a.m. and reconvened at 12 noon. **Page H4970**

Motion to Adjourn: Rejected the Clyburn motion to adjourn by a recorded vote of 13 ayes to 402 noes, Roll No. 424. **Pages H4973–74**

Question of Privilege: Representative Pelosi rose to a question of the privileges of the House and submitted a resolution (H. Res. 355). Subsequently, Representative McCarthy moved to refer the resolution to the Committee on House Administration and was recognized for one hour on the motion.

Pages H4974–76

Agreed to the McCarthy motion to refer the resolution, H. Res. 355, to the Committee on House Administration by a recorded vote of 238 ayes to 176 noes, Roll No. 426, after the previous question was ordered by a recorded vote of 238 ayes to 185 noes, Roll No. 425. **Pages H4975–76**

Resilient Federal Forests Act of 2015: The House passed H.R. 2647, to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, by a recorded vote of 262 ayes to 167 noes, Roll No. 428.

Pages H4985–86, H4987–93, H4993–H5007

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–21, modified by the amendment printed in part B of H. Rept. 114–192, shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendments in the nature of a substitute recommended by the Committees on Agriculture and Natural Resources now printed in the bill.

Page H4995

Agreed to amend the title so as to read: "To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.".

Page H5007

Agreed to:

Tipton amendment (No. 2 printed in part C of H. Rept. 114–192) that requests stewardship contracts awarded prior to Feb. 7, 2014 shall be modified by the Secretary to include fire liability provisions described in Section 604(d)(7) of the Healthy Forests Restoration Act of 2003; **Pages H5003–04**

Lujan Grisham (NM) amendment (No. 3 printed in part C of H. Rept. 114–192) that allows the Forest Service to create a pilot program that would execute contracts with tribes to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004; and

Pages H5004–05

Kilmer amendment (No. 4 printed in part C of H. Rept. 114–192) that directs the Secretary of Agriculture to develop and implement at least one landscape-scale forest restoration project that includes, as a defined purpose of that project, the generation of material that will be used to promote advanced wood products; requires that the project be developed through a collaborative process.

Pages H5005–06

Rejected:

Polis amendment (No. 1 printed in part C of H. Rept. 114–192) that sought to strike Section 203, relating to the prohibition on restraining orders, preliminary injunctions, and injunctions pending appeals, and strike Title III, relating to the imposition of a bond requirement as part of a potential legal challenge of certain forest management activities (by a recorded vote of 181 ayes to 247 noes, Roll No. 427. **Pages H5002–03, H5006**

H. Res. 347, the rule providing for the further consideration of the bill (H.R. 5) and consideration of the bill (H.R. 2647) was agreed to yesterday, July 8th.

21st Century Cures Act: The House began consideration of H.R. 6, to accelerate the discovery, development, and delivery of 21st century cures. Consideration is expected to resume tomorrow, July 10th.

Pages H5008–16

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–22 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read.

H. Res. 350, the rule providing for consideration of the bill (H.R. 6) was agreed to by a recorded vote of 244 ayes to 183 noes, Roll No. 430, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 185 nays, Roll No. 429.

Pages H4976–85, H5007–08

Senate Messages: Message received from the Senate and message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H4976 and H4986–87.

Quorum Calls—Votes:

One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages H4973–74, H4975, H4975–76, H5006, H5007, H5007–08, and H5008. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:56 p.m.

Committee Meetings

U.S. INTERNATIONAL FOOD AID PROGRAMS: OVERSIGHT AND ACCOUNTABILITY

Committee on Agriculture: Subcommittee on Livestock and Foreign Agriculture held a hearing entitled "U.S. International Food Aid Programs: Oversight and Accountability". Testimony was heard from Thomas Melito, Director, International Affairs and Trade, Government Accountability Office; Catherine Trujillo, Acting Deputy Inspector General, U.S. Agency for International Development; and Rod DeSmet, Deputy Assistant Inspector General for Audit, Office of the Inspector General, Department of Agriculture.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Homeland Security held a markup on the Homeland Security Appropriations Bill, FY 2016. The Homeland Security Appropriations Bill, FY 2016, was forwarded to the full committee, without amendment.

LEGISLATIVE MEASURE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled "H.R. 702, Legislation to Prohibit Restrictions on the Export of Crude Oil". Testimony was heard from Peter Gandalovic, Ambassador to the United States, Czech Republic; and public witnesses.

THE DODD-FRANK ACT FIVE YEARS LATER: ARE WE MORE STABLE?

Committee on Financial Services: Full Committee held a hearing entitled "The Dodd-Frank Act Five Years Later: Are We More Stable?". Testimony was heard from public witnesses.

IMPLICATIONS OF A NUCLEAR AGREEMENT WITH IRAN

Committee on Foreign Affairs: Full Committee held a hearing entitled "Implications of a Nuclear Agreement with Iran". Testimony was heard from public witnesses.

THE GULF COOPERATION COUNCIL CAMP DAVID SUMMIT: ANY RESULTS?

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''The Gulf Cooperation Council Camp David Summit: Any Results?''. Testimony was heard from Kenneth Katzman, Specialist in Middle Eastern Affairs, Congressional Research Service; and public witnesses.

AFRICA'S DISPLACED PEOPLE

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''Africa's Displaced People''. Testimony was heard from Catherine Wiesner, Deputy Assistant Secretary of State, Bureau of Population, Refugees, and Migration, Department of State; Thomas H. Staal, Acting Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development; and public witnesses.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 2947, the ''Financial Institution Bankruptcy Act of 2015''. Testimony was heard from public witnesses.

THE STATE OF PROPERTY RIGHTS IN AMERICA TEN YEARS AFTER KELO v. CITY OF NEW LONDON

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled ''The State of Property Rights in America Ten Years After Kelo v. City of New London''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee concluded a markup on H.R. 487, to allow the Miami Tribe of Oklahoma to lease or transfer certain lands; H.R. 959, the ''Medgar Evers House Study Act''; H.R. 1554, the ''Elkhorn Ranch and White River National Forest Conveyance Act of 2015''; H.R. 1937, the ''National Strategic and Critical Minerals Production Act of 2015''; H.R. 1949, the ''The National Liberty Memorial Clarification Act of 2015''; H.R. 2223, the ''Crags, Colorado Land Exchange Act of 2015''; H.R. 2791, the ''Western Oregon Tribal Fairness Act''; H.R. 2898, the ''Western Water and American Food Security Act of 2015''; S. 501, the ''New Mexico Water Settlement Technical Corrections Act''; and H.R. 1138, the ''Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act''. The following legislation was ordered reported, as amended: H.R. 2898. The following legislation was ordered reported, without amendment: H.R. 487, H.R. 959, H.R. 1138, H.R. 1554, H.R. 1937, H.R. 1949, H.R. 2223, H.R. 2791, S. 501.

CONSTRUCTION COSTS AND DELAYS AT THE U.S. EMBASSY IN KABUL

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Construction Costs and Delays at the U.S. Embassy in Kabul''. Testimony was heard from Lydia Muniz, Director, Bureau of Overseas Buildings Operations, Department of State; Michael J. Courts, Director, International Affairs and Trade, Government Accountability Office; Gregory B. Starr, Assistant Secretary, Bureau of Diplomatic Security, Department of State; Donald S. Hays, Senior Inspector, Office of the Inspector General, Department of State; Jarrett Blanc, Principal Deputy Special Representative for Afghanistan and Pakistan, Department of State; and a public witness.

EXAMINING EPA'S REGULATORY OVERREACH

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''Examining EPA's Regulatory Overreach''. Testimony was heard from Gina McCarthy, Administrator, Environmental Protection Agency.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a markup on H.R. 2214, the ''Disabled Veterans' Access to Medical Exams Improvement Act''; H.R. 800, ''the Express Appeals Act''; H.R. 1379, to amend title 38, United States Code, to authorize the Board of Veterans' Appeals to develop evidence in appeal cases, and for other purposes; H.R. 1380, to amend title 38, United States Code, to expand the eligibility for a medallion furnished by the Secretary of Veterans Affairs to signify the veteran status of a deceased individual; H.R. 2605, the ''Veterans Fiduciary Reform Act of 2015''; H.R. 1302, the ''VA Appeals Backlog Relief Act''; H.R. 1338, the ''Dignified Interment of Our Veterans Act of 2015''; H.R. 1384, the ''Honor America's Guard-Reserve Retirees Act''; and H.R. 2691, the ''Veterans' Survivors Claims Processing Automation Act of 2015''. The following legislation was forwarded to the full committee, as amended: H.R. 2214, H.R. 800, H.R. 1379, H.R. 1380, and H.R. 2605. The following legislation was ordered reported, without amendment: H.R. 1302, H.R. 1338, H.R. 1384, and H.R. 2691.

PROMOTING WORK OPPORTUNITIES FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFICIARIES

Committee on Ways and Means: Full Committee held a hearing on promoting work opportunities for Social Security Disability Insurance beneficiaries. Testimony was heard from James Smith, Budget and Policy Manager, Division of Vocational Rehabilitation, Vermont Agency of Human Services; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JULY 10, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''H.R. 985, Concrete Masonry Products Research, Education, and Promotion Act of 2015'', 9 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Insurance, hearing entitled ''The Future of Housing in America: Oversight of HUD's Public and Indian Housing Programs'', 9:45 a.m., 2128 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled ''The International Space Station: Addressing Operational Challenges'', 9 a.m., 2318 Rayburn.

Next Meeting of the SENATE

3 p.m., Monday, July 13

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of S. 1177, Every Child Achieves Act. At 5:30 p.m., Senate will vote on or in relation to Alexander (for Hatch/Markey) Amendment No. 2080 (to Amendment No. 2089), and Murray (for Kaine) Amendment No. 2118 (to Amendment No. 2089).

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, July 10

House Chamber

Program for Friday: Complete consideration of H.R. 6—21st Century Cures Act (Subject to a Rule).

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