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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

We give You thanks, O God, for giving us another day.

With renewed inspirations, we commend to You the Members of Congress, the President, his Cabinet, and all who struggle to lead Your people. May they acknowledge Your sovereignty over all events and times.

Renew America in confident faith and deepen our commitment to seek peace—help us to work together when confronting those whom we find it difficult to trust, but with whom we must try to forge a common future of security and prosperity.

In all, inspire the Members of this people's House with Your spirit, that all might seek to find first areas of agreement, where possible, and openness to honest exchange where it is not.

May all that is done within the people's House 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 gentleman from Arkansas (Mr. CRAWFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. CRAWFORD 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 five requests for 1-minute speeches on each side of the aisle.

PLANNED PARENTHOOD MUST ANSWER FOR ORGAN HARVESTING

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

Mr. HULTGREN. Mr. Speaker, I rise today to deplore the deeply disturbing actions of Planned Parenthood, which has no reservations about using macabre tactics to harvest the lungs, livers, heads, and hearts of aborted babies.

This week, a video investigation caught the organization's senior director of medical services eagerly promoting the harvesting of such body parts, purportedly for medical research. The director said she holds a daily huddle to determine how best to obtain them from unborn children scheduled for abortion. Callously discussing a menu of aborted body parts over lunch and red wine demonstrates a new level of depravity.

Planned Parenthood's damage control fails to answer two basic questions: Have their affiliates done ''better than break even'' and profited from the sale of baby body parts? And under what medical, ethical, or legal code is it okay to choose a particular abortion method to preserve particular organs for harvesting?

Nothing can erase what was caught on tape. Trafficking in human body parts is a Federal offense. Planned Parenthood receives over half a billion in taxpayer dollars every year.

I am calling for a stop to their inhumane practices and support the renewed congressional investigation into the organization.

BEST WISHES TO PRESIDENT GEORGE H.W. BUSH

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

Mr. AL GREEN of Texas. Mr. Speaker, when I was first elected to office, I had the preeminent privilege of meeting with a President of the United States of America. It was one of the most rewarding and gratifying meetings that I have had.

At that meeting, we talked about many things. One of the things that I walked away from the meeting with was a sense and spirit of bipartisanship and how important it was to be able to work with people across lines.

I am honored to tell you that that President was George Bush 41. I understand that he has suffered an injury. I want him, his family, and all to know that I will keep them in my prayers as they move forward. He recently celebrated a birthday, and I wish him many, many more birthdays.

God bless you, President Bush, and God bless the United States of America.

HONORING MARVIN ''BUTCH'' BADEN

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

Mr. CRAWFORD. Mr. Speaker, I rise today in honor of Marvin ''Butch'' Baden.

Butch began his career in the U.S. rice industry in 1958 as an ''office errand boy'' at Riceland Foods. He has served in many capacities since that time, including his current role as senior vice president of rice sales at Producers Rice Mill.

During Butch's 37 years at Producers Rice Mill alone, he has marketed the equivalent of 1.3 billion bushels of rough rice, which translates to about 20 million metric tons of both milled and brown rice.

In 1981, when U.S. rice acreage exploded from 2 million acres per year to just under 4 million acres, new market access for U.S. rice was crucial in supporting prices for U.S. rice farmers. Butch was one of the critical pioneers at the time who dramatically expanded the export demand for U.S. rice.

Butch was directly involved in the opening of new export markets for U.S. rice in the Caribbean, Iran, Iraq, and Nigeria. Butch also expanded U.S. rice exports in Europe, Saudi Arabia, and South Africa.

With nearly 50 percent of the U.S. rice production required to be exported, the fruits of Butch's efforts not only enhanced the returns of the farmers he worked for, but the new export demand for U.S. rice also benefited the market prices of all U.S. rice farmers. In all, Butch has logged nearly 9 million air miles on behalf of the U.S. rice industry.

From humble beginnings as an office errand boy, Marvin ''Butch'' Baden, through hard work and perseverance, has earned and achieved the highest level of respect and appreciation within the U.S. rice industry.

HONORING DON NEWTON

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

Mr. FOSTER. Mr. Speaker, I rise today in honor of Don Newton, a proud 40-year member of the International Union of Bricklayers and Allied Craftworkers, Local 56, of West Chicago, Illinois—and a friend of mine—who passed away recently.

There was a time when workers fighting for their rights were met with lead pipes and management-paid gangs. Today, they fight for their rights with picket lines, elections, and the rule of law and with icons like Scabby, the inflatable rat.

Scabby the Rat, a towering, inflatable mascot of labor protests, was dreamed up by Don Newton and fellow organizer Ken Lambert during labor disputes of the 1990s. Today, Scabby can be seen throughout the country, reminding us of the constant struggle for fair wages and safe working conditions and the importance of unity and solidarity in labor disputes.

On the front lines of protests, as workers fight to hold on to the protections they need to maintain fair wages and a healthy middle class, Scabby the Rat and the memory of Don Newton will never be forgotten; and you can now follow Scabby the Rat on Wikipedia and Facebook.

IRAN NUCLEAR AGREEMENT

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

Mr. ROTHFUS. Mr. Speaker, this week, President Obama announced a nuclear agreement with Iran that falls far short of the commitments he made to the American people.

This agreement simply does not stop Iran's quest for nuclear weapons. It lifts an arms embargo against the world's number one state sponsor of terror. It also opens the possibility for Iran to acquire ballistic missiles capable of reaching anywhere in the world.

The President's agreement ends sanctions, frees up hundreds of billions to help Iran's economy, and will allow an unrepentant Iran to finance terrorism around the world, undermining the safety and security of the United States, Israel, and our allies. Never forget Iran is responsible for the deaths of hundreds of American servicemembers, from Beirut to Baghdad, and beyond.

The initial ''anytime, anywhere access'' standard for monitoring Iran's nuclear program is replaced with ''managed access,'' where we have to ask permission before entering suspected facilities.

This deal does not make the world safer. Far from ending the potential of a nuclear arms race in the Middle East, it all but guarantees one.

MAKE IT IN AMERICA: WHAT'S NEXT?

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

Mrs. LAWRENCE. Mr. Speaker, I stand in strong support of the Make It In America plan and working to strengthen America's great manufacturing comeback. One of the biggest threats to that comeback is the growing skills gap in manufacturing, which is why I and my colleagues on both sides of the aisle have joined together to lead the Congressional Investment in America's Workforce Caucus.

Through initiatives like Make It In America and the CIAW Caucus, we are working to expand apprenticeships and on-the-job training, increase employer-provided educational benefits, and provide tax credits for businesses who provide critical workforce training.

Some of the efforts in my district are already seeing results. According to yesterday's Detroit Free Press, Wayne County, in my district, is leading the Nation in new manufacturing jobs added last year. Three other counties in the State of Michigan were added as well.

If we keep this up and if we continue to work to close that manufacturing gap, we can make it in America.

SENATE DEMOCRATS ARE PUTTING OUR NATIONAL SECURITY IN JEOPARDY

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

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to voice my concerns over Senate Democrats standing in the way of funding our national security. Once again, we find ourselves in a position where Democrats in the Senate are attempting to extort higher Federal spending on their social agenda in return for adequately funding our troops.

To be clear, this House passed a spending bill with the same proposed spending limits that the President of the United States asked for, but Senate Democrats are using the 60-vote rule to prohibit this appropriation measure from coming to the floor.

General Dempsey, Chairman of the Joint Chiefs, recently said:

> Since 2011, global disorder has significantly increased while some of our comparative military advantage has begun to erode.

We have seen this before, Mr. Speaker, where our security becomes a political bargaining chip. This is irresponsible, and I respectfully request my colleagues in the Senate to abandon these tactics. I urge my colleagues in the Senate to stop this dangerous game and support the Defense Appropriations bill.

HOLDING THE VA ACCOUNTABLE

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

Mr. PAULSEN. Mr. Speaker, our veterans have earned the care they are due to receive through the Department of Veterans Affairs. So many men and women of the military put their lives on the line every day to ensure the safety and security of our country.

Unfortunately, bad news coming out of the Department continues to pile up. This week, it was revealed that nearly one-third of the 847,000 veterans with pending applications for health care may have already passed away.

This means, at some point in their lives, over 200,000 men and women who served our country bravely weren't able to access the care that they were promised. These benefits were earned through service, but due to mismanagement, they remained in an endless waiting line.

Mr. Speaker, we can and must do better for our Nation's servicemen and -women. We must continue to institute reforms at the VA to ensure that our veterans receive proper care.

WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015

GENERAL LEAVE

Mrs. LUMMIS. 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 H.R. 2898.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 362 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. 2898.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 0913

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. 2898) to provide drought relief in the State of California, and for other purposes, with Mr. HULTGREN 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 gentlewoman from Wyoming (Mrs. LUMMIS) and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, the American West is in the midst of a severe drought, especially central California. This problem demands swift action, with tens of thousands of trees, plants, jobs, food, and livelihoods at stake.

H.R. 2898 will help bring our Western water supply infrastructure into the 21st century, making it more drought resistant. The bill also addresses the manmade Federal decisions that are exacerbating the drought.

H.R. 2898 ensures scientific transparency in Federal actions that are literally taking water away from people that desperately need it, all for questionable benefit of endangered fish.

The bill also requires the deployment of more effective management tools like addressing the nonnative fish that are harming the endangered fish.

□ 0915

West-wide, the bill takes steps to build new water storage that is crucial to the well-being of Western communities and economies. To assist non-Federal projects, the bill creates a one-stop shop for water storage permitting at the Bureau of Reclamation.

Oftentimes, Federal agencies overlap or conflict with each other when it comes to permitting non-Federal facilities. This provision forces them to sit down with one lead agency, the Bureau of Reclamation, to resolve issues and expedite permitting.

For Federal projects, the bill creates a streamlined and transparent process for the Bureau that mirrors the Army Corps' provisions in the Water Resource Reform and Development Act of 2014, which was enacted by overwhelming bipartisan majorities in both Houses of Congress.

To offset the bill's implementation costs and finance new water storage, the bill allows irrigation districts and water utilities to prepay their share of the capital costs of Federal water projects.

Mr. Chairman, some water users are prohibited from paying off contracts early. This is nonsensical. Congress has lifted the restrictions in piecemeal fashion before, and it is time to dispense with it altogether.

One way to efficiently construct new storage is to allow the Bureau of Reclamation to make water storage improvements during the course of making safety improvements. H.R. 2898 allows the Bureau to do just that.

Finally, the bill prohibits the Departments of the Interior and Agriculture from holding public land permits hostage unless permittees give up their State-endowed water rights. This will put a stop to the Federal Government's repeated attempts to grab water rights at the expense of State authority from the Forest Service's interim directive for ski area permits to the Service's ill-fated groundwater directive.

Mr. Chairman, this bill takes a commonsense approach to solving water problems in the West, and I urge its adoption.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 8, 2015.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing concerning H.R. 2898, the ''Western Water and American Food Security Act of 2015.''

This legislation contains provisions within the Committee on Agriculture'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 Agriculture will forego action on the bill. 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 Agriculture 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 Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, July 9, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On July 9, 2015, the Committee on Natural Resources ordered reported with amendments H.R. 2898, the Western Water and American Food Security Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled expeditiously by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources as well as in the Congressional Record to memorialize our understanding.

Thank you for your consideration of my request, and for your continued strong cooperation between our committees.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

It was just last winter that we were here on the House floor talking about another so-called drought bill that my Republican colleagues were attempting to slam through the House within just a few days of its introduction.

This time the bill has a different title, but it is pretty much the same bill. We are back today to consider yet another bill that harms West Coast fisheries and tribal interests, another bill that undermines State law, another bill that micromanages the most complex water system in the world in a way that benefits a select few at the expense of many others across the State of California, another bill that is going nowhere.

We have a SAP from the administration. We have a withering three-page letter of opposition critiquing the bill from the Department of the Interior. The two largest circulation papers in California have both editorialized against it. The State of California is on record opposing prior versions of this bill.

Now, unlike last year, when the House did not allow any amendments to the bill, we are here today with 4 out of 5 Republican amendments made in order and 4 out of 24 Democratic amendments made in order.

That may seem like marginal progress over the 113th Congress' very closed process, but that is no way to do business and certainly no way to get a bill signed into law. With something as complicated and important as California water, we really should make sure everyone has a say, and that is what Democrats have attempted to do. We have introduced a drought response bill, H.R. 2983, which is a comprehensive drought bill. It brings everyone to the table.

This bill had 6 weeks of public review before even being formally introduced, resulting in substantial crowdsource changes to the bill. Our water future deserves that kind of open debate and real solutions.

I have been joined by 34 cosponsors on that bill because it provides both short- and long-term investments in water supply reliability, the kind of tools that all Western States will need.

My bill includes significant resources to support farmworkers and others who

are out of work, not just lipservice. And I submit that if my Republican colleagues really care about the challenges faced by farmworkers and others affected by this drought, they will join us in backing real solutions that provide meaningful assistance in addition to stretching our limited water supplies.

Our bill is supported by the Association of California Water Agencies, California sanitation agencies, numerous other water agencies, environmental groups and stakeholders, and both the L.A. Times and the San Francisco Chronicle have editorialized in favor of the Democratic alternative drought response bill and opposed to the bill we are considering here today.

Mr. Chairman, let's have some hearings. Despite the importance of this issue, we have held no legislative hearings on drought responses in the 114th Congress, not on the majority's bill, not on my alternative.

Let's have hearings on both bills. Let's see which one produces the most water, which one produces that water more quickly, and which one produces it more cost-effectively and more reliably.

I hope that someday, Mr. Chairman, we will be discussing real water solutions in that spirit, vetted in an open hearing, that can actually produce something that will be signed into law, instead of the same tired, divisive ideas that pit our State's water users against each other.

Now, a lot of people have asked me: Why do your Republican colleagues refuse to have serious hearings on their water proposal? I think the answer is pretty clear. Like its predecessors, we are here considering a bill that, when it is exposed to public scrutiny, simply falls apart.

Here's what the Department of the Interior said last week in a letter to our committee, in lieu of testimony, of course, because there was no legislative hearing on the bill. They said: ''Instead of increasing water supplies, H.R. 2898 dictates operational decisions and imposes an additional new legal standard. Instead of saving water, this could actually limit water supplies by creating new and confusing conflicts with existing laws, thereby adding an unnecessary layer of complexity to Federal and State project operations. As a result of this additional standard, we believe H.R. 2898 will slow decision-making, generate significant litigation, and limit the real-time operational flexibility that is so critical to maximizing water delivery.''

Although the Pacific Fishery Management Council wasn't given an opportunity to actually testify on this bill, again, because we had no hearings, they opposed last year's version, and they wrote to us this week to say that they are on record on what appears to be similar legislation. Specifically, they are concerned about the bill's provisions that redirect water away from salmon habitat.

The closure of the West Coast salmon fishery in 2008 and 2009 required $158 million in Federal disaster relief. And, sadly, the Rules Committee did not allow a vote on our amendment to require a full Pacific Fishery Management Council review of this legislation.

There is no question that this bill explicitly preempts State water law, and it waives and weakens the application of bedrock Federal environmental laws, including the Endangered Species Act and NEPA, but the Rules Committee did not allow a vote on my amendment to protect California water law from preemption nor my amendment to strengthen the water rights protections in the bill. It seems that the issue of states' rights is simply an inconvenient subject when it comes to Republican water legislation.

Mr. Chairman, water is a complex subject, but it doesn't have to be partisan combat. It doesn't have to scapegoat environmental laws or pit one region against the other in a zero-sum game.

I chaired the California Assembly's Water Committee during the last drought in 2009, and we did it the right way. We held lots of hearings. We brought interests from all over the State together and, in the end, although it was a lot of work, through that deliberative, transparent process we produced comprehensive water legislation that was supported by Republicans and Democrats from all corners of the State.

Last year, Mr. Chairman, a near unanimous California legislature agreed on a multibillion-dollar water bond that has created significant water reforms in full public view. If my colleagues on the other side of the aisle would just give up on the idea of ramming the same divisive ideas through Congress every few months, we too might be able to make some progress on solving water problems.

I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, droughts are nature's fault, but water shortages are our fault. They are a deliberate choice we made nearly 40 years ago when we stopped building new dams. We haven't added a major reservoir in California since 1979, while the population of our State has nearly doubled.

Even before the drought, leftist policies created severe water shortages in California's Central Valley, devastating the economy and creating the spectacle of food lines in one of the most fertile agricultural regions of our Nation.

For 4 years, the House has passed comprehensive legislation to resolve this crisis before it became a crisis. For 4 years, Senate Democrats blocked it; but the public has now awakened, and the Senate has changed.

The voices we hear in opposition are the same voices that have dominated Western water policy these past 40 years. We now know where that leads.

This bill doesn't preempt California water law; it protects it by forbidding State officials from fulfilling their threats to violate it. It comes at the request of local water agencies that are sick and tired of having their water expropriated by ideological zealots.

It is time to choose between two very different visions of water policy. One is the nihilistic vision of the environmental left; increasingly severe, government-induced shortages, forced rationing, astronomical water prices, and a permanently declining quality of life for our children who will be required to stretch and ration every drop of water in their parched homes. The other is a vision of abundance, a new era of clean, cheap, and plentiful water and hydroelectricity; great new reservoirs to store water in wet years to assure plenty in dry ones; a society whose children can enjoy the prosperity that abundant water provides, including fresh and affordable groceries from America's agricultural cornucopia.

Mr. Chairman, we choose abundance.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

The alternative vision that we offer is certainly not one of austerity and sacrifice; it is one of reality.

There was a time when the reclamation program from the Federal Government proceeded on the assumption that rain follows the plow. It was completely wishful, completely delusional, and we seem to be hearing vestiges of that old argument even today.

What Democrats offer are real solutions—solutions that have been underfunded by Republicans for too many years, solutions that will generate more water and more water supply reliability than the Republican alternative we are considering.

We continue to hear representations that are simply not correct. The claim that we haven't built a major reservoir in California since 1979, tell that to the folks that built Los Vaqueros Reservoir or Diamond Valley Reservoir or many others.

We hear that the doubling of the population in the last few decades is what is driving this crisis. Well, in fact, the urban centers where that population has doubled have held their demand flat. The population has gone up. The water consumption has not.

We continue to hear that this bill—remarkably, we continue to hear that it doesn't preempt State law. Well, Mr. Chairman, I would refer you simply to the CBO report at page 2, which recognizes that H.R. 2898 would impose intergovernmental mandates by preempting the ability of the State of California to enforce its own water management and wildlife preservation laws. There is no question that this bill preempts State laws, and saving money by telling Federal agencies they no longer have to comply with State laws is no way to make public policy.

Mr. Chairman, I yield 3 minutes to the gentleman from the delta region California (Mr. MCNERNEY). He has been a champion on sustainable management of our water resources, and I am pleased to have him with us.

Mr. MCNERNEY. Mr. Chairman, I rise to express my strong opposition to H.R. 2898.

Many of my colleagues here in Washington have told me they don't want to get involved in the California water wars, and I don't blame them. I don't want them to get involved in the California water wars, but this legislation will do tremendous harm to the California delta, an area that I am privileged to represent.

Let's start with the facts. California is experiencing its driest year on record. In May, there was not even enough snowpack to measure. The United States Drought Monitor measured that about 46 percent of California is in an ''exceptional drought.''

The so-called drought bill does nothing to solve California's water issues or address drought across the West. Instead, it preempts State laws, reduces management flexibility, eliminates protection for salmon and other endangered species, and rolls back our Nation's fundamental environmental laws.

We need to look at real solutions and not waste time and resources recycling old, bad ideas. Moving more water south doesn't answer our problems. It hurts delta farmers and the salmon industry. We can't pick and choose our economies. We need to fight for all of them.

Let's be clear. My Republican colleagues are basing a lot of their arguments on the idea that environmental regulations send too much water to the ocean that otherwise could be used by communities. But according to the State Water Resources Control Board, in 2014, 72 percent of the delta outflow was required to control salinity so that the delta's water supply did not become too salty for agriculture or urban communities across the State.

□ 0930

If we override these laws, permanent damage will result for fishermen, farmers, families, and businesses throughout California. What I don't understand is why our Republican colleagues keep fighting against protections that preserve the quality of water for their constituents.

The Department of the Interior also opposes this bill because it would ''impede an effective and timely response to the continuing drought while providing no additional water to hard-hit communities.''

And California doesn't want Federal legislation to ''weaken State and Federal environmental protections . . . preempt State law . . . and favor one region of the State over another,'' which is exactly what this bill does.

We are a State known for innovation, and we have to support bold, forward-thinking solutions that create new water and don't pit regions of California against each other. We should be supporting water efficiency, storage, reuse, recycling, water management, innovative water projects, and long-term approaches to water shortages.

While this legislation will further disrupt a fragile delta and hurt its local economy, I, along with my colleagues, will be pushing for solutions that create more water and respond to the needs of the entire State.

The CHAIR. The time of the gentleman has expired.

Mr. HUFFMAN. I yield the gentleman an additional 20 seconds.

Mr. MCNERNEY. I want to ask my colleagues in the Great Lakes region and the Florida Everglades to pay attention. This bill, if passed, will set a new precedent for grabbing freshwater over any environmental protections. Your water could be next.

I urge my colleagues to oppose H.R. 2898.

Mrs. LUMMIS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I thank the gentlewoman from Wyoming (Mrs. LUMMIS).

Mr. Chairman, we have heard today and will hear quite a bit more claims from the opposition, and I think it is high time that we reintroduce facts into the debate on California water.

My district is the source of much of California's water and home to its largest reservoirs, just two of which can hold 8 million acre-feet, enough for 32 million people for an entire year. This water is delivered throughout the length of the State, and no other district provides so much for so many.

However, even my constituents are facing mandatory rationing and fallowed fields. I support this measure because it respects State water rights and aids all Californians without favoring any region of the State over another.

Ask the Bay Area lawmakers, who have expressed so much concern over ''sparking a water war'' where their water comes from. You will find that their water comes from my district, my colleagues' districts in the Valley, as well as the Sierras.

This bill advances planning of five surface water storage projects that would yield enough water for 9.6 million people, projects that two-thirds of Californians voted to fund with State money just last year.

Yet, my disappointment here is that we have so many California legislators today and in the past that oppose anything we try to do to enhance the water supply and deliverability in the State of California.

What is more, it isn't human water use that is negatively impacting listed species. According to the National Marine Fisheries Service and Delta Stewardship Council, 90 percent of endangered winter-run salmon are killed and eaten by invasive fish species before they even reach the delta.

The opposition, despite all data to the contrary, denies that invasive species are a part of the problem. Years of lawsuits aimed at reducing water use haven't helped at all endangered salmon, but this bill takes real steps to aid that population. This bill takes action to reduce the populations of invasive species.

While opponents may claim this bill impacts commercial salmon fishing, they won't say that the National Marine Fisheries Service found that commercial ocean fishing reduces the remaining endangered winter-run Chinook population by as much as 25 percent.

So there it is right there. 92.5 percent of endangered winter-run Chinook are killed by invasive species and commercial fishing outside of whatever happens in the delta, 92.5 percent.

When opponents claim that this bill alters the Endangered Species Act, ask them to show you the language where it does so. They can't show you that because it doesn't exist. Believe me, if I could, I would amend the Endangered Species Act to be more effective, actually, in helping species as well as human needs.

In fact, this bill enhances implementation of the ESA by requiring improved population monitoring and invasive species management, components that should be universally supportable.

Mr. Chairman, let's put a stop to the half-truths and misleading rhetoric, such as no hearings being held. We had two hearings as well as hearings in the Valley on this bill and its components.

The opponents don't believe that we should take any action at all, that nothing is wrong, despite 36 percent mandatory water reductions to homes—such as in my district, like in Redding—thousands of lost jobs, and a half million fallowed acres.

These drought deniers claim that 38 million people—soon to be 50 million in California—can prosper with water delivery infrastructure built for 20 million people years ago, despite irrefutable evidence that our State's economy has dried up.

Mr. Chairman, it is time to take action and pass H.R. 2898.

Mr. HUFFMAN. Mr. Chairman, by way of clarification, the opposition does not oppose addressing invasive species that may have impacts on our fisheries.

What we do agree with, though, is all of the serious science, including peer-reviewed science, that finds that water diversions are the main challenge and the main impact. And we cannot ignore the elephant in the room when we are talking about recovering our fisheries.

As for this claim that there was some kind of a hearing in the Valley, Mr. Chairman, not in this Congress and not a real hearing.

It doesn't count when you have a Republican swing through Fresno with a fundraiser and a rally and a press event and no Democratic ranking members in

attendance. That is not serious deliberation.

We are talking about real hearings where diverse witnesses and water experts and lots of Democrats get to participate in a serious and meaningful way.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO), the ranking member of our Water Resources and Environment Subcommittee of the T&I Committee, a champion on water issues for many, many years.

Mrs. NAPOLITANO. I thank my colleague for yielding.

Mr. Chairman, I do heavily oppose H.R. 2898. It does create no new wet water.

I am hearing a lot of rhetoric on all these different things that have happened. I have been on that subcommittee for 17 years, and I have heard it all.

I have been to the Central Valley. I have been talking to farmers. But I don't see any of my colleagues on the other side visiting southern California and checking out how we do things in San Diego and Los Angeles, to be able to have hearings with the water agencies and all those that are critically affected by what is affecting southern California.

Now, this bill has been introduced. There has been no hearing in our Subcommittee on Water Resources and Environment. There has been no consultation with Democrats, except one maybe, with no water agency, with State agencies, with cities, and with tribes.

It does nothing for farmworkers, the ones who are really affected by the drought and who have no way of being able to have income or other way of subsidence.

The bill focuses on the Central Valley at the expense of the rest of both northern California and southern California.

It requires mandatory pumping to agribusiness, which reduces southern California water deliveries. It creates a complicated and ill-defined system that is a very poor attempt at protecting State water deliveries to southern California.

And it is proof, also, that the authors know that the bill will reduce deliveries to southern California due to water quality and environmental problems created with increased pumping to the Central Valley.

This bill affects the entire country, the U.S., by weakening Federal environmental review laws, by creating unreasonable deadlines for environmental review when the biggest problem with delayed view is ''inadequate funding.''

California's Natural Resources Secretary, John Laird, states that this bill would ''reignite water wars, move water policy back into the courts, and try to pit one part of the State against another.''

California Senator DIANNE FEINSTEIN, senior Senator, said the bill contains provisions ''that would violate environmental law.''

California Senator BARBARA BOXER says the bill ''will only reignite the water wars.''

The White House opposes this legislation and will veto it, saying that ''it fails to address critical elements of California's complex water challenges and will, if enacted, impede an effective and timely response to the continuing drought while providing no additional water to the hard-hit communities.''

We must work on this water issue in a bipartisan manner to address California's entire State drought.

I have introduced H.R. 291, the Water in the 21st Century Act, which would provide actual drought relief to all of California with water conservation programs, water recycling projects, groundwater improvement operations, stormwater capture solutions, and desalinization.

We need to support long-term solutions with shovel-ready projects that quickly create water.

The CHAIR. The time of the gentlewoman has expired.

Mr. HUFFMAN. I yield the gentlewoman an additional 15 seconds.

Mrs. NAPOLITANO. There is a $300 million backlog on title XVI for recycled water that would help southern California be able to wean itself off of the imported water. Key House Democratic proposals have been excluded from the bill we are marking up today.

Mr. Chairman, I ask my colleagues to oppose H.R. 2898.

Mrs. LUMMIS. Mr. Chairman, 18 hearings in 5 years have been held on this subject. Democrat Members were invited to attend hearings in California. Only one chose to attend.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in support of Western Water and American Food Security Act.

The Obama administration has exacerbated drought conditions in the West by putting the demands of extremist special interest groups ahead of hardworking American families.

For example, Federal regulations and environmental lawsuits have allowed for hundreds of billions of gallons of water to be diverted into the San Francisco Bay in order to protect a 3-inch fish.

This has had a dramatic impact, killing thousands of jobs, harming our food supply, and leading to unemployement levels as high as 40 percent in some communities.

H.R. 2898 is a balanced approach for combating drought conditions in the West. The bill protects private water rights and prohibits Federal takings. This legislation streamlines the Federal permitting process and will increase water storage capacity.

American families are hurting in the West and need some relief. H.R. 2898 will help ensure a reliable water supply for our citizens and our Nation's ag producers.

I urge adoption of this commonsense bill.

Mr. HUFFMAN. Mr. Chairman, more clarification is needed. We continue to hear about this legendary 3-inch fish that is apparently taking so much water from Californians.

Facts are stubborn things. And the facts are that, over the last 2 years, that 3-inch fish has taken exactly zero water from those who depend on water diverted out of the delta system.

As for employment levels, certainly folks are hurting from this drought throughout California and in other Western States.

But with reference to agricultural employment, thanks to the incredible productivity of our farmers in California, ag employment was actually up 2 percent last year, another stubborn fact that needs to be remembered so that we can get the context of this bill right.

I am proud to yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), our distinguished ranking member of the Natural Resources Committee.

Mr. GRIJALVA. I thank the gentleman from California for yielding me the time and for the good work he has done on the water issues in our committee and for the rational thought he brings to the discussion.

Mr. Chairman, the Endangered Species Act is not causing the California drought, period. It is wrong to mislead the people living through the drought by telling them that the answer is to abolish environmental laws. It isn't.

But here come the House Republicans again with another unfounded attack on endangered species that will go extinct without ESA protection.

Here they come again, claiming ''power grab'' and ''overreach'' every time that they don't get their way.

Here they come again, using a serious water challenge as an excuse to chip away at a law they don't support, even if it is unrelated to the problem at hand.

Millions of Californians need Congress to take this drought seriously. But my friends across the aisle have decided their opposition to the Endangered Species Act is more important, and the drought in California is a convenient excuse to dismantle ESA.

We recently finished debating the Interior, Environment, and Related Agencies appropriations bill that now includes language that would jeopardize the survival of the African elephant, greater sage-grouse, gray wolf, northern long-eared bat, Sonoran desert tortoise, and many other endangered species.

H.R. 2898 will add the delta smelt and several salmon and steelhead runs to the list of species that the House Republicans have decided we can do without.

I guess we shouldn't be surprised. After all, the sponsor of this legislation said last month on live television that he would ''hopefully someday repeal

the Endangered Species Act.'' That kind of rhetoric is not constructive, but is a useful glimpse into the real Republican agenda.

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By showing what this bill is actually about, these comments tell us Republicans know that this is a distraction from the real problem. California faces a crippling drought and global warming that will continue to make the State drier and hotter, and the demand for water far outstrips supply.

Californians will have to make some tough choices in this drought, but they do not need to choose to exterminate fish and wildlife resources that belong to the American people. Congress should not choose to do so either.

People and wildlife can coexist, and the ESA is proving it. Since 1973, 99 percent of protected species have survived, and the U.S. economy has tripled from just over 5 trillion to more than 16 trillion. Restoring delta smelt, salmon, and steelheads will have additional economic benefit for commercial and recreational fishermen.

If that isn't enough, Americans are telling us that we have to protect species. Recent polling shows 90 percent of voters support ESA.

Sadly, this bill is just another example of House Republicans ignoring the will of the American people and driving the extinction of American fish and wildlife one species at a time.

I ask for a ''no'' vote on H.R. 2898.

Mrs. LUMMIS. Mr. Chair, I yield 3 minutes to the gentleman from California (Mr. VALADAO), the sponsor of the bill.

Mr. VALADAO. Mr. Chairman, I thank my friend from Wyoming, who has been a huge support on this legislation.

I hear on the other side that there are no real solutions in this bill, real solutions that actually help deliver water; and that frustrates me to no end because there are a lot of solutions that have a lot of support.

We also hear that this delta smelt has had no impact on pumping this water out of the delta, when the Bureau of Reclamation, through their own estimates, say about a million acre-feet annually is impacted between the Central Valley project and the State water project. That is a government agency that is doing the restricting and holding back the water that is telling us themselves.

Then every year in the news, we hear another three fish were caught in the pumps. They are looking and counting, and they are already starting to figure out when they are going to turn the pumps off again so they can restrict the pumping of those fish.

Then we hear this does not have an impact on farmworkers. Farmworkers aren't looking for your handouts. They are sick and tired of sitting at home and taking a check. They want to work. They want to produce.

They want to walk into a grocery store with the money they earned and purchase the products that they were involved in growing. To them, that is a sign of the American dream. It is a sign of having the opportunity to produce and to be a productive member of society and to show their family and raise their family in an environment that allows them to grow with a little bit of respect and dignity for what they do.

Now, as far as the solutions in this bill that they claim don't exist, reservoirs are a big deal. That is what holds water so that we can use it for later on in periods like now. We actually asked to streamline the process so we can get those approved quicker.

We have asked to end the studies that have been going on for nearly 15 years. We are 13 years into it, and $150 million of taxpayer money has been spent studying these things to no end. We want to end that. I don't think that is unreasonable. The President seems to think it is, but I don't see how it possibly could be.

We target predator species that are actually having an impact on the delta smelt. According to studies, you hear about 95 percent of those delta smelt and salmonoid are being consumed by these predator species. We offer a solution in order to take care of that problem.

Real science, we asked for a layer of bureaucracy. My opponent or my friend from the other side seems to think it is a layer of bureaucracy, but we are asking for real science to be put in place to make sure that, when we decide to turn off these pumps to hurt the communities in the Central Valley, to put these people out of work, that real science is actually used; and we actually try to verify that things are actually accomplishing something when we turn these pumps off.

As far as hearings, we have had hearings. We wanted those hearings in the valley. We took the request of our friends on the other side, and we had the hearing right there in Fresno in the heart of the problem so they can see for themselves what this is causing, what effect this is having in our communities.

Like my friend from Wyoming mentioned, we had one person show up; and I would like to thank that gentleman for coming, Mr. COSTA, and spending some time. It is his hometown, so he understands the issue well.

This is something that we take very seriously. This bill is a comprehensive bill that covers a lot of different topics, but it also helps deliver real water. I don't know what the difference between wet water and dry water is, but we are looking to deliver real water to the valley.

If this didn't deliver real water like they claim, what are they afraid of? What is the fear of this legislation passing if it doesn't deliver, in their own words?

We are looking to get some water, helping our community and helping people get back to work and grow delicious, wonderful American food that we are very proud of.

Mr. HUFFMAN. Mr. Chairman, I just want to cite testimony from the United States Fish and Wildlife Service before the State water board just a few months ago, February 18, 2015, in which they testified the delta smelt biological opinion has not required mandatory restrictions on water exports since early 2013, over 2 years ago.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA), my distinguished colleague from Fresno.

I do not agree with him on this particular bill, but I do want to say that he has been a champion for his district and certainly has great command of the water issue.

Mr. COSTA. Mr. Chairman, I thank the gentleman from California for yielding me 2 minutes.

I strongly urge my colleagues to support the Western Water and American Food Security Act that we are debating here today.

Yes, we are debating this issue, and this is not new. What you have exhibited here and seen this morning is where the water fault lines lie in California, and it also is reflective of many of the Western States.

This 4 years of historic drought has pointed out clearly that we have a broken water system in California. Here we are on the floor, having another debate over whether or not we are going to pass a bill to help people because, at the end of the day, these are people problems, people problems in every region of California.

Nowhere have those people been more impacted than in the San Joaquin Valley, which much of us represent. These are families where parents have lost their jobs, whose children are not able to attend school. These are farmworkers, these are farm communities that have felt the most severe impact of this drought and the water constraints that we now are dealing with.

My colleagues on the Democratic side argue that this is simply a cause of 4 continuous dry years, and while that is partially true, it ignores that that talking point doesn't recognize that, in fact, we have a broken water system designed for 20 million people.

Communities in the San Joaquin Valley have seen their water supply reduced long term by 40 percent, and agricultural use has declined over the last 40 years because we are more efficient water users. Some, in my area, have had a zero water allocation the last 2 years. Zero, that is no water.

This reduced reliability has impacted every region of the State to be sure. It has impacted large metropolitan areas like the Silicon Valley, Los Angeles, San Diego, as well as the small rural and often disadvantaged communities like those in the valley that I represent.

This measure, H.R. 2898, takes a step toward addressing this longstanding imbalance by enhancing scientific management of the water projects in California and then giving it greater

flexibility. It also provides additional storage.

The CHAIR. The time of the gentleman has expired.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. I thank the gentlewoman. It provides additional flexibility to increase our water supply. We have to use all the water tools in the water management toolbox, and that includes increasing storage capacity, and it is about time that we began doing that.

It also tries to address many of the other factors that are preventing the recovery of endangered species, like the invasive species that are the result of a lot of the decline in salmon in California.

Let me quote Karen Hesse, an author of ''Out of the Dust.'' She said: ''The way I see it, hard times aren't only about money or drought or dust. Hard times are about losing the spirit and hope and what happens when dreams dry up.''

Well, ladies and gentlemen, I am here to tell you that a lot of the dreams are drying up in the people that I represent in the San Joaquin Valley. This drought is crushing their spirit, making them feel as if their dreams never become a reality and too often feel like they are the country cousin, literally and figuratively, of the two urban areas in southern California and northern California.

The solution that California needs is not more talking points, but legislation working together on a bipartisan basis. This legislation starts that process. It is a work in progress. Obviously, it will be amended.

It will be changed as we work with the Senate later this fall.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY. Mr. Chairman, I thank the gentlewoman for yielding; and I thank my colleague on the other side, Mr. COSTA, for his work on this in the bipartisan bill. I thank Congressman VALADAO for bringing it to the floor.

Mr. Chairman, I come from a place that is called, for a very good reason, ''America's salad bowl.'' We produce the vegetables; we produce the fruits, and we produce the nuts that feed the Nation.

The Nation should know what the people in my district know: Food grows where water flows, and no water equals higher food costs.

That is what the signs read across the district if you drive down the highways, but you can see trouble in more than just the signs you read. You see it in the parched farmlands, in the reservoirs that are all but empty, and in the faces of those whose jobs have dried up with the water.

Now, I am talking about this as a Californian, a native from Bakersfield, but this isn't a local problem. Half of the produce we eat in America is grown in California, and California is the eighth largest economy in the world. When California hurts, the entire Nation hurts as well.

This is even bigger than just California. Almost 40 percent of the West is facing a severe drought, and it is undeniably clear that the status quo is unsustainable.

If we do nothing, people will lose their livelihoods; water prices also continue to go up, and America will have to rely more and more on foreign food, perhaps from countries that don't have the same labor or environmental laws that we do.

Now, we can't make it rain, but we can't give up either. Some people want to do just that, Mr. Chairman; some believe that our way of life has to change, that it is time to focus on conservation above all and manage our decline. I reject that.

If California is in decline, then the American West is in decline, and the hope of so many generations is in decline. We will lose that pioneering spirit that will lead us through the 21st century.

Now, we have a bill before us today that rejects the idea that we have reached the heights of the shining city on a hill and that it is time to come back down to a world of limits and of uncertainty. We have never accepted failure; nothing, not even a historic drought, will make us start now.

Here in the House, we have tried time and again to address this problem. This Congress, the last two Congresses, have addressed it before we hit a historic drought. Let's not forget, just 5 years ago, we had 172 percent of snowpack.

We talk a lot about desalinization, and I support it. What does desalinization do? It takes saltwater and makes it freshwater. Why in California do we allow our freshwater to become saltwater? Shouldn't we protect that first?

This bill takes ideas from both sides, as we just heard from Congressman COSTA and from this side. We designed the bill to move as much water down south to our farms and to our cities as possible without making any fundamental changes to the environmental law.

In reality, this bill is very simple. It does four things in California. We allow water to flow through the delta. We create a process to build more storage that has been promised so many years before but has been held in bureaucratic red tape. We will increase the reservoirs, and we will protect the senior water rights and the California State water project.

This drought also extends beyond California. That is why this bill includes so many provisions to help our friends in the Western States through their tough times as well.

You see, Mr. Chairman, we have a challenge before us. It is a challenge of nature, yes; but it is also a change of policy, foresight, and plain common sense. For decades, our State and country have faced droughts. For years, Californians have endured this drought.

Now, we are here today to move forward toward a solution. It is a solution built upon ideas from, yes, Democrats and Republicans. It is a solution that rejects the idea of decline and failure and says with a clear voice: We will not let the drought defeat us.

California is better than that; the West is better than that, and, Mr. Chairman, America is better than that. We will not lose hope. We will solve the problem with or without you.

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Mr. HUFFMAN. Mr. Chairman, could I inquire as to the balance of my time?

The CHAIR. The gentleman from California has 8½ minutes remaining. The gentlewoman from Wyoming has 15¾ minutes remaining.

Mr. HUFFMAN. Mr. Chairman, I appreciate the majority leader's statements about when freshwater becomes saltwater.

I am pleased to yield 3 minutes to the gentleman from California (Mr. THOMPSON), who represents the part of California that understands the incredible ecological and economic value of that mixing zone where freshwater becomes saltwater, and represents communities that are on that thin blue line depending on that point at which freshwater becomes saltwater. And if it were compromised, and if that saltwater were allowed to intrude by virtue of some of the provisions in this bill, he represents the front line of communities that would be very adversely impacted.

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, he is absolutely correct. In my district, if that freshwater doesn't run through and run out to the ocean, the saltwater runs back in. I have two major cities in my district that rely on that for a source of water. If this bill were to pass, their water supply is in jeopardy. You can't drink saltwater; it just doesn't work.

California is in the middle of a very extreme drought. It is not due to a lack of pumping; it is not because of our State's water regulations, and it is not because we are putting fish ahead of farms and people. It is because there is no rain and there is no snow. No bill can make it rain, but this bill makes a bad situation even worse. It is wrong for California. It won't stop the drought; it won't make it rain; but it will kill jobs, and it will ruin drinking water for millions of Californians.

The State of California won't support this bill because it ignores 20 years of established science and undermines our extensive efforts to implement equal measures to address longstanding water shortages.

We have been down this road before in California. We ignored science and we diverted water out of the Klamath River, and nearly 80,000 spawning salmon died. Communities were devastated and livelihoods were lost.

This bill also sets a dangerous precedent for every other State in our country. California has longstanding water management rules. This bill overrides the very system of water regulations that Californians themselves devised to govern our State's water supply. It tells local resource managers and water districts how to administer their water supply.

If we pass this bill, we are telling every State in America that we are okay with the Federal Government undermining local experts and State laws from coast to coast. If that weren't enough, this bill also undercuts longstanding environmental laws.

The legislation we are debating today redefines the standard by which the Endangered Species Act is applied. This will weaken the law, increase the risk of species extinction, and lead to countless lawsuits and costly litigation. It is as if the majority is holding wildlife responsible for our lack of rain.

You will hear the other side talk about a little fish, the delta smelt, and how we are protecting fish at the expense of people. The truth is, as the gentleman from California mentioned, that protection of the smelt hasn't prevented one drop of water from being pumped south since 2013. We haven't pumped more water south because there simply isn't enough water. We are in a drought.

I am not insensitive to the supply and demand reality of California's water. I understand the concerns of the Central Valley farmers. I am a farmer myself. But if my well runs dry, the solution isn't to steal the water from my neighbors. We need real solutions that are based on science and that work for everyone. This bill is not that solution. It is bad for California; it is bad for other States; it is bad for our environment.

Mrs. LUMMIS. Mr. Chairman, facts are stubborn things. According to the Bureau of Reclamation, biological opinions involving species did reduce Central Valley's exports by 62,200 acre-feet in 2014. Already this year, according to the Bureau of Reclamation, species have reduced Central Valley project waters to farmers by 280,000 acre-feet. Again, my source is the Bureau of Reclamation.

At this time, Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP), chairman of the House Natural Resources Committee.

Mr. BISHOP of Utah. Mr. Chairman, the other day, Topper Shutt in his broadcast, said, ''Today is going to be a glorious day.'' He obviously was talking about the sunshine outside, which means we should have done this bill yesterday so I could be on my deck right now, but that is beside the point.

This is, though, a glorious day because we are finally doing a solution that helps people. Instead of just kicking the can down the road again for another year, we are going to find a solution to this problem, this problem of a drought that is affecting the entire West to such a degree that one would think that Nostradamus' quatrains have come true. But what we are doing here is finding a solution.

Many of the opponents of this bill would simply say let's pass more rain dances and hope something happens. What we are doing here is taking the advice of our pioneer forefathers and saying what we have, save. Do it as storage. And not just for California, but for the entire West. That is the purpose behind this particular bill.

There are some concerns about environmental issues that may or may not have been wise to do in the past. That is not the concern of this bill. We are not stopping any of that. What we are doing is finding a creative way to provide for that, but also provide a way of getting water to people where they need it.

In the middle of the last century, we did water projects and hydropower projects that helped us win the war. Now is the time to do water projects and hydropower projects to help us feed people in this Nation and in the entire world and to help out areas that have up to 50 percent unemployment. I have been down there and I have seen those particular communities, many of them first- and second-generation Americans, minorities who only want to provide a decent living for themselves and for their families and to work.

What we need to do is actually solve this problem so we can put people to work to provide food for this country and to provide jobs for people and to help people. That is what this bill is about: finally helping people with creative solutions. If the Romans could build an aqueduct system to move water, we can build a system to move water that actually helps people. This is about people.

Pass this bill. Let's move it on. Let's solve the problem.

Mr. HUFFMAN. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from California (Mr. CÁRDENAS), my colleague from Los Angeles, a city that, frankly, is pioneering some of the most promising water management strategies we have in California, strategies that are reflected in our alternative bill, for which I am grateful Mr. CÁRDENAS is a cosponsor. They are stretching water supplies not just using imported water wisely, but managing recycled water, groundwater, treating storm water, working on the cutting edge. They deserve Federal support for those proven strategies, support that our colleagues across the aisle have withheld for too many years.

Mr. CÁRDENAS. Mr. Chairman, I thank my colleague for yielding me time. Thank you for your wonderful work always on these issues.

Ladies and gentlemen, what we have here is a failure to communicate, a failure to communicate our priorities, but, more importantly, as legislators, a failure to work on compromise.

California is currently facing a historic drought. We can no longer take water for granted. Every single Californian has been forced to examine how much we truly depend on clean, reliable water in our everyday lives. Cities, residents, and businesses around the State are cutting back, but it is not enough. Unless the Western United States experiences significant rainfall in the near future, we will see ghost towns in extreme hardship for the most at-risk populations of our State.

While much of the coverage in the media has been on brown lawns across the State and the rationing that is going on, the real impacts threaten the lives of hard-working families throughout our State.

Take a trip through California's Central Valley. There you will see the gravity of the situation. You will see unemployment rates double or triple the national average, forcing families into makeshift dwellings that remind us of the Hoovervilles during the Dust Bowl. These families aren't thinking of their brown lawns. They are thinking of the fact that they have lost their home. These families want their jobs back. They want to go to work so that they can feed their children.

This bill and the various Democratic alternatives are works in progress. We have to find a solution, but this bill is not it.

If we are serious about facing the challenges our constituents sent us here to solve, I am ready and willing to work with you, and with you, to make the necessary, tough decisions and compromises.

I look forward to working with Mr. COSTA, whose district is facing the most significant impacts, and Senators DIANNE FEINSTEIN and BARBARA BOXER to craft a stronger bipartisan and bicameral solution.

We have no choice but to find better ways to capture and transport water in all parts of the State to meet the needs of the people and our economy while protecting the environment and delicate species. We must not use this time of need as a way to pick partisan fights. We have to find legislation that protects our environment while we also protect California families.

Lives are at stake. Ladies and gentlemen, we need to come together and work together.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT), chairman of the Subcommittee on Interior and Environment of the House Appropriations Committee.

Mr. CALVERT. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, here we go again, debating solutions to California's water woes, with each side making similar arguments we have heard for years.

In fact, more than a decade ago, I was standing in this very spot, in the middle of the debate of the last significant Western water law that Congress has passed. We passed the CALFED law

in 2004 and hoped that it would help California establish reliable and affordable water supplies that would help us get through dry spells like we are currently experiencing.

So why are we back here again debating many of the same issues? The simplest answer to that question is we allowed the ''don't build anything'' faction in California to block the critical investments we need to make in our State's water infrastructure.

The CALFED law authorized feasibility studies for large water storage projects like Temperance Flat, Sites Reservoir, Upper San Joaquin, expanding Los Vaqueros Reservoir and raising Shasta Dam. A decade later, our State's population has grown by 3 million new residents, and those projects are still being studied. Think about that for a second. California's population has grown the same amount as the population of the entire State of Iowa, and we haven't made a significant investment in our water infrastructure to accommodate those residents.

It is well past time to stop talking about these projects and start building them. Thankfully, the bill before us will move us in that direction by requiring our resource agencies to finally complete those decade-long feasibility studies.

Of course, building water storage doesn't help us in the short term, and it also requires excess water that can be diverted. That is why the Western Water and American Food Security Act injects commonsense and science in the operation of our water infrastructure.

When it does rain again, we simply can't afford to make the same mistakes we have made in the past and allow millions of gallons to flow out to the Pacific Ocean. Those wasted flows don't benefit the environment, farmers, or California residents, and they must be directed to a higher, better use.

The Acting CHAIR (Mr. FORTENBERRY). The time of the gentleman has expired.

Mrs. LUMMIS. I yield the gentleman an additional 30 seconds.

Mr. CALVERT. Mr. Chairman, we have a clear choice before us today. We can continue to listen to those who oppose investing in California's water infrastructure and we can believe we can restrict our way out of this problem, or we can recognize that California's situation today is far worse than it should be precisely because of our failure to build adequate water storage and restore more science and commonsense into our water policies that are operating today.

I encourage all my colleagues to support the Western Water and American Food Security Act so that we can avoid being back here on the House floor during California's next drought having these very same arguments.

Mr. HUFFMAN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 3 minutes remaining.

Mr. HUFFMAN. I yield 2 minutes to the distinguished gentleman from California (Mr. GARAMENDI), from the Sacramento Valley.

Mr. GARAMENDI. Mr. Chairman, I thank my colleagues.

We have been here before. I have listened to my colleagues who are the proponents of this bill over the last 5 years. As the previous speaker said, we have gone down this path before.

There really is a solution. Unfortunately, I guess all of us, in one way or another, hang on to our past rhetoric and ignore the opportunity that really demands our attention now to develop a comprehensive, good policy for California.

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There is a lot in this bill that goes in the proper direction, and it is an improvement over the past bills. There is no doubt about it.

The issue of moving forward with the projects that are necessary, that is all good, dams and other kinds of programs and the aquifer restoration. It is a good deal. However, in this bill, there are things that are very, very troublesome.

You cannot mandate by law the operations of the water systems in California or anywhere else. You cannot specify how they will be operating because you do not know on a day-to-day or a year-to-year or a month-to-month basis what is actually going to be on the ground.

So that portion of the bill that sets out those operating procedures should be removed. Goals, yes. Operating procedures, no. It just won't work.

As said by both the Federal and State governments, if you were to move this bill forward into law, you would create chaos in California. Every paragraph, every comma, every word, in California water law—both in law and in court decisions—sets the precedent, but, unfortunately, this bill overrides that.

We are very close to it. We can put this together. My colleague, Mr. HUFFMAN, has a proposal that is comprehensive, and it ought to be integrated into our programs and it ought to be integrated into this bill. But the kind of compromise and discussion that is necessary to develop a law that actually works has not been undertaken.

I would urge my colleagues, the proponents of this bill, to slow it down, to let the State and Federal Governments continue to do what they are doing, and that is to operate this system to the maximum potential despite the fact that there is very, very little water.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HUFFMAN. I yield the gentleman an additional 15 seconds.

Mr. GARAMENDI. We can do this, but we have to work together. Unfortunately, that has not occurred; so I urge my colleagues, the proponents of this bill, to take the time to meet with those of us who will be the losers if this bill moves forward. We can all be winners.

I draw your attention to Mr. HUFFMAN's legislation, which is comprehensive, which will work, and which could be integrated into this legislation.

In the meantime, I continue to oppose it.

Mrs. LUMMIS. Mr. Chairman, respectfully, when I was in the Central Valley in California, I saw chaos. It is already happening, and the people are desperate for a solution.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, for 7 or 8 years, continually, the Republicans have offered solutions and, continually, nearly all of the Democrats have voted ''no.''

This isn't about solutions, because the real solution the left wants is to idle over a million acres of farm ground in the San Joaquin Valley. This is why the forefathers of our State built a system that would withstand a drought of 5 years.

Look, we need additional storage, but everyone in this body—anyone who knows anything about water—knows that, if you don't fix the plumbing in the delta, if you don't deal with the San Joaquin River settlement and if you don't build a few new storage projects, over a million acres of farm ground are going to go idle.

Those are the facts. Conveniently, most of my friends who are up here speaking on the left live in the coastal areas and get their water—they steal their water—from our area to give themselves pristine drinking water. That is what they do.

Now we are going to be left with the chaos that has developed from over a million acres of farm ground coming out of production unless the Senate can take and act on this legislation quickly.

Mr. Chair, in the summer of 2002, shortly before I was elected to Congress, I sat through an eye-opening meeting with representatives from the Natural Resources Defense Council and several local environmental activist groups. Hoping to convince me to support various water restrictions, they argued that San Joaquin Valley farmers should stop growing alfalfa and cotton in order to save water—though they allowed that the planting of high-value crops such as almonds could continue.

Then, as our discussion turned to the groups' overall vision for the San Joaquin Valley, they told me something astonishing:

Their goal was to remove 1.3 million acres of farmland from production. They showed me maps that laid out their whole plan: From Merced all the way down to Bakersfield, and on the entire west side of the Valley as well as part of the east side, productive agriculture would end and the land would return to some ideal state of nature. I was stunned by the vicious audacity of their goal—and I quickly learned how dedicated they were to realizing it.

HOW TO STEAL WATER AND GET AWAY WITH IT

For decades, extreme environmentalists have pursued this goal in California with relentless determination. The method they have used to depopulate the targeted land—water deprivation—has been ruthless and effective.

Much of the media and many politicians blame the San Joaquin Valley's water shortage on drought, but that is merely an aggravating factor. From my experience representing California's agricultural heartland, I know that our water crisis is not an unfortunate natural occurrence; it is the intended result of a long-term campaign waged by radical environmentalists who resorted to political pressure as well as profuse lawsuits.

Working in cooperation with sympathetic judges and friendly federal and state officials, environmental groups have gone to extreme lengths to deprive the San Joaquin Valley, the heart of much of the U.S. agricultural production, of much-needed water. Consider the following actions they took:

The Central Valley Project Improvement Act: Backed by the NRDC, Sierra Club and other extreme environmental groups, large Democratic majorities in Congress passed the CVPIA in 1992 after attaching it to a must-pass public lands bill. The act stipulated that 800,000 acre-feet of water—or 260 billion gallons—on the Valley's west side had to be diverted annually to environmental causes, with an additional 400,000 acre-feet later being diverted annually to wildlife refuges.

Smelt and salmon biological opinions: Lawsuits filed by the NRDC and similar organizations forced the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to issue, respectively, biological opinions on smelt (in 2008) and on salmon (in 2009). These opinions virtually ended operation of the Jones and Banks pumping plants—the two major pumping stations that move San Joaquin River Delta water—and resulted in massive diversions of water for environmental purposes.

The San Joaquin River Settlement: After nearly two decades of litigation related to a lawsuit filed in 1988 by the National Resources Defense Council, Sierra Club and other environmental groups, San Joaquin Valley agriculture organizations agreed to a settlement in 2006, later approved by a Democratic Congress and signed into law by President Obama. The settlement created the San Joaquin River Restoration Program. The program, which aims to create salmon runs along the San Joaquin River, required major new water diversions from Valley communities. Despite warnings from me and other California Republicans, agriculture groups naively approved the settlement based on false promises by the settlement's supporters that Valley water supplies would eventually be restored at some future, unspecified date.

Groundwater regulation: In September 2014, California Gov. Jerry Brown approved regulations requiring that water basins implement plans to achieve ''groundwater sustainability''—essentially limiting how much water locals can use from underground storage supplies. But these pumping restrictions, slated to take effect over the next decade, will reduce access to what has become the final water source for many Valley communities, which have increasingly turned to groundwater pumping as their surface water supplies were drastically cut.

A LITANY OF HYPOCRISY

As radical groups have pursued this campaign to dry up the San Joaquin Valley, it's worth noting some of their stunning contradictions, hypocrisies, fallacies and failures:

''There's not enough water in California'': Environmentalists often claim that the California water crisis stems from the state not having enough water to satisfy its rapidly growing population, especially during a drought.

However, the state in fact has abundant water flowing into the Delta, which is the heart of California's irrigation structure. Water that originates in the snowpack of the Sierra Nevada Mountains runs off into the Delta, which has two pumping stations that help distribute the water throughout the state.

But on average, due to environmental regulations as well as a lack of water storage capacity (attributable, in large part, to activist groups' opposition to new storage projects), 70% of the water that enters the Delta is simply flushed into the ocean. California's water infrastructure was designed to withstand five years of drought, so the current crisis, which began about three years ago, should not be a crisis at all. During those three years, the state has flushed more than 2 million acre-feet of water—or 652 billion gallons—into the ocean due to the aforementioned biological opinions, which have prevented the irrigation infrastructure from operating at full capacity.

''Farmers use 80% of California's water'': Having deliberately reduced the California water supply through decades of litigation, the radicals now need a scapegoat for the resulting crisis. So they blame farmers (''big agriculture,'' as they call them) for using 80% of the state's water.

This statistic, widely parroted by the media and some politicians, is a gross distortion. Of the water that is captured for use, farmers get 40%, cities get 10% and a full 50% goes to environmental purposes—that is, it gets flushed into the ocean. By arbitrarily excluding the huge environmental water diversion from their calculations—as if it is somehow irrelevant to the water crisis—environmentalists deceptively double the farmers' usage from 40% to 80%.

If at first you don't succeed, do the exact same thing: Many of the Delta water cuts stem from the radicals' litigation meant to protect salmon and smelt. Yet after decades of water reductions, the salmon population fluctuates wildly, while the smelt population has fallen to historic lows. The radicals' solution, however, is always to dump even more water from the Delta into the ocean, even though this approach has failed time and again.

The striped bass absurdity: If the radicals really want to protect salmon and the Delta smelt, its a bit of a mystery why they also champion protections for the striped bass, a non-native species that eats both salmon and smelt.

Hetch Hetchy hypocrites: The San Francisco Bay Area provides a primary support base for many environmental groups. Lucky for them, their supporters don't have to endure the kinds of hardships these organizations have foisted on San Joaquin Valley communities.

While the radicals push for ever-harsher water restrictions in the Valley, their Bay Area supporters enjoy an unimpeded water supply piped in across the state from the Hetch Hetchy reservoir in Yosemite National Park. This water is diverted around the Delta, meaning it does not contribute to the Delta's water quality standards. Environmental groups have conveniently decided not to subject Hetch Hetchy water to any sort of litigation that would cut the supply to the Bay Area.

We're from the government, and we're here to help: Government agencies that catch smelt as part of scientific population measurements actually kill more of the fish than are destroyed in the supposedly killer water pumps.

Hitchhiking salmon: The San Joaquin River Settlement is estimated already to have cost taxpayers $1.2 billion—and it's clear to me that the total price tag will likely exceed $2 billion—in a disastrous effort to restore salmon runs to the San Joaquin River.

Moreover, the settlement legislation defines success as reintroducing 500 salmon to the river, which means spending $4 million per fish. The salmon, which have not been in the river for more than half a century, have proved so incapable of sustaining themselves that agents have resorted to plucking them out of the water and trucking them wherever they are supposed to go. It is a badly kept secret among both environmentalists and federal officials that this project has already failed.

A man-made state of nature: The radicals claim they want to reverse human depredations in the Delta and restore fish to their natural habitat. Yet the entire Delta system is not natural at all. It's a man-made network of islands that functions only thanks to upstream water storage projects. In fact, without man-made storage projects, canals and dams, in dry years such as this the rivers would quickly run dry, meaning there would be no water and no fish.

A THREE-STEP SOLUTION

The radicals have pursued their plan methodically and successfully; between the CVPIA, the biological opinions, and the San Joaquin River Settlement, around a million acres of farmland have been idled. What's left of the water supply is inadequate for sustaining Valley farming communities: South of the Delta, we now face an annual water supply deficit of approximately 2.5 million acre-feet, or 815 billion gallons.

In fact, with the state groundwater regulations announced last year, the radicals are poised to achieve their goal. The depletion of groundwater is a direct effect—and indeed, was an intended result—of the radicals' assault on our surface water.

(After all, if farmers, churches, schools and communities can't get surface water, they'll predictably resort to ground water.)

But the radicals have perversely cited the groundwater depletion they themselves engineered to justify regulating the groundwater supply. This is the final step in their program, since many farmers will not be able to keep growing food if they continue to receive zero water allocations and are restricted from tapping enough ground water.

The Valley cannot endure this situation much longer, but the good news is that it's not too late to save our communities. Led by the Valley's Republican delegation, the U.S. House has passed legislation twice that would bring a long-term end to the water crisis. The solution comprises these three simple measures:

Return Delta pumping to normal operations at federal and state pumps. Because normal

pumping levels are already paid for, this measure would cost taxpayers zero dollars.

Fix the San Joaquin River Settlement. Instead of continuing to spend hundreds of millions of dollars on an unworkable scheme to recreate salmon runs, we should turn the San Joaquin River into a year-round flowing river with recirculated water This approach would be good for the warm-water fish habitat and for recreation, and it would save taxpayers hundreds of millions of dollars that will otherwise go down the salmon-run rat hole.

Expedite and approve construction of major new water projects. This should include building the Temperance Flat dam along the San Joaquin River, raising Shasta dam to increase its reservoir capacity, expanding the San Luis Reservoir and approving construction of the Sites Reservoir in the Sacramento Valley. Because water users themselves should rightfully pay for these projects, they would cost federal taxpayers zero dollars.

These measures would not only end the water crisis, they would improve the environment for fish and wildlife—all while saving taxpayer dollars.

THE PRICE OF INACTION

I warned of the likely outcome of the radicals' campaign in my testimony to a House committee back in 2009:

''Failure to act, and it's over. You will witness the collapse of modern civilization in the San Joaquin Valley.''

That is indeed the grim future facing the Valley if we don't change our present trajectory. The solution passed twice by the U.S. House, however, was blocked by Senate Democrats, who were supported by the administration of Gov. Brown as well as the Obama administration. These Democrats need to begin speaking frankly and honestly with San Joaquin Valley communities, and with Californians more broadly, about the effects of idling 1.3 million acres of farmland. This will ruin not only Valley farming operations, but will wipe out entire swathes of associated local businesses and industries.

The damage is not limited to the Valley. Although residents of coastal areas such as Los Angeles, the Bay Area and San Diego have been led to believe they are being subject to water restrictions due to the drought, that's not actually true. As in the Valley, these areas and many others ultimately depend on the Delta pumps for their water supply. If the pumps had been functioning normally for the past decade, none of these cities would be undergoing a water crisis today.

And it's a safe bet that Brown's mandatory water reductions will not alleviate the crisis, leading to a drastic increase in restrictions in the not-too-distant future. Watering your lawn, washing your car and countless other everyday activities will be banned up and down California. In their mania to attack Central Valley farming, the radicals are inadvertently running the entire state out of water.

ENDGAME

Many organizations representing California agriculture, including water districts and—shockingly—even some San Joaquin Valley cities and counties, became part of the problem instead of the solution, having lent no support to the House-passed water bills. Suffering from a strange kind of Stockholm Syndrome, many of these groups and agencies hope that if they meekly accept their fate, their overlords will magnanimously bestow a few drops of water on them.

This mousy strategy, which willfully ignores what the radicals are really trying to achieve, hasn't worked out well for growers of almonds and other high-value crops. Although the radicals had been promising them a free pass back when the groups met with me in 2002, these growers have CS now become the radicals' primary scapegoat for the water crisis. This condemnation is reflected in articles such as The Atlantic's ''The Dark Side of Almond Use,'' The Guardian's ''Alarm as Almond Farms Consume California's Water,'' and Bloomberg View's ''Amid a Drought, Cue the Almond Shaming.''

Sadly, the end is near for communities whose land will be forced out of production. One hopes the affected families will eventually find a more welcome home in some other state where those who wield power appreciate folks who grow our food instead of demonize them.

But for now, the pitiless, decades-long assault to deprive them of their livelihoods is hurtling toward its apex. Meanwhile, many of those capable of advancing a solution are content to wring their hands, blame global warming and continue whistling past the graveyard.

Agriculture groups, water districts and municipalities that refuse to support the two House-passed bills owe their constituents an alternative solution that will resolve our water shortfall. Water bureaucrats who ignore or oppose the most prominent, viable solutions while offering no alternative are, in effect, complicit in the radicals' long struggle. They should publicly declare which land ought to come out of production and which Valley industries should be eliminated since they have no proposals to steer us away from that outcome.

The Valley's critical situation today demands unity around constructive solutions. To paraphrase Benjamin Franklin, we must all hang together, or we will surely all hang separately.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. I thank the gentlewoman for yielding on this important issue.

Mr. Chairman, some will say they are not voting for this bill because of the challenges they perceive are in it. The biggest problem with this bill is that it doesn't do enough.

We need millions of new acre-feet of water. We should be looking at the next generation. I want my kids to farm, but without new water supplies, we continue to see farmers go out of business.

That speaks to the security of our food supply as a country. You can't farm with a zero allocation of water, which is why you see the high unemployment, which is why you see farmworkers who are going to be homeless and without jobs this year, which is why you will see more farms go out of business.

This is a battle that has gone on for quite some time, but this bill deals with some very small issues that will be very significant this year.

We need to have the full debate about what our country is going to do with its water supplies and the greater storage that we are going to need in the future.

Yet, we are dealing with some commonsense issues like predator fish? Why would we try to save fish only to allow them to be eaten by a nonnative fish that eats 98 percent of the fish that we are spending millions of dollars to preserve?

That is not an environmental solution any more than trucking fish around a river because the river can't handle the fish.

If you want to be an extremist, be an extremist and deal with the commonsense solution here. This bill moves us in the right direction.

This will help farms stay in business, and this will allow us to continue to have jobs in the Central Valley and a vibrant food supply for the rest of the country.

This bill is ripe for passing this morning, and we would ask for a bipartisan vote.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in support of the Western Water and American Food Security Act of 2015.

My Water Rights Protection Act, incorporated as part of H.R. 2898, would uphold State water law and priority-based systems and provide water users with a line of defense from increasingly brazen Federal attempts to take private water rights without compensation.

These Federal water grabs undermine long-held State water law, priority-based systems, and our private priority rights. By extorting water rights from those who hold water rights under State law, the Federal Government is overreaching, violating private property rights and the U.S. Constitution.

Federal land management agency attempts to take or to control private water rights and circumvent State law have put the ski community, grazers, municipalities, and local businesses at risk.

These private property rights are vital to Colorado and to the Western U.S. when it pertains to water. Many businesses depend on them as collateral to be able to get loans, expand, and create jobs.

Water is our lifeblood. Water users need certainty that the Federal land management agencies are prohibited from future attempts to take privately held water rights.

This legislation offers a sensible approach to preserve those rights. I urge its passage.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I was going to put this up,

but I don't know how to work the tripod very well. But it is a very important issue, and this is a very important chart because many have asked: Why would somebody from Illinois come talk about a bill that has to do with water in California?

Look at this chart. 99 percent of the almonds, 99 percent of the dates, and 99 percent of the kiwis that we eat in central Illinois, in my district, come from the Central Valley of California. All of those crops need water to grow.

Now, I want to thank my colleague from California (Mr. VALADAO) for introducing this bill. This is important to me because I have seen the Central Valley of California. I understand the importance of this industry to my consumers and as the subcommittee chairman on the House Agriculture Committee's Subcommittee on Biotechnology, Horticulture, and Research.

The issues we face here—changing policies in Washington, D.C.—affect the price of food that my consumers pay back in Illinois and affect the many Californians living in the Central Valley who are dealing with this tremendous issue.

I urge a ''yes'' vote on this bill. I want to thank all of my colleagues who are here today and encourage them once more.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chairman, this year marks California's fourth consecutive year of the drought. In California alone, over 37 million people are impacted by the drought.

The economic cost of the drought is expected to be nearly $3 billion, and almost 19,000 agriculture-related jobs will be lost as a result.

Our current drought is not the result of a lack of rain. It is the result of failed policies that have mismanaged critical water resources throughout the West.

My colleagues and I in the House come before you today with a solution: the Western Water and American Food Security Act of 2015. This vital bill will modernize our water infrastructure into the 21st century and will ensure that California is well equipped to handle future drought crises.

I urge my colleagues to support this bill and to stand with me as we work to provide Californians with the water resources they need.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise in support of H.R. 2898, the Western Water and American Food Security Act. And I will give just a couple of examples.

I live in the desert of southern California. I am not a northern California person, and I am not a Central Valley person, but I am a desert rat in California who understands water is imperative to all of our needs.

What is happening in my district right now is a 35 percent reduction in water. That is what they are requesting. All of our water companies have come forward and have said that they are raising the rates between 30 and 40 percent.

Now, let me tell you that you cannot reduce your water by 35 percent. You just cannot do it in a single family house. You can reduce. You can get down to about 10 or 15 percent. But when you are talking 35 percent, it just doesn't happen. That is the life we are living in today.

I have been sitting here for about an hour, and I have taken a few notes about what might happen if we pass this.

One of the things that hit me was reignite the environmental wars, reignite the problems that we are having with water in California.

Let me tell you that I don't believe there is a State in the Union that is going through as many adjudications of water than is happening in California right now.

If we are talking about reigniting the water wars or about reigniting the environmental wars, they are happening today, right now.

In my district alone, we have water adjudication that has been going on for 17 years. If we are talking about reigniting the environmental wars, it is happening right now, today. It is not just the delta smelt. It is the environmental impacts that we are putting on fish above people.

In my district, again, we have an issue where the Department of Water and Power from L.A. cannot release water down a canyon to help the people in the canyon because we have the stickleback fish in there.

They are afraid that it is going to harm that fish; so they have reduced the water from 1,200 acre-feet a year to 300 acre-feet. The environmental wars are happening in California today.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. LUMMIS. I yield the gentleman an additional 1 minute.

Mr. KNIGHT. If we do not do something today, then when? When do we do something? When do we go back to our constituents and say that we are actually working on the number one priority in California? A State without water is dead.

I did a tele-town hall 2 weeks ago. I took 18 phone calls in 1 hour. There were 17 phone calls that were on water, and on one phone call, he had no idea what he was talking about. But 17 phone calls out of 18 were on water. This is the number one priority.

If not today, when?

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, we have no more speakers, and we are prepared to close.

Mr. HUFFMAN. Mr. Chairman, I yield myself the balance of my time.

We have a bill, unfortunately, that would run roughshod over California State law with respect to water, with respect to the management of wildlife.

It is a bill that would do harm to the Endangered Species Act and other environmental Federal laws. It is a bill that would, indeed, ignite a water war rather than seriously solve problems on this important issue.

Don't take it from me. Take it from other serious voices that have examined this bill and the Democratic alternative. Take it from the Los Angeles Times. Take it from the San Francisco Chronicle. Take it from the Department of the Interior and from the Obama administration, which has issued a veto threat.

□ 1030

This is the same bill that has passed on party lines each of the last few years, only to be parked in the Senate and go nowhere. It is high time that we start talking to each other and working with each other on serious, bipartisan solutions for our water challenges instead of playing party politics. I urge a ''no'' vote.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I would prefer to take it from the farmers who are desperate for water. These are people who have instituted conservation measures that cost them millions of dollars, changing their crops from things like lettuce and tomatoes to almond and pistachio trees with drip irrigation systems that conserve tremendous amounts of water. Still, those trees were allowed to dry up and die.

Mr. Chairman, to close, I yield the remainder of my time to the gentleman from California (Mr. VALADAO), the sponsor of this bill.

Mr. VALADAO. Mr. Chairman, I would like to begin by thanking so many on both sides of the aisle who worked very hard on this legislation. We spent months working on this. We have crafted it throughout the beginning of this Congress, and it has been an important bill. It is going to continue to be an important bill. We look forward to seeing who has the courage to stand up and actually vote to help the folks of California.

When we see the situation that is going on out there in the valley and we see the faces of these people standing in the food lines, the people who have worked so hard for so many years to help build farms, to help build businesses for their families and we see those farmworkers who have come and had the opportunity to put their kids through school. Many of them end up in really great places, some of them even in Congress, like myself. You see so many different opportunities that come from the valley.

When we have a situation like we have today, where we have literally been cut off from water, we have had years in the past decade where we have

had abundance of water and abundance of snowpack, and we still get a small fraction of the contracted amounts. Now, today, we are down to zero.

When people speak of conservation, we have got to find a way to conserve water, we have got to find a way to save water, absolutely. We have done those things. We have implemented a lot of different programs, from drip irrigation, to change of crops, to even trying to breed better, more drought-tolerant crops.

We have done what we can. We do it in our homes; we have done it in the way we live our lives, but at the end of the day, you can't conserve anything from zero because zero is nothing. There is nothing left. What it has done to our economy, what it has done to the people in the valley, what it has done to the Nation, what it has done to food costs across the Nation, when we look at all the different programs, when we are looking for a place to save money, food cost is having a huge impact on us all throughout the country.

I ask for an ''aye'' vote.

Mrs. LUMMIS. Mr. Chairman, I yield back the balance of my time.

Ms. ESHOO. Mr. Chair, I rise in strong opposition to H.R. 2898 because it upends decades of state and federal water law and needlessly pits water users against one another. In the midst of California's worst drought in its history, this bill mandates that certain interests come out ahead of others.

California is currently in the fourth year of a punishing drought that has forced every resident to conserve water, has caused millions of acres of agricultural land to be fallowed, and places us at risk of major wildfires. But, this crisis should not be used as an excuse to permanently upend a century of water law and countless protections for threatened and endangered wildlife.

H.R. 2898 will weaken or override decades of state and federal law, including California state water law and the California Constitution; the state and federal Endangered Species Acts; the National Environmental Policy Act; and the San Joaquin River Settlement Act. This list should set off alarm bells for any proponent of states' rights or cooperative federalism. For over a century, the federal government has deferred to state water law whenever possible, but this bill unwinds that history entirely.

And what do we gain by discarding a century of water law and species protections? According to the Department of Interior which manages the Delta collaboratively with the state, this bill ''will not provide additional meaningful relief to those most affected by the drought.'' Local conservationists predict that this bill would cause a complete extinction of the Delta smelt and would accelerate the decline of the wild salmon and steelhead runs in California which have been an important part of the Northern California economy since the mid-19th century.

Instead of taking up partisan legislation that will start a new water war in California, Congress should be providing immediate relief to drought-impacted communities and should invest in long-term drought resilience measures such as conservation, recycling, and desalination, which would drastically increase the amount of water available to farmers in the Central Valley.

This irresponsible bill would override science-based management of the delicate Delta infrastructure and would gut several of our most bedrock environmental laws. For these reasons I strongly oppose this legislation and I urge my colleagues to vote against it.

Mr. DESAULNIER. Mr. Chair, I rise to express my strong opposition to H.R. 2898, the so-called ''Western Water and American Food Security Act of 2015''.

I represent a portion of the Sacramento-San Joaquin Delta, the largest estuary west of the Mississippi and the source of roughly half of California's fresh water. Nearly 25 million Californians rely upon the Delta in one form or another for their drinking water supply. Additionally, many species depend on the habitats in and around the 700,000-acre estuary for survival. Species in the Delta include birds and waterfowl like sand hill cranes, and fish like Chinook salmon, Central Valley steelhead and green sturgeon. Many of these species are unique to the Delta and found nowhere else on earth. H.R. 2898 would dramatically weaken protections for these ecosystems and for salmon, migratory birds, and other fish and wildlife in California's Bay-Delta estuary, as well as the thousands of fishing jobs in California and Oregon that depend on the health of these species.

California's ongoing drought—not federal environmental laws—is the primary reason for low water supplies across the state. California's drought is real, and we need real solutions. However, H.R. 2898 does nothing to solve California's severe water shortage or address drought across the West. Instead, this bill preempts state laws, reduces management flexibility, eliminates protections for salmon and other endangered species, and rolls back our nation's fundamental environmental laws.

H.R. 2898 is not a temporary response to drought. It permanently amends and overrides the requirements of the Endangered Species Act and other federal laws. The bill would also limit National Environmental Policy Act review for water projects, reducing transparency and eliminating the opportunity for local communities to provide input in the planning process. Moreover, several provisions of the bill would preempt state law, including section 313, which would override state laws, federal laws, a court order, and a binding settlement agreement to restore the San Joaquin River.

This measure would undermine the State of California's groundbreaking work to address the drought through the equitable implementation of water conservation programs, infrastructure improvements, and innovative water recycling initiatives. Water shortages are a result of four dry years, not the landmark environmental protections that this bill seeks to undermine. This bill will not make it rain. Permanently repealing proper environmental review will not solve the drought.

Ultimately, this bill would not fix our biggest problem—the lack of water—and would instead set a dangerous precedent of federal overreach for our state, and a repeal of America's longstanding and effective environmental protections. As a Californian and a Delta member, I strongly oppose H.R. 2898, due to the negative impact that this bill would have on my constituents and the environment.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by 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 114–23. 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. 2898

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 ''Western Water and American Food Security Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—ADJUSTING DELTA SMELT MANAGEMENT BASED ON INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE

Sec. 101. Definitions.
Sec. 102. Revise incidental take level calculation for delta smelt to reflect new science.
Sec. 103. Factoring increased real-time monitoring and updated science into Delta smelt management.

TITLE II—ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE

Sec. 201. Definitions.
Sec. 202. Process for ensuring salmonid management is responsive to new science.
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TITLE III—OPERATIONAL FLEXIBILITY AND DROUGHT RELIEF

Sec. 301. Definitions.
Sec. 302. Operational flexibility in times of drought.
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Sec. 308. Expediting water transfers.
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Sec. 312. Applicants.
Sec. 313. San Joaquin River settlement.
Sec. 314. Program for water rescheduling.

TITLE IV—CALFED STORAGE FEASIBILITY STUDIES

Sec. 401. Studies.
Sec. 402. Temperance Flat.
Sec. 403. CALFED storage accountability.
Sec. 404. Water storage project construction.

TITLE V—WATER RIGHTS PROTECTIONS

Sec. 501. Offset for State Water Project.
Sec. 502. Area of origin protections.
Sec. 503. No redirected adverse impacts.
Sec. 504. Allocations for Sacramento Valley contractors.
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TITLE VI—MISCELLANEOUS

Sec. 601. Authorized service area.
Sec. 602. Oversight board for Restoration Fund.
Sec. 603. Water supply accounting.
Sec. 604. Implementation of water replacement plan.
Sec. 605. Natural and artificially spawned species.
Sec. 606. Transfer the New Melones Unit, Central Valley Project to interested providers.
Sec. 607. Basin studies.
Sec. 608. Operations of the Trinity River Division.
Sec. 609. Amendment to purposes.
Sec. 610. Amendment to definition.

TITLE VII—WATER SUPPLY PERMITTING ACT

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Establishment of lead agency and cooperating agencies.
Sec. 704. Bureau responsibilities.
Sec. 705. Cooperating agency responsibilities.
Sec. 706. Funding to process permits.

TITLE VIII—BUREAU OF RECLAMATION PROJECT STREAMLINING

Sec. 801. Short title.
Sec. 802. Definitions.
Sec. 803. Acceleration of studies.
Sec. 804. Expedited completion of reports.
Sec. 805. Project acceleration.
Sec. 806. Annual report to Congress.

TITLE IX—ACCELERATED REVENUE, REPAYMENT, AND SURFACE WATER STORAGE ENHANCEMENT

Sec. 901. Short title.
Sec. 902. Prepayment of certain repayment contracts between the United States and contractors of federally developed water supplies.

TITLE X—SAFETY OF DAMS

Sec. 1001. Authorization of additional project benefits.

TITLE XI—WATER RIGHTS PROTECTION

Sec. 1101. Short title.
Sec. 1102. Definition of water right.
Sec. 1103. Treatment of water rights.
Sec. 1104. Recognition of State authority.
Sec. 1105. Effect of title.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) As established in the Proclamation of a State of Emergency issued by the Governor of the State on January 17, 2014, the State is experiencing record dry conditions.

(2) Extremely dry conditions have persisted in the State since 2012, and the drought conditions are likely to persist into the future.

(3) The water supplies of the State are at record-low levels, as indicated by the fact that all major Central Valley Project reservoir levels were at 20–35 percent of capacity as of September 25, 2014.

(4) The lack of precipitation has been a significant contributing factor to the 6,091 fires experienced in the State as of September 15, 2014, and which covered nearly 400,000 acres.

(5) According to a study released by the University of California, Davis in July 2014, the drought has led to the fallowing of 428,000 acres of farmland, loss of $810 million in crop revenue, loss of $203 million in dairy and other livestock value, and increased groundwater pumping costs by $454 million. The statewide economic costs are estimated to be $2.2 billion, with over 17,000 seasonal and part-time agricultural jobs lost.

(6) CVPIA Level II water deliveries to refuges have also been reduced by 25 percent in the north of Delta region, and by 35 percent in the south of Delta region.

(7) Only one-sixth of the usual acres of rice fields are being flooded this fall, which leads to a significant decline in habitat for migratory birds and an increased risk of disease at the remaining wetlands due to overcrowding of such birds.

(8) The drought of 2013 through 2014 constitutes a serious emergency that poses immediate and severe risks to human life and safety and to the environment throughout the State.

(9) The serious emergency described in paragraph (4) requires—

(A) immediate and credible action that respects the complexity of the water system of the State and the importance of the water system to the entire State; and

(B) policies that do not pit stakeholders against one another, which history shows only leads to costly litigation that benefits no one and prevents any real solutions.

(10) Data on the difference between water demand and reliable water supplies for various regions of California south of the Delta, including the San Joaquin Valley, indicate there is a significant annual gap between reliable water supplies to meet agricultural, municipal and industrial, groundwater, and refuges water needs within the Delta Division, San Luis Unit and Friant Division of the Central Valley Project and the State Water Project south of the Sacramento-San Joaquin River Delta and the demands of those areas. This gap varies depending on the methodology of the analysis performed, but can be represented in the following ways:

(A) For Central Valley Project South-of-Delta water service contractors, if it is assumed that a water supply deficit is the difference in the amount of water available for allocation versus the maximum contract quantity, then the water supply deficits that have developed from 1992 to 2014 as a result of legislative and regulatory changes besides natural variations in hydrology during this timeframe range between 720,000 and 1,100,000 acre-feet.

(B) For Central Valley Project and State Water Project water service contractors south of the Delta and north of the Tehachapi mountain range, if it is assumed that a water supply deficit is the difference between reliable water supplies, including maximum water contract deliveries, safe yield of groundwater, safe yield of local and surface supplies and long-term contracted water transfers, and water demands, including water demands from agriculture, municipal and industrial and refuge contractors, then the water supply deficit ranges between approximately 2,500,000 to 2,700,000 acre-feet.

(11) Data of pumping activities at the Central Valley Project and State Water Project delta pumps identifies that, on average from Water Year 2009 to Water Year 2014, take of Delta smelt is 80 percent less than allowable take levels under the biological opinion issued December 15, 2008.

(12) Data of field sampling activities of the Interagency Ecological Program located in the Sacramento-San Joaquin Estuary identifies that, on average from 2005 to 2013, the program ''takes'' 3,500 delta smelt during annual surveys with an authorized ''take'' level of 33,480 delta smelt annually—according to the biological opinion issued December 9, 1997.

(13) In 2015, better information exists than was known in 2008 concerning conditions and operations that may or may not lead to high salvage events that jeopardize the fish populations, and what alternative management actions can be taken to avoid jeopardy.

(14) Alternative management strategies, removing non-native species, enhancing habitat, monitoring fish movement and location in real-time, and improving water quality in the Delta can contribute significantly to protecting and recovering these endangered fish species, and at potentially lower costs to water supplies.

(15) Resolution of fundamental policy questions concerning the extent to which application of the Endangered Species Act of 1973 affects the operation of the Central Valley Project and State Water Project is the responsibility of Congress.

SEC. 3. DEFINITIONS.

In this Act:

(1) DELTA.—The term ''Delta'' means the Sacramento-San Joaquin Delta and the Suisun Marsh, as defined in sections 12220 and 29101 of the California Public Resources Code.

(2) EXPORT PUMPING RATES.—The term ''export pumping rates'' means the rates of pumping at the C.W. ''Bill'' Jones Pumping Plant and the Harvey O. Banks Pumping Plant, in the southern Delta.

(3) LISTED FISH SPECIES.—The term ''listed fish species'' means listed salmonid species and the Delta smelt.

(4) LISTED SALMONID SPECIES.—The term ''listed salmonid species'' means natural origin steelhead, natural origin genetic spring run Chinook, and genetic winter run Chinook salmon including hatchery steelhead or salmon populations within the evolutionary significant unit (ESU) or distinct population segment (DPS).

(5) NEGATIVE IMPACT ON THE LONG-TERM SURVIVAL.—The term ''negative impact on the long-term survival'' means to reduce appreciably the likelihood of the survival of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.

(6) OMR.—The term ''OMR'' means the Old and Middle River in the Delta.

(7) OMR FLOW OF −5,000 CUBIC FEET PER SECOND.—The term ''OMR flow of −5,000 cubic feet per second'' means Old and Middle River flow of negative 5,000 cubic feet per second as described in—

(A) the smelt biological opinion; and

(B) the salmonid biological opinion.

(8) SALMONID BIOLOGICAL OPINION.—The term ''salmonid biological opinion'' means the biological opinion issued by the National Marine Fisheries Service on June 4, 2009.

(9) SMELT BIOLOGICAL OPINION.—The term ''smelt biological opinion'' means the biological opinion on the Long-Term Operational Criteria and Plan for coordination of the Central Valley Project and State Water Project issued by the United States Fish and Wildlife Service on December 15, 2008.

(10) STATE.—The term ''State'' means the State of California.

TITLE I—ADJUSTING DELTA SMELT MANAGEMENT BASED ON INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE

SEC. 101. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(2) DELTA SMELT.—The term ''Delta smelt'' means the fish species with the scientific name Hypomesus transpacificus.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau of Reclamation.

SEC. 102. REVISE INCIDENTAL TAKE LEVEL CALCULATION FOR DELTA SMELT TO REFLECT NEW SCIENCE.

(a) REVIEW AND MODIFICATION.—Not later than October 1, 2016, and at least every five years thereafter, the Director, in cooperation with other Federal, State, and local agencies, shall use the best scientific and commercial data available to complete a review and, modify the method used to calculate the incidental take levels for adult and larval/juvenile Delta smelt in the smelt biological opinion that takes into account all life stages, among other considerations—

(1) salvage information collected since at least 1993;

(2) updated or more recently developed statistical models;

(3) updated scientific and commercial data; and

(4) the most recent information regarding the environmental factors affecting Delta smelt salvage.

(b) MODIFIED INCIDENTAL TAKE LEVEL.—Unless the Director determines in writing that one or more of the requirements described in paragraphs (1) through (4) are not appropriate, the modified incidental take level described in subsection (a) shall—

(1) be normalized for the abundance of prespawning adult Delta smelt using the Fall Midwater Trawl Index or other index;

(2) be based on a simulation of the salvage that would have occurred from 1993 through 2012 if OMR flow has been consistent with the smelt biological opinions;

(3) base the simulation on a correlation between annual salvage rates and historic water clarity and OMR flow during the adult salvage period; and

(4) set the incidental take level as the 80 percent upper prediction interval derived from simulated salvage rates since at least 1993.

SEC. 103. FACTORING INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE INTO DELTA SMELT MANAGEMENT.

(a) IN GENERAL.—The Director shall use the best scientific and commercial data available to implement, continuously evaluate, and refine or amend, as appropriate, the reasonable and prudent alternative described in the smelt biological opinion, and any successor opinions or court order. The Secretary shall make all significant decisions under the smelt biological opinion, or any successor opinions that affect Central Valley Project and State Water Project operations, in writing, and shall document the significant facts upon which such decisions are made, consistent with section 706 of title 5, United States Code.

(b) INCREASED MONITORING TO INFORM REAL-TIME OPERATIONS.—The Secretary shall conduct additional surveys, on an annual basis at the appropriate time of the year based on environmental conditions, in collaboration with other Delta science interests.

(1) In implementing this section, the Secretary shall—

(A) use the most accurate survey methods available for the detection of Delta smelt to determine the extent that adult Delta smelt are distributed in relation to certain levels of turbidity, or other environmental factors that may influence salvage rate; and

(B) use results from appropriate survey methods for the detection of Delta smelt to determine how the Central Valley Project and State Water Project may be operated more efficiently to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(2) During the period beginning on December 1, 2015, and ending March 31, 2016, and in each successive December through March period, if suspended sediment loads enter the Delta from the Sacramento River and the suspended sediment loads appear likely to raise turbidity levels in the Old River north of the export pumps from values below 12 Nephelometric Turbidity Units (NTU) to values above 12 NTU, the Secretary shall—

(A) conduct daily monitoring using appropriate survey methods at locations including, but not limited to, the vicinity of Station 902 to determine the extent that adult Delta smelt are moving with turbidity toward the export pumps; and

(B) use results from the monitoring surveys referenced in paragraph (A) to determine how increased trawling can inform daily real-time Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(c) PERIODIC REVIEW OF MONITORING.—Within 12 months of the date of enactment of this title, and at least once every 5 years thereafter, the Secretary shall—

(1) evaluate whether the monitoring program under subsection (b), combined with other monitoring programs for the Delta, is providing sufficient data to inform Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt; and

(2) determine whether the monitoring efforts should be changed in the short or long term to provide more useful data.

(d) DELTA SMELT DISTRIBUTION STUDY.—

(1) IN GENERAL.—No later than January 1, 2016, and at least every five years thereafter, the Secretary, in collaboration with the California Department of Fish and Wildlife, the California Department of Water Resources, public water agencies, and other interested entities, shall implement new targeted sampling and monitoring specifically designed to understand Delta smelt abundance, distribution, and the types of habitat occupied by Delta smelt during all life stages.

(2) SAMPLING.—The Delta smelt distribution study shall, at a minimum—

(A) include recording water quality and tidal data;

(B) be designed to understand Delta smelt abundance, distribution, habitat use, and movement throughout the Delta, Suisun Marsh, and other areas occupied by the Delta smelt during all seasons;

(C) consider areas not routinely sampled by existing monitoring programs, including wetland channels, near-shore water, depths below 35 feet, and shallow water; and

(D) use survey methods, including sampling gear, best suited to collect the most accurate data for the type of sampling or monitoring.

(e) SCIENTIFICALLY SUPPORTED IMPLEMENTATION OF OMR FLOW REQUIREMENTS.—In implementing the provisions of the smelt biological opinion, or any successor biological opinion or court order, pertaining to management of reverse flow in the Old and Middle Rivers, the Secretary shall—

(1) consider the relevant provisions of the biological opinion or any successor biological opinion;

(2) to maximize Central Valley project and State Water Project water supplies, manage export pumping rates to achieve a reverse OMR flow rate of −5,000 cubic feet per second unless information developed by the Secretary under paragraphs (3) and (4) leads the Secretary to reasonably conclude that a less negative OMR flow rate is necessary to avoid a negative impact on the long-term survival of the Delta smelt. If information available to the Secretary indicates that a reverse OMR flow rate more negative than −5,000 cubic feet per second can be established without an imminent negative impact on the long-term survival of the Delta smelt, the Secretary shall manage export pumping rates to achieve that more negative OMR flow rate;

(3) document in writing any significant facts about real-time conditions relevant to the determinations of OMR reverse flow rates, including—

(A) whether targeted real-time fish monitoring in the Old River pursuant to this section, including monitoring in the vicinity of Station 902, indicates that a significant negative impact on the long-term survival of the Delta smelt is imminent; and

(B) whether near-term forecasts with available salvage models show under prevailing conditions that OMR flow of −5,000 cubic feet per second or higher will cause a significant negative impact on the long-term survival of the Delta smelt;

(4) show in writing that any determination to manage OMR reverse flow at rates less negative than −5,000 cubic feet per second is necessary to avoid a significant negative impact on the long-term survival of the Delta smelt, including an explanation of the data examined and the connection between those data and the choice made, after considering—

(A) the distribution of Delta smelt throughout the Delta;

(B) the potential effects of documented, quantified entrainment on subsequent Delta smelt abundance;

(C) the water temperature;

(D) other significant factors relevant to the determination; and

(E) whether any alternative measures could have a substantially lesser water supply impact; and

(5) for any subsequent biological opinion, make the showing required in paragraph (4) for any determination to manage OMR reverse flow at rates less negative than the most negative limit in the biological opinion if the most negative limit in the biological opinion is more negative than −5,000 cubic feet per second.

(f) MEMORANDUM OF UNDERSTANDING.—No later than December 1, 2015, the Commissioner and the Director will execute a Memorandum of Understanding (MOU) to ensure that the smelt biological opinion is implemented in a manner that maximizes water supply while complying with applicable laws and regulations. If that MOU alters any procedures set out in the biological opinion, there will be no need to reinitiate consultation if those changes will not have a significant negative impact on the long-term survival on listed species and the implementation of the MOU would not be a major change to implementation of the biological opinion. Any change to procedures that does not create a significant negative impact on the long-term survival to listed species will not alter application of the take permitted by the incidental take statement in the biological opinion under section 7(o)(2) of the Endangered Species Act of 1973.

(g) CALCULATION OF REVERSE FLOW IN OMR.—Within 90 days of the enactment of this title, the Secretary is directed, in consultation with the California Department of Water Resources to revise the method used to calculate reverse flow in Old and Middle Rivers for implementation of the reasonable and prudent alternatives in the smelt biological opinion and the salmonid biological opinion, and any succeeding biological opinions, for the purpose of increasing Central Valley Project and State Water Project water supplies. The method of calculating reverse flow in Old and Middle Rivers shall be reevaluated not less than every five years thereafter to achieve maximum export pumping rates within limits established by the smelt biological opinion, the salmonid biological opinion, and any succeeding biological opinions.

TITLE II—ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE

SEC. 201. DEFINITIONS.

In this title:

(1) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator of the National Oceanic and Atmospheric Administration for Fisheries.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(3) OTHER AFFECTED INTERESTS.—The term ''other affected interests'' means the State of California, Indian tribes, subdivisions of the State of California, public water agencies and those who benefit directly and indirectly from the operations of the Central Valley Project and the State Water Project.

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau of Reclamation.

(5) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

SEC. 202. PROCESS FOR ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE.

(a) GENERAL DIRECTIVE.—The reasonable and prudent alternative described in the salmonid

biological opinion allows for and anticipates adjustments in Central Valley Project and State Water Project operation parameters to reflect the best scientific and commercial data currently available, and authorizes efforts to test and evaluate improvements in operations that will meet applicable regulatory requirements and maximize Central Valley Project and State Water Project water supplies and reliability. Implementation of the reasonable and prudent alternative described in the salmonid biological opinion shall be adjusted accordingly as new scientific and commercial data are developed. The Commissioner and the Assistant Administrator shall fully utilize these authorities as described below.

(b) ANNUAL REVIEWS OF CERTAIN CENTRAL VALLEY PROJECT AND STATE WATER PROJECT OPERATIONS.—No later than December 31, 2016, and at least annually thereafter:

(1) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments to the initiation of Action IV.2.3 as set forth in the Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project, Endangered Species Act Section 7 Consultation, issued by the National Marine Fisheries Service on June 4, 2009, pertaining to negative OMR flows, subject to paragraph (5).

(2) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments in the timing, triggers or other operational details relating to the implementation of pumping restrictions in Action IV.2.1 pertaining to the inflow to export ratio, subject to paragraph (5).

(3) Pursuant to the consultation and assessments carried out under paragraphs (1) and (2) of this subsection, the Commissioner and the Assistant Administrator shall jointly make recommendations to the Secretary of the Interior and to the Secretary on adjustments to project operations that, in the exercise of the adaptive management provisions of the salmonid biological opinion, will reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project and are consistent with the requirements of applicable law and as further described in subsection (c).

(4) The Secretary and the Secretary of the Interior shall direct the Commissioner and Assistant Administrator to implement recommended adjustments to Central Valley Project and State Water Project operations for which the conditions under subsection (c) are met.

(5) The Assistant Administrator and the Commissioner shall review and identify adjustments to Central Valley Project and State Water Project operations with water supply restrictions in any successor biological opinion to the salmonid biological opinion, applying the provisions of this section to those water supply restrictions where there are references to Actions IV.2.1 and IV.2.3.

(c) IMPLEMENTATION OF OPERATIONAL ADJUSTMENTS.—After reviewing the recommendations under subsection (b), the Secretary of the Interior and the Secretary shall direct the Commissioner and the Assistant Administrator to implement those operational adjustments, or any combination, for which, in aggregate—

(1) the net effect on listed species is equivalent to those of the underlying project operational parameters in the salmonid biological opinion, taking into account both—

(A) efforts to minimize the adverse effects of the adjustment to project operations; and

(B) whatever additional actions or measures may be implemented in conjunction with the adjustments to operations to offset the adverse effects to listed species, consistent with (d), that are in excess of the adverse effects of the underlying operational parameters, if any; and

(2) the effects of the adjustment can be reasonably expected to fall within the incidental take authorizations.

(d) EVALUATION OF OFFSETTING MEASURES.—When examining and identifying opportunities to offset the potential adverse effect of adjustments to operations under subsection (c)(1)(B), the Commissioner and the Assistant Administrator shall take into account the potential species survival improvements that are likely to result from other measures which, if implemented in conjunction with such adjustments, would offset adverse effects, if any, of the adjustments. When evaluating offsetting measures, the Commissioner and the Assistant Administrator shall consider the type, timing and nature of the adverse effects, if any, to specific species and ensure that the measures likely provide equivalent overall benefits to the listed species in the aggregate, as long as the change will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(e) FRAMEWORK FOR EXAMINING OPPORTUNITIES TO MINIMIZE OR OFFSET THE POTENTIAL ADVERSE EFFECT OF ADJUSTMENTS TO OPERATIONS.—Not later than December 31, 2015, and every five years thereafter, the Assistant Administrator shall, in collaboration with the Director of the California Department of Fish and Wildlife, based on the best scientific and commercial data available and for each listed salmonid species, issue estimates of the increase in through-Delta survival the Secretary expects to be achieved—

(1) through restrictions on export pumping rates as specified by Action IV.2.3 as compared to limiting OMR flow to a fixed rate of −5,000 cubic feet per second within the time period Action IV.2.3 is applicable, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(2) through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1 as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D–1641, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(3) through physical habitat restoration improvements;

(4) through predation control programs;

(5) through the installation of temporary barriers, the management of Cross Channel Gates operations, and other projects affecting flow in the Delta;

(6) through salvaging fish that have been entrained near the entrance to Clifton Court Forebay;

(7) through any other management measures that may provide equivalent or better protections for listed species while maximizing export pumping rates without causing a significant negative impact on the long-term survival of a listed salmonid species; and

(8) through development and implementation of conservation hatchery programs for salmon and steelhead to aid in the recovery of listed salmon and steelhead species.

(f) SURVIVAL ESTIMATES.—

(1) To the maximum extent practicable, the Assistant Administrator shall make quantitative estimates of survival such as a range of percentage increases in through-Delta survival that could result from the management measures, and if the scientific information is lacking for quantitative estimates, shall do so on qualitative terms based upon the best available science.

(2) If the Assistant Administrator provides qualitative survival estimates for a species resulting from one or more management measures, the Secretary shall, to the maximum extent feasible, rank the management measures described in subsection (e) in terms of their most likely expected contribution to increased through-Delta survival relative to the other measures.

(3) If at the time the Assistant Administrator conducts the reviews under subsection (b), the Secretary has not issued an estimate of increased through-Delta survival from different management measures pursuant to subsection (e), the Secretary shall compare the protections to the species from different management measures based on the best scientific and commercial data available at the time.

(g) COMPARISON OF ADVERSE CONSEQUENCES FOR ALTERNATIVE MANAGEMENT MEASURES OF EQUIVALENT PROTECTION FOR A SPECIES.—

(1) For the purposes of this subsection and subsection (c)—

(A) the alternative management measure or combination of alternative management measures identified in paragraph (2) shall be known as the ''equivalent alternative measure'';

(B) the existing measure or measures identified in subparagraphs (2) (A), (B), (C), or (D) shall be known as the ''equivalent existing measure''; and

(C) an ''equivalent increase in through-Delta survival rates for listed salmonid species'' shall mean an increase in through-Delta survival rates that is equivalent when considering the change in through-Delta survival rates for the listed salmonid species in the aggregate, and not the same change for each individual species, as long as the change in survival rates will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(2) As part of the reviews of project operations pursuant to subsection (b), the Assistant Administrator shall determine whether any alternative management measures or combination of alternative management measures listed in subsection (e) (3) through (8) would provide an increase in through-Delta survival rates for listed salmonid species that is equivalent to the increase in through-Delta survival rates for listed salmonid species from the following:

(A) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to limiting OMR flow to a fixed rate of −5,000 cubic feet per second within the time period Action IV.2.3 is applicable.

(B) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to a modification of Action IV.2.3 that would provide additional water supplies, other than that described in subparagraph (A).

(C) Through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1, as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D–1641.

(D) Through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1, as compared to a modification of Action IV.2.1 that would reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project, other than that described in subparagraph (C).

(3) If the Assistant Administrator identifies an equivalent alternative measure pursuant to paragraph (2), the Assistant Administrator shall determine whether—

(A) it is technically feasible and within Federal jurisdiction to implement the equivalent alternative measure;

(B) the State of California, or subdivision thereof, or local agency with jurisdiction has certified in writing within 10 calendar days to the Assistant Administrator that it has the authority and capability to implement the pertinent equivalent alternative measure; or

(C) the adverse consequences of doing so are less than the adverse consequences of the equivalent existing measure, including a concise evaluation of the adverse consequences to other affected interests.

(4) If the Assistant Administrator makes the determinations in subparagraph (3)(A) or (3)(B), the Commissioner shall adjust project operations to implement the equivalent alternative measure in place of the equivalent existing measure in order to increase export rates of pumping to the greatest extent possible while maintaining a net combined effect of equivalent through-Delta survival rates for the listed salmonid species.

(h) TRACKING ADVERSE EFFECTS BEYOND THE RANGE OF EFFECTS ACCOUNTED FOR IN THE SALMONID BIOLOGICAL OPINION AND COORDINATED OPERATION WITH THE DELTA SMELT BIOLOGICAL OPINION.—

(1) Among the adjustments to the project operations considered through the adaptive management process under this section, the Assistant Administrator and the Commissioner shall—

(A) evaluate the effects on listed salmonid species and water supply of the potential adjustment to operational criteria described in subparagraph (B); and

(B) consider requiring that before some or all of the provisions of Actions IV.2.1. or IV.2.3 are imposed in any specific instance, the Assistant Administrator show that the implementation of these provisions in that specific instance is necessary to avoid a significant negative impact on the long-term survival of a listed salmonid species.

(2) The Assistant Administrator, the Director, and the Commissioner, in coordination with State officials as appropriate, shall establish operational criteria to coordinate management of OMR flows under the smelt and salmonid biological opinions, in order to take advantage of opportunities to provide additional water supplies from the coordinated implementation of the biological opinions.

(3) The Assistant Administrator and the Commissioner shall document the effects of any adaptive management decisions related to the coordinated operation of the smelt and salmonid biological opinions that prioritizes the maintenance of one species at the expense of the other.

(i) REAL-TIME MONITORING AND MANAGEMENT.—Notwithstanding the calendar based triggers described in the salmonid biological opinion Reasonable and Prudent Alternative (RPA), the Assistant Administrator and the Commissioner shall not limit OMR reverse flow to −5,000 cubic feet per second unless current monitoring data indicate that this OMR flow limitation is reasonably required to avoid a significant negative impact on the long-term survival of a listed salmonid species.

(j) EVALUATION AND IMPLEMENTATION OF MANAGEMENT MEASURES.—If the quantitative estimates of through-Delta survival established by the Secretary for the adjustments in subsection (b)(2) exceed the through-Delta survival established for the RPAs, the Secretary shall evaluate and implement the management measures in subsection (b)(2) as a prerequisite to implementing the RPAs contained in the Salmonid Biological Opinion.

(k) ACCORDANCE WITH OTHER LAW.—Consistent with section 706 of title 5, United States Code, decisions of the Assistant Administrator and the Commissioner described in subsections (b) through (j) shall be made in writing, on the basis of best scientific and commercial data currently available, and shall include an explanation of the data examined at the connection between those data and the decisions made.

SEC. 203. NON-FEDERAL PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN THE STANISLAUS RIVER.

(a) ESTABLISHMENT OF NONNATIVE PREDATOR FISH REMOVAL PROGRAM.—The Secretary and the districts, in consultation with the Director, shall jointly develop and conduct a nonnative predator fish removal program to remove nonnative striped bass, smallmouth bass, largemouth bass, black bass, and other nonnative predator fish species from the Stanislaus River. The program shall—

(1) be scientifically based;

(2) include methods to quantify the number and size of predator fish removed each year, the impact of such removal on the overall abundance of predator fish, and the impact of such removal on the populations of juvenile anadromous fish found in the Stanislaus River by, among other things, evaluating the number of juvenile anadromous fish that migrate past the rotary screw trap located at Caswell;

(3) among other methods, use wire fyke trapping, portable resistance board weirs, and boat electrofishing; and

(4) be implemented as quickly as possible following the issuance of all necessary scientific research.

(b) MANAGEMENT.—The management of the program shall be the joint responsibility of the Secretary and the districts. Such parties shall work collaboratively to ensure the performance of the program, and shall discuss and agree upon, among other things, changes in the structure, management, personnel, techniques, strategy, data collection, reporting, and conduct of the program.

(c) CONDUCT.—

(1) IN GENERAL.—By agreement between the Secretary and the districts, the program may be conducted by their own personnel, qualified private contractors hired by the districts, personnel of, on loan to, or otherwise assigned to the National Marine Fisheries Service, or a combination thereof.

(2) PARTICIPATION BY THE NATIONAL MARINE FISHERIES SERVICE.—If the districts elect to conduct the program using their own personnel or qualified private contractors hired by them in accordance with paragraph (1), the Secretary may assign an employee of, on loan to, or otherwise assigned to the National Marine Fisheries Service, to be present for all activities performed in the field. Such presence shall ensure compliance with the agreed-upon elements specified in subsection (b). The districts shall pay the cost of such participation in accordance with subsection (d).

(3) TIMING OF ELECTION.—The districts shall notify the Secretary of their election on or before October 15 of each calendar year of the program. Such an election shall apply to the work performed in the subsequent calendar year.

(d) FUNDING.—

(1) IN GENERAL.—The districts shall be responsible for 100 percent of the cost of the program.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the districts to carry out activities under the program.

(3) ESTIMATION OF COST.—On or before December 1 of each year of the program, the Secretary shall submit to the districts an estimate of the cost to be incurred by the National Marine Fisheries Service for the program in the following calendar year, if any, including the cost of any data collection and posting under subsection (e). If an amount equal to the estimate is not provided through contributions pursuant to paragraph (2) before December 31 of that year—

(A) the Secretary shall have no obligation to conduct the program activities otherwise scheduled for such following calendar year until such amount is contributed by the districts; and

(B) the districts may not conduct any aspect of the program until such amount is contributed by the districts.

(4) ACCOUNTING.—On or before September 1 of each year, the Secretary shall provide to the districts an accounting of the costs incurred by the Secretary for the program in the preceding calendar year. If the amount contributed by the districts pursuant to paragraph (2) for that year was greater than the costs incurred by the Secretary, the Secretary shall—

(A) apply the excess contributions to costs of activities to be performed by the Secretary under the program, if any, in the next calendar year; or

(B) if no such activities are to be performed, repay the excess contribution to the districts.

(e) POSTING AND EVALUATION.—On or before the 15th day of each month, the Secretary shall post on the Internet website of the National Marine Fisheries Service a tabular summary of the raw data collected under the program in the preceding month.

(f) IMPLEMENTATION.—The program is hereby found to be consistent with the requirements of the Central Valley Project Improvement Act (Public Law 102–575). No provision, plan or definition established or required by the Central Valley Project Improvement Act (Public Law 102–575) shall be used to prohibit the imposition of the program, or to prevent the accomplishment of its goals.

(g) TREATMENT OF STRIPED BASS.—For purposes of the application of the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575) with respect to the program, striped bass shall not be treated as anadromous fish.

(h) DEFINITION.—For the purposes of this section, the term ''districts'' means the Oakdale Irrigation District and the South San Joaquin Irrigation District, California.

SEC. 204. PILOT PROJECTS TO IMPLEMENT CALFED INVASIVE SPECIES PROGRAM.

(a) IN GENERAL.—Not later than January 1, 2017, the Secretary of the Interior, in collaboration with the Secretary of Commerce, the Director of the California Department of Fish and Wildlife, and other relevant agencies and interested parties, shall begin pilot projects to implement the invasive species control program authorized pursuant to section 103(d)(6)(A)(iv) of Public Law 108–361 (118 Stat. 1690).

(b) REQUIREMENTS.—The pilot projects shall—

(1) seek to reduce invasive aquatic vegetation, predators, and other competitors which contribute to the decline of native listed pelagic and anadromous species that occupy the Sacramento and San Joaquin Rivers and their tributaries and the Sacramento-San Joaquin Bay-Delta; and

(2) remove, reduce, or control the effects of species, including Asiatic clams, silversides, gobies, Brazilian water weed, largemouth bass, smallmouth bass, striped bass, crappie, bluegill, white and channel catfish, and brown bullheads.

(c) SUNSET.—The authorities provided under this subsection shall expire seven years after the Secretaries commence implementation of the pilot projects pursuant to subsection (a).

(d) EMERGENCY ENVIRONMENTAL REVIEWS.—To expedite the environmentally beneficial programs for the conservation of threatened and endangered species, the Secretaries shall consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (or successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the projects pursuant to subsection (a).

TITLE III—OPERATIONAL FLEXIBILITY AND DROUGHT RELIEF

SEC. 301. DEFINITIONS.

In this title:

(1) CENTRAL VALLEY PROJECT.—The term ''Central Valley Project'' has the meaning given the term in section 3403 of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4707).

(2) RECLAMATION PROJECT.—The term ''Reclamation Project'' means a project constructed pursuant to the authorities of the reclamation laws and whose facilities are wholly or partially located in the State.

(3) SECRETARIES.—The term ''Secretaries'' means—

(A) the Secretary of Agriculture;

(B) the Secretary of Commerce; and

(C) the Secretary of the Interior.

(4) STATE WATER PROJECT.—The term ''State Water Project'' means the water project described by California Water Code section 11550 et seq. and operated by the California Department of Water Resources.

(5) STATE.—The term ''State'' means the State of California.

SEC. 302. OPERATIONAL FLEXIBILITY IN TIMES OF DROUGHT.

(a) WATER SUPPLIES.—For the period of time such that in any year that the Sacramento Valley Index is 6.5 or lower, or at the request of the

State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries shall provide the maximum quantity of water supplies practicable to all individuals or district who receive Central Valley Project water under water service or repayments contracts, water rights settlement contracts, exchange contracts, or refuge contracts or agreements entered into prior to or after the date of enactment of this title; State Water Project contractors, and any other tribe, locality, water agency, or municipality in the State, by approving, consistent with applicable laws (including regulations), projects and operations to provide additional water supplies as quickly as practicable based on available information to address the emergency conditions.

(b) ADMINISTRATION.—In carrying out subsection (a), the Secretaries shall, consistent with applicable laws (including regulations)—

(1) issue all necessary permit decisions under the authority of the Secretaries not later than 30 days after the date on which the Secretaries receive a completed application from the State to place and use temporary barriers or operable gates in Delta channels to improve water quantity and quality for the State Water Project and the Central Valley Project south of Delta water contractors and other water users, on the condition that the barriers or operable gates—

(A) do not result in a significant negative impact on the long-term survival of listed species within the Delta and provide benefits or have a neutral impact on in-Delta water user water quality; and

(B) are designed so that formal consultations under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) are not necessary;

(2) require the Director of the United States Fish and Wildlife Service and the Commissioner of Reclamation—

(A) to complete, not later than 30 days after the date on which the Director or the Commissioner receives a complete written request for water transfer, all requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) necessary to make final permit decisions on the request; and

(B) to approve any water transfer request described in subparagraph (A) to maximize the quantity of water supplies available for nonhabitat uses, on the condition that actions associated with the water transfer comply with applicable Federal laws (including regulations);

(3) adopt a 1:1 inflow to export ratio, as measured as a 3-day running average at Vernalis during the period beginning on April 1, and ending on May 31, absent a determination in writing that a more restrictive inflow to export ratio is required to avoid a significant negative impact on the long-term survival of a listed salmonid species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); provided that the 1:1 inflow to export ratio shall apply for the increment of increased flow of the San Joaquin River resulting from the voluntary sale, transfers, or exchanges of water from agencies with rights to divert water from the San Joaquin River or its tributaries and provided that the movement of the acquired, transferred, or exchanged water through the Delta consistent with the Central Valley Project's and the State Water Project's permitted water rights and provided that movement of the Central Valley Project water is consistent with the requirements of section 3405(a)(1)(H) of the Central Valley Project Improvement Act; and

(4) allow and facilitate, consistent with existing priorities, water transfers through the C.W. ''Bill'' Jones Pumping Plant or the Harvey O. Banks Pumping Plant from April 1 to November 30 provided water transfers comply with State law, including the California Environmental Quality Act.

(c) ACCELERATED PROJECT DECISION AND ELEVATION.—

(1) IN GENERAL.—On request by the Governor of the State, the Secretaries shall use the expedited procedures under this subsection to make final decisions relating to a Federal project or operation, or to local or State projects or operations that require decisions by the Secretary of the Interior or the Secretary of Commerce to provide additional water supplies if the project's or operation's purpose is to provide relief for emergency drought conditions pursuant to subsections (a) and (b).

(2) REQUEST FOR RESOLUTION.—

(A) IN GENERAL.—On request by the Governor of the State, the Secretaries referenced in paragraph (1), or the head of another Federal agency responsible for carrying out a review of a project, as applicable, the Secretary of the Interior shall convene a final project decision meeting with the heads of all relevant Federal agencies to decide whether to approve a project to provide relief for emergency drought conditions.

(B) MEETING.—The Secretary of the Interior shall convene a meeting requested under subparagraph (A) not later than 7 days after the date on which the meeting request is received.

(3) NOTIFICATION.—On receipt of a request for a meeting under paragraph (2), the Secretary of the Interior shall notify the heads of all relevant Federal agencies of the request, including information on the project to be reviewed and the date of the meeting.

(4) DECISION.—Not later than 10 days after the date on which a meeting is requested under paragraph (2), the head of the relevant Federal agency shall issue a final decision on the project, subject to subsection (e)(2).

(5) MEETING CONVENED BY SECRETARY.—The Secretary of the Interior may convene a final project decision meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under paragraph (2).

(d) APPLICATION.—To the extent that a Federal agency, other than the agencies headed by the Secretaries, has a role in approving projects described in subsections (a) and (b), this section shall apply to those Federal agencies.

(e) LIMITATION.—Nothing in this section authorizes the Secretaries to approve projects—

(1) that would otherwise require congressional authorization; or

(2) without following procedures required by applicable law.

(f) DROUGHT PLAN.—For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries of Commerce and the Interior, in consultation with appropriate State officials, shall develop a drought operations plan that is consistent with the provisions of this Act including the provisions that are intended to provide additional water supplies that could be of assistance during the current drought.

SEC. 303. OPERATION OF CROSS-CHANNEL GATES.

(a) IN GENERAL.—The Secretary of Commerce and the Secretary of the Interior shall jointly—

(1) authorize and implement activities to ensure that the Delta Cross Channel Gates remain open to the maximum extent practicable using findings from the United States Geological Survey on diurnal behavior of juvenile salmonids, timed to maximize the peak flood tide period and provide water supply and water quality benefits for the duration of the drought emergency declaration of the State, and for the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, consistent with operational criteria and monitoring criteria set forth into the Order Approving a Temporary Urgency Change in License and Permit Terms in Response to Drought Conditions of the California State Water Resources Control Board, effective January 31, 2014 (or a successor order) and other authorizations associated with it;

(2) with respect to the operation of the Delta Cross Channel Gates described in paragraph (1), collect data on the impact of that operation on—

(A) species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) water quality; and

(C) water supply;

(3) collaborate with the California Department of Water Resources to install a deflection barrier at Georgiana Slough in coordination with Delta Cross Channel Gate diurnal operations to protect migrating salmonids, consistent with knowledge gained from activities carried out during 2014 and 2015;

(4) evaluate the combined salmonid survival in light of activities carried out pursuant to paragraphs (1) through (3) in deciding how to operate the Delta Cross Channel gates to enhance salmonid survival and water supply benefits; and

(5) not later than May 15, 2016, submit to the appropriate committees of the House of Representatives and the Senate a notice and explanation on the extent to which the gates are able to remain open.

(b) RECOMMENDATIONS.—After assessing the information collected under subsection (a), the Secretary of the Interior shall recommend revisions to the operation of the Delta Cross-Channel Gates, to the Central Valley Project, and to the State Water Project, including, if appropriate, any reasonable and prudent alternative contained in the biological opinion issued by the National Marine Fisheries Service on June 4, 2009, that are likely to produce water supply benefits without causing a significant negative impact on the long-term survival of the listed fish species within the Delta or on water quality.

SEC. 304. FLEXIBILITY FOR EXPORT/INFLOW RATIO.

For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Commissioner of the Bureau of Reclamation shall continue to vary the averaging period of the Delta Export/Inflow ratio pursuant to the California State Water Resources Control Board decision D1641—

(1) to operate to a 35-percent Export/Inflow ratio with a 3-day averaging period on the rising limb of a Delta inflow hydrograph; and

(2) to operate to a 14-day averaging period on the falling limb of the Delta inflow hydrograph.

SEC. 305. EMERGENCY ENVIRONMENTAL REVIEWS.

(a) NEPA COMPLIANCE.—To minimize the time spent carrying out environmental reviews and to deliver water quickly that is needed to address emergency drought conditions in the State during the duration of an emergency drought declaration, the Secretaries shall, in carrying out this Act, consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (including successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) during the emergency.

(b) DETERMINATIONS.—For the purposes of this section, a Secretary may deem a project to be in compliance with all necessary environmental regulations and reviews if the Secretary determines that the immediate implementation of the project is necessary to address—

(1) human health and safety; or

(2) a specific and imminent loss of agriculture production upon which an identifiable region

depends for 25 percent or more of its tax revenue used to support public services including schools, fire or police services, city or county health facilities, unemployment services or other associated social services.

SEC. 306. INCREASED FLEXIBILITY FOR REGULAR PROJECT OPERATIONS.

The Secretaries shall, consistent with applicable laws (including regulations)—

(1) in coordination with the California Department of Water Resources and the California Department of Fish and Wildlife, implement offsite upstream projects in the Delta and upstream of the Sacramento River and San Joaquin basins that offset the effects on species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) due to activities carried out pursuant this Act, as determined by the Secretaries;

(2) manage reverse flow in the Old and Middle Rivers at −6,100 cubic feet per second if real-time monitoring indicates that flows of −6,100 cubic feet per second or more negative can be established for specific periods without causing a significant negative impact on the long-term survival of the Delta smelt, or if real-time monitoring does not support flows of −6,100 cubic feet per second than manage OMR flows at −5,000 cubic feet per second subject to section 103(e) (3) and (4); and

(3) use all available scientific tools to identify any changes to real-time operations of the Bureau of Reclamation, State, and local water projects that could result in the availability of additional water supplies.

SEC. 307. TEMPORARY OPERATIONAL FLEXIBILITY FOR FIRST FEW STORMS OF THE WATER YEAR.

(a) IN GENERAL.—Consistent with avoiding a significant negative impact on the long-term survival in the short term upon listed fish species beyond the range of those authorized under the Endangered Species Act of 1973 and other environmental protections under subsection (e), the Secretaries shall authorize the Central Valley Project and the State Water Project, combined, to operate at levels that result in negative OMR flows at −7,500 cubic feet per second (based on United States Geological Survey gauges on Old and Middle Rivers) daily average for 56 cumulative days after October 1 as described in subsection (c).

(b) DAYS OF TEMPORARY OPERATIONAL FLEXIBILITY.—The temporary operational flexibility described in subsection (a) shall be authorized on days that the California Department of Water Resources determines the daily average river flow of the Sacramento River is at, or above, 17,000 cubic feet per second as measured at the Sacramento River at Freeport gauge maintained by the United States Geologic Survey.

(c) COMPLIANCE WITH ENDANGERED SPECIES ACT AUTHORIZATIONS.—In carrying out this section, the Secretaries may continue to impose any requirements under the smelt and salmonid biological opinions during any period of temporary operational flexibility as they determine are reasonably necessary to avoid an additional significant negative impacts on the long-term survival of a listed fish species beyond the range of those authorized under the Endangered Species Act of 1973, provided that the requirements imposed do not reduce water supplies available for the Central Valley Project and the State Water Project.

(d) OTHER ENVIRONMENTAL PROTECTIONS.—

(1) STATE LAW.—The Secretaries' actions under this section shall be consistent with applicable regulatory requirements under State law.

(2) FIRST SEDIMENT FLUSH.—During the first flush of sediment out of the Delta in each water year, and provided that such determination is based upon objective evidence, OMR flow may be managed at rates less negative than −5,000 cubic feet per second for a minimum duration to avoid movement of adult Delta smelt (Hypomesus transpacificus) to areas in the southern Delta that would be likely to increase entrainment at Central Valley Project and State Water Project pumping plants.

(3) APPLICABILITY OF OPINION.—This section shall not affect the application of the salmonid biological opinion from April 1 to May 31, unless the Secretary of Commerce finds that some or all of such applicable requirements may be adjusted during this time period to provide emergency water supply relief without resulting in additional adverse effects beyond those authorized under the Endangered Species Act of 1973. In addition to any other actions to benefit water supply, the Secretary of the Interior and the Secretary of Commerce shall consider allowing through-Delta water transfers to occur during this period if they can be accomplished consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act. Water transfers solely or exclusively through the State Water Project are not required to be consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act.

(4) MONITORING.—During operations under this section, the Commissioner of Reclamation, in coordination with the Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, shall undertake a monitoring program and other data gathering to ensure incidental take levels are not exceeded, and to identify potential negative impacts and actions, if any, necessary to mitigate impacts of the temporary operational flexibility to species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(e) TECHNICAL ADJUSTMENTS TO TARGET PERIOD.—If, before temporary operational flexibility has been implemented on 56 cumulative days, the Secretaries operate the Central Valley Project and the State Water Project combined at levels that result in OMR flows less negative than −7,500 cubic feet per second during days of temporary operational flexibility as defined in subsection (c), the duration of such operation shall not be counted toward the 56 cumulative days specified in subsection (a).

(f) EMERGENCY CONSULTATION; EFFECT ON RUNNING AVERAGES.—

(1) If necessary to implement the provisions of this section, the Commissioner is authorized to take any action necessary to implement this section for up to 56 cumulative days. If during the 56 cumulative days the Commissioner determines that actions necessary to implement this section will exceed 56 days, the Commissioner shall use the emergency consultation procedures under the Endangered Species Act of 1973 and its implementing regulation at section 402.05 of title 50, Code of Federal Regulations, to temporarily adjust the operating criteria under the biological opinions—

(A) solely for extending beyond the 56 cumulative days for additional days of temporary operational flexibility—

(i) no more than necessary to achieve the purposes of this section consistent with the environmental protections in subsections (d) and (e); and

(ii) including, as appropriate, adjustments to ensure that the actual flow rates during the periods of temporary operational flexibility do not count toward the 5-day and 14-day running averages of tidally filtered daily OMR flow requirements under the biological opinions, or

(B) for other adjustments to operating criteria or to take other urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner.

(2) Following the conclusion of the 56 cumulative days of temporary operational flexibility, or the extended number of days covered by the emergency consultation procedures, the Commissioner shall not reinitiate consultation on these adjusted operations, and no mitigation shall be required, if the effects on listed fish species of these operations under this section remain within the range of those authorized under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). If the Commissioner reinitiates consultation, no mitigation measures shall be required.

(g) LEVEL OF DETAIL REQUIRED FOR ANALYSIS.—In articulating the determinations required under this section, the Secretaries shall fully satisfy the requirements herein but shall not be expected to provide a greater level of supporting detail for the analysis than feasible to provide within the short timeframe permitted for timely decisionmaking in response to changing conditions in the Delta.

SEC. 308. EXPEDITING WATER TRANSFERS.

(a) IN GENERAL.—Section 3405(a) of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4709(a)) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(2) in the matter preceding paragraph (4) (as so designated)—

(A) in the first sentence, by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(B) in the second sentence, by striking ''Except as provided herein'' and inserting the following:

''(3) TERMS.—Except as otherwise provided in this section'';

(3) by inserting before paragraph (3) (as so designated) the following:

''(2) EXPEDITED TRANSFER OF WATER.—The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with—

''(A) this Act;

''(B) any other applicable provision of the reclamation laws; and

''(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).'';

(4) in paragraph (4) (as so designated)—

(A) in subparagraph (A), by striking ''to combination'' and inserting ''or combination''; and

(B) by striking ''3405(a)(2) of this title'' each place it appears and inserting ''(5)'';

(5) in paragraph (5) (as so designated), by adding at the end the following:

''(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of the proposal. If the contracting district or agency or the Secretary determines that the proposal is incomplete, the district or agency or the Secretary shall state with specificity what must be added to or revised for the proposal to be complete.''; and

(6) in paragraph (6) (as so designated), by striking ''3405(a)(1)(A)–(C), (E), (G), (H), (I), (L), and (M) of this title'' and inserting ''(A) through (C), (E), (G), (H), (I), (L), and (M) of paragraph (4)''.

(b) CONFORMING AMENDMENTS.—The Central Valley Project Improvement Act (Public Law 102–575) is amended—

(1) in section 3407(c)(1) (106 Stat. 4726), by striking ''3405(a)(1)(C)'' and inserting ''3405(a)(4)(C)''; and

(2) in section 3408(i)(1) (106 Stat. 4729), by striking ''3405(a)(1) (A) and (J) of this title'' and inserting ''subparagraphs (A) and (J) of section 3405(a)(4)''.

SEC. 309. ADDITIONAL EMERGENCY CONSULTATION.

For adjustments to operating criteria other than under section 308 of this Act or to take urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner of Reclamation, no mitigation measures shall be required during any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, and any mitigation measures imposed must be based on quantitative data and required only to the extent that such data demonstrates actual harm to species.

SEC. 310. ADDITIONAL STORAGE AT NEW MELONES.

The Commissioner of Reclamation is directed to work with local water and irrigation districts in the Stanislaus River Basin to ascertain the water storage made available by the Draft Plan of Operations in New Melones Reservoir (DRPO) for water conservation programs, conjunctive use projects, water transfers, rescheduled project water and other projects to maximize water storage and ensure the beneficial use of the water resources in the Stanislaus River Basin. All such programs and projects shall be implemented according to all applicable laws and regulations. The source of water for any such storage program at New Melones Reservoir shall be made available under a valid water right, consistent with the State of California water transfer guidelines and any other applicable State water law. The Commissioner shall inform the Congress within 18 months setting forth the amount of storage made available by the DRPO that has been put to use under this program, including proposals received by the Commissioner from interested parties for the purpose of this section.

SEC. 311. REGARDING THE OPERATION OF FOLSOM RESERVOIR.

The Secretary of the Interior, in collaboration with the Sacramento Water Forum, shall expedite evaluation, completion and implementation of the Modified Lower American River Flow Management Standard developed by the Water Forum in 2015 to improve water supply reliability for Central Valley Project American River water contractors and resource protection in the lower American River during consecutive dry-years under current and future demand and climate change conditions.

SEC. 312. APPLICANTS.

In the event that the Bureau of Reclamation or another Federal agency initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Central Valley Project and State Water Project, or any part thereof, the State Water Project contractors and the Central Valley Project contractors will be accorded all the rights and responsibilities extended to applicants in the consultation process.

SEC. 313. SAN JOAQUIN RIVER SETTLEMENT.

(a) CALIFORNIA STATE LAW SATISFIED BY WARM WATER FISHERY.—

(1) IN GENERAL.—Sections 5930 through 5948 of the California Fish and Game Code, and all applicable Federal laws, including the San Joaquin River Restoration Settlement Act (Public Law 111–11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S–88–1658–LKK/GGH), shall be satisfied by the existence of a warm water fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford.

(2) DEFINITION OF WARM WATER FISHERY.—For the purposes of this section, the term ''warm water fishery'' means a water system that has an environment suitable for species of fish other than salmon (including all subspecies) and trout (including all subspecies).

(b) REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.—As of the date of enactment of this section, the Secretary of the Interior shall cease any action to implement the San Joaquin River Restoration Settlement Act (subtitle A of title X of Public Law 111–11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S–88–1658 LKK/GGH).

SEC. 314. PROGRAM FOR WATER RESCHEDULING.

By December 31, 2015, the Secretary of the Interior shall develop and implement a program, including rescheduling guidelines for Shasta and Folsom Reservoirs, to allow existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed, and refuge service and municipal and industrial water service contractors within the Sacramento River Watershed and the American River Watershed to reschedule water, provided for under their Central Valley Project contracts, from one year to the next; provided, that the program is consistent with existing rescheduling guidelines as utilized by the Bureau of Reclamation for rescheduling water for Central Valley Project water service contractors that are located South of the Delta.

TITLE IV—CALFED STORAGE FEASIBILITY STUDIES

SEC. 401. STUDIES.

The Secretary of the Interior, through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(2) complete the feasibility studies described in clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate Committees of the House of Representatives and the Senate not later than December 31, 2017;

(4) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision;

(5) in conducting any feasibility study under this Act, the reclamation laws, the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable law, for the purposes of determining feasibility the Secretary shall document, delineate, and publish costs directly relating to the engineering and construction of a water storage project separately from the costs resulting from regulatory compliance or the construction of auxiliary facilities necessary to achieve regulatory compliance; and

(6) communicate, coordinate and cooperate with public water agencies that contract with the United States for Central Valley Project water and that are expected to participate in the cost pools that will be created for the projects proposed in the feasibility studies under this section.

SEC. 402. TEMPERANCE FLAT.

(a) DEFINITIONS.—For the purposes of this section:

(1) PROJECT.—The term ''Project'' means the Temperance Flat Reservoir Project on the Upper San Joaquin River.

(2) RMP.—The term ''RMP'' means the document titled ''Bakersfield Field Office, Record of Decision and Approved Resource Management Plan,'' dated December 2014.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) APPLICABILITY OF RMP.—The RMP and findings related thereto shall have no effect on or applicability to the Secretary's determination of feasibility of, or on any findings or environmental review documents related to—

(1) the Project; or

(2) actions taken by the Secretary pursuant to section 103(d)(1)(A)(ii)(II) of the Bay-Delta Authorization Act (title I of Public Law 108–361).

(c) DUTIES OF SECRETARY UPON DETERMINATION OF FEASIBILITY.—If the Secretary finds the Project to be feasible, the Secretary shall manage the land recommended in the RMP for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) in a manner that does not impede any environmental reviews, preconstruction, construction, or other activities of the Project, regardless of whether or not the Secretary submits any official recommendation to Congress under the Wild and Scenic Rivers Act.

(d) RESERVED WATER RIGHTS.—Effective December 22, 2014, there shall be no Federal reserved water rights to any segment of the San Joaquin River related to the Project as a result of any designation made under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 403. CALFED STORAGE ACCOUNTABILITY.

If the Secretary of the Interior fails to provide the feasibility studies described in section 401 to the appropriate committees of the House of Representatives and the Senate by the times prescribed, the Secretary shall notify each committee chair individually in person on the status of each project once a month until the feasibility study for that project is provided to Congress.

SEC. 404. WATER STORAGE PROJECT CONSTRUCTION.

(a) PARTNERSHIP AND AGREEMENTS.—The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance those projects.

(b) AUTHORIZATION FOR PROJECT.—If the Secretary determines a project described in section 402(a)(1) and (2) is feasible, the Secretary is authorized to carry out the project in a manner that is substantially in accordance with the recommended plan, and subject to the conditions described in the feasibility study, provided that no Federal funding shall be used to construct the project.

TITLE V—WATER RIGHTS PROTECTIONS

SEC. 501. OFFSET FOR STATE WATER PROJECT.

(a) IMPLEMENTATION IMPACTS.—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this Act on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(b) ADDITIONAL YIELD.—If, as a result of the application of this Act, the California Department of Fish and Wildlife—

(1) revokes the consistency determinations pursuant to California Fish and Game Code section 2080.1 that are applicable to the State Water Project;

(2) amends or issues one or more new consistency determinations pursuant to California Fish and Game Code section 2080.1 in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; or

(3) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the

smelt biological opinion and the salmonid biological opinion, and as a consequence of the Department's action, Central Valley Project yield is greater than it would have been absent the Department's actions, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset losses resulting from the Department's action.

(c) NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.—The Secretary of the Interior shall immediately notify the Director of the California Department of Fish and Wildlife in writing if the Secretary of the Interior determines that implementation of the smelt biological opinion and the salmonid biological opinion consistent with this Act reduces environmental protections for any species covered by the opinions.

SEC. 502. AREA OF ORIGIN PROTECTIONS.

(a) IN GENERAL.—The Secretary of the Interior is directed, in the operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities and to honor water rights senior to those held by the United States for operation of the Central Valley Project, regardless of the source of priority, including any appropriative water rights initiated prior to December 19, 1914, as well as water rights and other priorities perfected or to be perfected pursuant to California Water Code Part 2 of Division 2. Article 1.7 (commencing with section 1215 of chapter 1 of part 2 of division 2, sections 10505, 10505.5, 11128, 11460, 11461, 11462, and 11463, and sections 12200 to 12220, inclusive).

(b) DIVERSIONS.—Any action undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this Act and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that requires that diversions from the Sacramento River or the San Joaquin River watersheds upstream of the Delta be bypassed shall not be undertaken in a manner that alters the water rights priorities established by California law.

(c) ENDANGERED SPECIES ACT.—Nothing in this title alters the existing authorities provided to and obligations placed upon the Federal Government under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended.

(d) CONTRACTS.—With respect to individuals and entities with water rights on the Sacramento River, the mandates of this section may be met, in whole or in part, through a contract with the Secretary of the Interior executed pursuant to section 14 of Public Law 76–260; 53 Stat. 1187 (43 U.S.C. 389) that is in conformance with the Sacramento River Settlement Contracts renewed by the Secretary of the Interior in 2005.

SEC. 503. NO REDIRECTED ADVERSE IMPACTS.

(a) IN GENERAL.—The Secretary of the Interior shall ensure that, except as otherwise provided for in a water service or repayment contract, actions taken in compliance with legal obligations imposed pursuant to or as a result of this Act, including such actions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and other applicable Federal and State laws, shall not directly or indirectly—

(1) result in the involuntary reduction of water supply or fiscal impacts to individuals or districts who receive water from either the State Water Project or the United States under water rights settlement contracts, exchange contracts, water service contracts, repayment contracts, or water supply contracts; or

(2) cause redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed, the San Joaquin River watershed or the State Water Project service area.

(b) COSTS.—To the extent that costs are incurred solely pursuant to or as a result of this Act and would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency, or subdivision of the State of California, unless such costs are incurred on a voluntary basis.

(c) RIGHTS AND OBLIGATIONS NOT MODIFIED OR AMENDED.—Nothing in this Act shall modify or amend the rights and obligations of the parties to any existing—

(1) water service, repayment, settlement, purchase, or exchange contract with the United States, including the obligation to satisfy exchange contracts and settlement contracts prior to the allocation of any other Central Valley Project water; or

(2) State Water Project water supply or settlement contract with the State.

SEC. 504. ALLOCATIONS FOR SACRAMENTO VALLEY CONTRACTORS.

(a) ALLOCATIONS.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (b), the Secretary of the Interior is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(A) Not less than 100 percent of their contract quantities in a ''Wet'' year.

(B) Not less than 100 percent of their contract quantities in an ''Above Normal'' year.

(C) Not less than 100 percent of their contract quantities in a ''Below Normal'' year that is preceded by an ''Above Normal'' or a ''Wet'' year.

(D) Not less than 50 percent of their contract quantities in a ''Dry'' year that is preceded by a ''Below Normal,'' an ''Above Normal,'' or a ''Wet'' year.

(E) In all other years not identified herein, the allocation percentage for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed shall not be less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent; provided, that nothing herein shall preclude an allocation to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed that is greater than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors.

(2) CONDITIONS.—The Secretary's actions under paragraph (a) shall be subject to—

(A) the priority of individuals or entities with Sacramento River water rights, including those with Sacramento River Settlement Contracts, that have priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(B) the United States obligation to make a substitute supply of water available to the San Joaquin River Exchange Contractors; and

(C) the Secretary's obligation to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102–575).

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to—

(1) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary;

(2) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies;

(3) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies; or

(4) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies.

Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern or affect, directly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or facilities.

(c) NO EFFECT ON ALLOCATIONS.—This section shall not—

(1) affect the allocation of water to Friant Division contractors; or

(2) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant Division.

(d) PROGRAM FOR WATER RESCHEDULING.—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide for the opportunity for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed to reschedule water, provided for under their Central Valley Project water service contracts, from one year to the next.

(e) DEFINITIONS.—In this section:

(1) The term ''existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed'' means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40–30–30) Index.

SEC. 505. EFFECT ON EXISTING OBLIGATIONS.

Nothing in this Act preempts or modifies any existing obligation of the United States under Federal reclamation law to operate the Central Valley Project in conformity with State law, including established water rights priorities.

TITLE VI—MISCELLANEOUS

SEC. 601. AUTHORIZED SERVICE AREA.

(a) IN GENERAL.—The authorized service area of the Central Valley Project authorized under the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706) shall include the area within the boundaries of the Kettleman City Community Services District, California, as in existence on the date of enactment of this Act.

(b) LONG-TERM CONTRACT.—

(1) IN GENERAL.—Notwithstanding the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706) and subject to paragraph (2), the Secretary of the Interior, in accordance with the Federal reclamation laws, shall enter into a long-term contract with the Kettleman City Community Services District, California, under terms and conditions mutually agreeable to the parties, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use.

(2) LIMITATION.—Central Valley Project water deliveries authorized under the contract entered into under paragraph (1) shall be limited to the minimal quantity necessary to meet the immediate needs of the Kettleman City Community Services District, California, in the event that local supplies or State Water Project allocations are insufficient to meet those needs.

(c) PERMIT.—The Secretary shall apply for a permit with the State for a joint place of use for water deliveries authorized under the contract entered into under subsection (b) with respect to the expanded service area under subsection (a), consistent with State law.

(d) ADDITIONAL COSTS.—If any additional infrastructure, water treatment, or related costs are needed to implement this section, those costs shall be the responsibility of the non-Federal entity.

SEC. 602. OVERSIGHT BOARD FOR RESTORATION FUND.

(a) PLAN; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4726) is amended by adding at the end the following:

''(g) PLAN ON EXPENDITURE OF FUNDS.—

''(1) IN GENERAL.—For each fiscal year, the Secretary, in consultation with the Advisory

Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year.

''(2) CONTENTS.—The plan shall include an analysis of the cost-effectiveness of each expenditure.

''(h) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established the Restoration Fund Advisory Board (referred to in this section as the 'Advisory Board'), which shall be composed of 11 members appointed by the Secretary.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Secretary shall appoint members to the Advisory Board that represent the various Central Valley Project stakeholders, of whom—

''(i) 4 members shall be agricultural users of the Central Valley Project, including at least one agricultural user from north-of-the-Delta and one agricultural user from south-of-the-Delta;

''(ii) 2 members shall be municipal and industrial users of the Central Valley Project, including one municipal and industrial user from north-of-the-Delta and one municipal and industrial user from south-of-the-Delta;

''(iii) 3 members shall be power contractors of the Central Valley Project, including at least one power contractor from north-of-the-Delta and from south-of-the-Delta;

''(iv) 1 member shall be a representative of a Federal national wildlife refuge that contracts for Central Valley Project water supplies with the Bureau of Reclamation; and

''(v) 1 member shall have expertise in the economic impacts of the changes to water operations.

''(B) OBSERVER.—The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

''(C) CHAIR.—The Secretary shall appoint 1 of the members described in subparagraph (A) to serve as Chair of the Advisory Board.

''(3) TERMS.—The term of each member of the Advisory Board shall be 4 years.

''(4) DATE OF APPOINTMENTS.—The appointment of a member of the Panel shall be made not later than—

''(A) the date that is 120 days after the date of enactment of this Act; or

''(B) in the case of a vacancy on the Panel described in subsection (c)(2), the date that is 120 days after the date on which the vacancy occurs.

''(5) VACANCIES.—

''(A) IN GENERAL.—A vacancy on the Panel shall be filled in the manner in which the original appointment was made and shall be subject to any conditions that applied with respect to the original appointment.

''(B) FILLING UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

''(C) EXPIRATION OF TERMS.—The term of any member shall not expire before the date on which the successor of the member takes office.

''(6) REMOVAL.—A member of the Panel may be removed from office by the Secretary of the Interior.

''(7) FEDERAL ADVISORY COMMITTEE ACT.—The Panel shall not be subject to the requirements of the Federal Advisory Committee Act.

''(8) DUTIES.—The duties of the Advisory Board are—

''(A) to meet not less frequently than semi-annually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out under this title;

''(B) to ensure that any advice given or recommendation made by the Advisory Board reflects the independent judgment of the Advisory Board;

''(C) not later than December 31, 2015, and annually thereafter, to submit to the Secretary and Congress the recommendations under subparagraph (A); and

''(D) not later than December 31, 2015, and biennially thereafter, to submit to Congress details of the progress made in achieving the actions required under section 3406.

''(9) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.

''(10) COOPERATION AND ASSISTANCE.—

''(A) PROVISION OF INFORMATION.—Upon request of the Panel Chair for information or assistance to facilitate carrying out this section, the Secretary of the Interior shall promptly provide such information, unless otherwise prohibited by law.

''(B) SPACE AND ASSISTANCE.—The Secretary of the Interior shall provide the Panel with appropriate and adequate office space, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the Panel, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein.''.

SEC. 603. WATER SUPPLY ACCOUNTING.

(a) IN GENERAL.—All Central Valley Project water, except Central Valley Project water released pursuant to U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000 used to implement an action undertaken for a fishery beneficial purpose that was not imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, shall be credited to the quantity of Central Valley Project yield dedicated and managed under this section; provided, that nothing herein shall affect the Secretary of the Interior's duty to comply with any otherwise lawful requirement imposed on operations of the Central Valley Project under any provision of Federal or State law.

(b) RECLAMATION POLICIES AND ALLOCATIONS.—Reclamation policies and allocations shall not be based upon any premise or assumption that Central Valley Project contract supplies are supplemental or secondary to any other contractor source of supply.

SEC. 604. IMPLEMENTATION OF WATER REPLACEMENT PLAN.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary of the Interior shall update and implement the plan required by section 3408(j) of title XXXIV of Public Law 102–575. The Secretary shall notify the Congress annually describing the progress of implementing the plan required by section 3408(j) of title XXXIV of Public Law 102–575.

(b) POTENTIAL AMENDMENT.—If the plan required in subsection (a) has not increased the Central Valley Project yield by 800,000 acre-feet within 5 years after the enactment of this Act, then section 3406 of the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575) is amended as follows:

(1) In subsection (b)—

(A) by amending paragraph (2)(C) to read:

''(C) If by March 15, 2021, and any year thereafter the quantity of Central Valley Project water forecasted to be made available to all water service or repayment contractors of the Central Valley Project is below 50 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.''.

SEC. 605. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous or pelagic fish species that resides for all or a portion of its life in the Sacramento-San Joaquin Delta or rivers tributary thereto.

SEC. 606. TRANSFER THE NEW MELONES UNIT, CENTRAL VALLEY PROJECT TO INTERESTED PROVIDERS.

(a) DEFINITIONS.—For the purposes of this section, the following terms apply:

(1) INTERESTED LOCAL WATER AND POWER PROVIDERS.—The term ''interested local water and power providers'' includes the Calaveras County Water District, Calaveras Public Power Agency, Central San Joaquin Water Conservation District, Oakdale Irrigation District, Stockton East Water District, South San Joaquin Irrigation District, Tuolumne Utilities District, Tuolumne Public Power Agency, and Union Public Utilities District.

(2) NEW MELONES UNIT, CENTRAL VALLEY PROJECT.—The term ''New Melones Unit, Central Valley Project'' means all Federal reclamation projects located within or diverting water from or to the watershed of the Stanislaus and San Joaquin rivers and their tributaries as authorized by the Act of August 26, 1937 (50 Stat. 850), and all Acts amendatory or supplemental thereto, including the Act of October 23, 1962 (76 Stat. 1173).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) NEGOTIATIONS.—Notwithstanding any other provision of law, not later than 180 days after the date of the enactment of this Act, the Secretary shall enter into negotiations with interested local water and power providers for the transfer ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers within the State of California.

(c) TRANSFER.—The Secretary shall transfer the New Melones Unit, Central Valley Project in accordance with an agreement reached pursuant to negotiations conducted under subsection (b).

(d) NOTIFICATION.—Not later than 360 days after the date of the enactment of this Act, and every 6 months thereafter, the Secretary shall notify the appropriate committees of the House of Representatives and the Senate—

(1) if an agreement is reached pursuant to negotiations conducted under subsection (b), the terms of that agreement;

(2) of the status of formal discussions with interested local water and power providers for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(3) of all unresolved issues that are preventing execution of an agreement for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(4) on analysis and review of studies, reports, discussions, hearing transcripts, negotiations, and other information about past and present formal discussions that—

(A) have a serious impact on the progress of the formal discussions;

(B) explain or provide information about the issues that prevent progress or finalization of formal discussions; or

(C) are, in whole or in part, preventing execution of an agreement for the transfer; and

(5) of any actions the Secretary recommends that the United States should take to finalize an agreement for that transfer.

SEC. 607. BASIN STUDIES.

(a) AUTHORIZED STUDIES.—The Secretary of the Interior is authorized and directed to expand opportunities and expedite completion of assessments under section 9503(b) of the SECURE Water Act (42 U.S.C. 10363(b)), with non-

Federal partners, of individual sub-basins and watersheds within major Reclamation river basins; and shall ensure timely decision and expedited implementation of adaptation and mitigation strategies developed through the special study process.

(b) FUNDING.—

(1) IN GENERAL.—The non-Federal partners shall be responsible for 100 percent of the cost of the special studies.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the non-Federal partners to carry out activities under the special studies.

SEC. 608. OPERATIONS OF THE TRINITY RIVER DIVISION.

The Secretary of the Interior, in the operation of the Trinity River Division of the Central Valley Project, shall not make releases from Lewiston Dam in excess of the volume for each water-year type required by the U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000.

(1) A maximum of 369,000 acre-feet in a ''Critically Dry'' year.

(2) A maximum of 453,000 acre-feet in a ''Dry'' year.

(3) A maximum of 647,000 acre-feet in a ''Normal'' year.

(4) A maximum of 701,000 acre-feet in a ''Wet'' year.

(5) A maximum of 815,000 acre-feet in an ''Extremely Wet'' year.

SEC. 609. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

''(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

''(h) to facilitate and expedite water transfers in accordance with this Act.''.

SEC. 610. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

''(a) the term 'anadromous fish' means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;'';

(2) in subsection (l), by striking ''and,'';

(3) in subsection (m), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(n) the term 'reasonable flow' means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.''.

TITLE VII—WATER SUPPLY PERMITTING ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Water Supply Permitting Coordination Act''.

SEC. 702. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) BUREAU.—The term ''Bureau'' means the Bureau of Reclamation.

(3) QUALIFYING PROJECTS.—The term ''qualifying projects'' means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding.

(4) COOPERATING AGENCIES.—The term ''cooperating agency'' means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 703(c).

SEC. 703. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.

(a) ESTABLISHMENT OF LEAD AGENCY.—The Bureau of Reclamation is established as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project, any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) STATE AUTHORITY.—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this title all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

SEC. 704. BUREAU RESPONSIBILITIES.

(a) IN GENERAL.—The principal responsibilities of the Bureau under this title are to—

(1) serve as the point of contact for applicants, State agencies, Indian tribes, and others regarding proposed qualifying projects;

(2) coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) COORDINATION PROCESS.—The Bureau shall have the following coordination responsibilities:

(1) PRE-APPLICATION COORDINATION.—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian tribes to—

(A) explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) establish the schedule for the qualifying project.

(2) CONSULTATION WITH COOPERATING AGENCIES.—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) SCHEDULE.—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) ENVIRONMENTAL COMPLIANCE.—Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than one year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than one year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) CONSOLIDATED ADMINISTRATIVE RECORD.—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) PROJECT DATA RECORDS.—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooperating agencies, the qualifying project applicant, and to the public.

(7) PROJECT MANAGER.—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 705.

SEC. 705. COOPERATING AGENCY RESPONSIBILITIES.

(a) ADHERENCE TO BUREAU SCHEDULE.—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its authorizing responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 704, and the cooperating agencies shall adhere to the project schedule established by the Bureau.

(b) ENVIRONMENTAL RECORD.—Cooperating agencies shall submit to the Bureau all environmental review material produced or compiled in

the course of carrying out activities required under Federal law consistent with the project schedule established by the Bureau.

(c) DATA SUBMISSION.—To the extent practicable and consistent with Federal law, the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

SEC. 706. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with the Administrative Procedures Act (5 U.S.C. 553), may accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

(b) EFFECT ON PERMITTING.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(2) EVALUATION OF PERMITS.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(3) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of the funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(c) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (b)(2)(A).

(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

TITLE VIII—BUREAU OF RECLAMATION PROJECT STREAMLINING

SEC. 801. SHORT TITLE.

This title may be cited as the ''Bureau of Reclamation Project Streamlining Act''.

SEC. 802. DEFINITIONS.

In this title:

(1) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term ''environmental review process'' means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

(B) INCLUSIONS.—The term ''environmental review process'' includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) FEDERAL JURISDICTIONAL AGENCY.—The term ''Federal jurisdictional agency'' means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

(4) FEDERAL LEAD AGENCY.—The term ''Federal lead agency'' means the Bureau of Reclamation.

(5) PROJECT.—The term ''project'' means a surface water project, a project under the purview of title XVI of Public Law 102–575, or a rural water supply project investigated under Public Law 109–451 to be carried out, funded or operated in whole or in party by the Secretary pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(6) PROJECT SPONSOR.—The term ''project sponsor'' means a State, regional, or local authority or instrumentality or other qualifying entity, such as a water conservation district, irrigation district, water conservancy district, joint powers authority, mutual water company, canal company, rural water district or association, or any other entity that has the capacity to contract with the United States under Federal reclamation law.

(7) PROJECT STUDY.—The term ''project study'' means a feasibility study for a project carried out pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) SURFACE WATER STORAGE.—The term ''surface water storage'' means any surface water reservoir or impoundment that would be owned, funded or operated in whole or in part by the Bureau of Reclamation or that would be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

SEC. 803. ACCELERATION OF STUDIES.

(a) IN GENERAL.—To the extent practicable, a project study initiated by the Secretary, after the date of enactment of this Act, under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto, shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of $3,000,000; and

(3) ensure that personnel from the local project area, region, and headquarters levels of the Bureau of Reclamation concurrently conduct the review required under this section.

(b) EXTENSION.—If the Secretary determines that a project study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated project study schedule and cost estimate;

(2) notify the non-Federal project cost-sharing partner that the project study has been delayed; and

(3) provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding the requirements of subsection (a), the Secretary may extend the timeline of a project study by a period not to exceed 3 years, if the Secretary determines that the project study is too complex to comply with the requirements of subsection (a).

(2) FACTORS.—In making a determination that a study is too complex to comply with the requirements of subsection (a), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) NOTIFICATION.—Each time the Secretary makes a determination under this subsection, the Secretary shall provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the results of that determination, including an identification of the specific one or more factors used in making the determination that the project is complex.

(4) LIMITATION.—The Secretary shall not extend the timeline for a project study for a period of more than 7 years, and any project study that is not completed before that date shall no longer be authorized.

(d) REVIEWS.—Not later than 90 days after the date of the initiation of a project study described in subsection (a), the Secretary shall—

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 805;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 805(d) that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study; and

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(e) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies initiated prior to the date of the enactment of this Act; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project.

(f) FINAL REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of this section, including a description of each project study subject to the requirements of this section;

(2) the amount of time taken to complete each project study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

SEC. 804. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall—

(1) expedite the completion of any ongoing project study initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

SEC. 805. PROJECT ACCELERATION.

(a) APPLICABILITY.—

(1) IN GENERAL.—This section shall apply to—

(A) each project study that is initiated after the date of enactment of this Act and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the extent determined appropriate by the Secretary, to other project studies initiated before the date of enactment of this Act and for which an environmental review process document is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any project study for the development of a non-federally owned and operated surface water storage project for which the Secretary determines there is a demonstrable Federal interest and the project—

(i) is located in a river basin where other Bureau of Reclamation water projects are located;

(ii) will create additional water supplies that support Bureau of Reclamation water projects; or

(iii) will become integrated into the operation of Bureau of Reclamation water projects.

(2) FLEXIBILITY.—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

(3) LIST OF PROJECT STUDIES.—

(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a list of all project studies that the Secretary has determined—

(i) meets the standards described in paragraph (1); and

(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

(B) INCLUSIONS.—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

(b) PROJECT REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

(2) COORDINATED REVIEW.—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license, or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

(3) TIMING.—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under section 805(d), establishes with respect to the project study.

(c) LEAD AGENCIES.—

(1) JOINT LEAD AGENCIES.—

(A) IN GENERAL.—Subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

(B) PROJECT SPONSOR AS JOINT LEAD AGENCY.—A project sponsor that is a State or local governmental entity may—

(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

(II) the project sponsor complies with all requirements applicable to the Secretary under—

(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(bb) any regulation implementing that Act; and

(cc) any other applicable Federal law; and

(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

(2) DUTIES.—The Secretary shall ensure that—

(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

(3) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(4) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

(d) PARTICIPATING AND COOPERATING AGENCIES.—

(1) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(2) STATE AUTHORITY.—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(A) have jurisdiction over the project;

(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(3) INVITATION.—

(A) IN GENERAL.—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

(B) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

(4) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Bureau of Reclamation Project Streamlining Act) shall govern the identification and the participation of a cooperating agency.

(5) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

(A)(i) has no jurisdiction or authority with respect to the project;

(ii) has no expertise or information relevant to the project; or

(iii) does not have adequate funds to participate in the project; and

(B) does not intend to submit comments on the project.

(6) ADMINISTRATION.—A participating or cooperating agency shall comply with this section and any schedule established under this section.

(7) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

(A) supports a proposed project; or

(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

(8) CONCURRENT REVIEWS.—Each participating or cooperating agency shall—

(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(e) NON-FEDERAL PROJECTS INTEGRATED INTO RECLAMATION SYSTEMS.—The Federal lead agency shall serve in that capacity for the entirety of all non-Federal projects that will be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

(f) NON-FEDERAL PROJECT.—If the Secretary determines that a project can be expedited by a non-Federal sponsor and that there is a demonstrable Federal interest in expediting that project, the Secretary shall take such actions as are necessary to advance such a project as a non-Federal project, including, but not limited to, entering into agreements with the non-Federal sponsor of such project to support the planning, design and permitting of such project as a non-Federal project.

(g) PROGRAMMATIC COMPLIANCE.—

(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

(A) eliminates repetitive discussions of the same issues;

(B) focuses on the actual issues ripe for analyses at each level of review;

(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that are needed to carry out an environmental review process; and

(D) complies with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) all other applicable laws.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

(C) ensure that the programmatic reviews—

(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

(ii) use accurate and timely information in the environmental review process, including—

(I) criteria for determining the general duration of the usefulness of the review; and

(II) the timeline for updating any out-of-date review;

(iii) describe—

(I) the relationship between programmatic analysis and future tiered analysis; and

(II) the role of the public in the creation of future tiered analysis; and

(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

(E) address any comments received under subparagraph (D).

(h) COORDINATED REVIEWS.—

(1) COORDINATION PLAN.—

(A) ESTABLISHMENT.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

(B) SCHEDULE.—

(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study.

(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

(I) the responsibilities of participating and cooperating agencies under applicable laws;

(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

(III) the overall size and complexity of the project;

(IV) the overall schedule for and cost of the project; and

(V) the sensitivity of the natural and historical resources that could be affected by the project.

(iii) MODIFICATIONS.—The Secretary may—

(I) lengthen a schedule established under clause (i) for good cause; and

(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be—

(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

(II) made available to the public.

(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and State agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (i)(5)(B), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(A) as soon as practicable after the 180-day period described in subsection (i)(5)(B), an initial notice of the failure of the Federal agency to make the decision; and

(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

(5) TRANSPARENCY REPORTING.—

(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall make publicly available the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

(i) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may—

(i) delay completion of the environmental review process; or

(ii) result in denial of any approval required for the project study under applicable laws.

(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30-day period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

(5) FINANCIAL PENALTY PROVISIONS.—

(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

(B) FAILURE TO DECIDE.—

(i) IN GENERAL.—

(I) TRANSFER OF FUNDS.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amount specified in item (aa) or (bb) of subclause (II), and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C).

(II) AMOUNT TO BE TRANSFERRED.—The amount referred to in subclause (I) is—

(aa) $20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

(bb) $10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) LIMITATIONS.—

(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under this Act and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

(D) NOTIFICATION OF TRANSFERS.—Not later than 10 days after the last date in a fiscal year on which funds of the Federal jurisdictional agency may be transferred under subparagraph (B)(5) with respect to an individual decision, the agency shall submit to the appropriate committees of the House of Representatives and the Senate written notification that includes a description of—

(i) the decision;

(ii) the project study involved;

(iii) the amount of each transfer under subparagraph (B) in that fiscal year relating to the decision;

(iv) the total amount of all transfers under subparagraph (B) in that fiscal year relating to the decision; and

(v) the total amount of all transfers of the agency under subparagraph (B) in that fiscal year.

(E) NO FAULT OF AGENCY.—

(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

(I) conduct a financial audit to review the notice; and

(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the audit conducted under subclause (I).

(F) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

(j) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State and local agencies, and Indian tribes on environmental review and Bureau of Reclamation project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or project sponsor, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribes, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

(k) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

(l) TIMING OF CLAIMS.—

(1) TIMING.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

(B) APPLICABILITY.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

(B) SEPARATE ACTION.—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document.

(m) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) survey the use by the Bureau of Reclamation of categorical exclusions in projects since 2005;

(B) publish a review of the survey that includes a description of—

(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

(ii) any requests previously received by the Secretary for new categorical exclusions; and

(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this Act, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment this Act based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

(n) REVIEW OF PROJECT ACCELERATION REFORMS.—

(1) IN GENERAL.—The Comptroller General of the United States shall—

(A) assess the reforms carried out under this section; and

(B) not later than 5 years and not later than 10 years after the date of enactment of this Act, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the assessment.

(2) CONTENTS.—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on—

(A) project delivery;

(B) compliance with environmental laws; and

(C) the environmental impact of projects.

(o) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

(p) CATEGORICAL EXCLUSIONS IN EMERGENCIES.—For the repair, reconstruction, or rehabilitation of a Bureau of Reclamation surface water storage project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original Bureau of Reclamation surface water storage project as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

SEC. 806. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report, to be entitled ''Report to Congress on Future Water Project Development'', that identifies the following:

(1) PROJECT REPORTS.—Each project report that meets the criteria established in subsection (c)(1)(A).

(2) PROPOSED PROJECT STUDIES.—Any proposed project study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) PROPOSED MODIFICATIONS.—Any proposed modification to an authorized water project or project study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(4) EXPEDITED COMPLETION OF REPORT AND DETERMINATIONS.—Any project study that was expedited and any Secretarial determinations under section 804.

(b) REQUESTS FOR PROPOSALS.—

(1) PUBLICATION.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed project studies and proposed modifications to authorized projects and project studies to be included in the annual report.

(2) DEADLINE FOR REQUESTS.—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) NOTIFICATION.—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) CONTENTS.—

(1) PROJECT REPORTS, PROPOSED PROJECT STUDIES, AND PROPOSED MODIFICATIONS.—

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report only those project reports, proposed project studies, and proposed modifications to authorized projects and project studies that—

(i) are related to the missions and authorities of the Bureau of Reclamation;

(ii) require specific congressional authorization, including by an Act of Congress;

(iii) have not been congressionally authorized;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Bureau of Reclamation.

(B) DESCRIPTION OF BENEFITS.—

(i) DESCRIPTION.—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed project study and proposed modification to an authorized water resources development project or project study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification.

(ii) BENEFITS.—The benefits (or expected benefits, in the case of a proposed project study) described in this clause are benefits to—

(I) the protection of human life and property;

(II) improvement to domestic irrigated water and power supplies;

(III) the national economy;

(IV) the environment; or

(V) the national security interests of the United States.

(C) IDENTIFICATION OF OTHER FACTORS.—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed project study included in the annual report, the non-Federal interest that submitted the proposed project study pursuant to subsection (b); and

(ii) for each proposed project study and proposed modification to a project or project study included in the annual report, whether the non-Federal interest has demonstrated—

(I) that local support exists for the proposed project study or proposed modification to an authorized project or project study (including the surface water storage development project that is the subject of the proposed feasibility study or the proposed modification to an authorized project study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each project report, proposed project study, and proposed modification to a project or project study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the project report;

(ii) the proposed project study;

(iii) the authorized project study for which the modification is proposed; or

(iv) construction of—

(I) the project that is the subject of—

(aa) the water report;

(bb) the proposed project study; or

(cc) the authorized project study for which a modification is proposed; or

(II) the proposed modification to a project;

(B) a letter or statement of support for the water report, proposed project study, or proposed modification to a project or project study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to a project or project study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized project study; and

(ii) construction of—

(I) the project that is the subject of—

(aa) the project report; or

(bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

(I) the project report; or

(II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized project.

(3) CERTIFICATION.—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) APPENDIX.—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) SPECIAL RULE FOR INITIAL ANNUAL REPORT.—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) PUBLICATION.—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) DEFINITION.—In this section, the term ''project report'' means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

TITLE IX—ACCELERATED REVENUE, REPAYMENT, AND SURFACE WATER STORAGE ENHANCEMENT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Accelerated Revenue, Repayment, and Surface Water Storage Enhancement Act''.

SEC. 902. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND CONTRACTORS OF FEDERALLY DEVELOPED WATER SUPPLIES.

(a) CONVERSION AND PREPAYMENT OF CONTRACTS.—

(1) CONVERSION.—Upon request of the contractor, the Secretary of the Interior shall convert any water service contract in effect on the date of enactment of this Act and between the United States and a water users' association to

allow for prepayment of the repayment contract pursuant to paragraph (2) under mutually agreeable terms and conditions. The manner of conversion under this paragraph shall be as follows:

(A) Water service contracts that were entered into under section 9(e) of the Act of August 4, 1939 (53 Stat. 1196), to be converted under this section shall be converted to repayment contracts under section 9(d) of that Act (53 Stat. 1195).

(B) Water service contracts that were entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to be converted under this section shall be converted to a contract under subsection (c)(1) of section 9 of that Act (53 Stat. 1195).

(2) PREPAYMENT.—All repayment contracts under section 9(d) of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(A) shall—

(A) provide for the repayment, either in lump sum or by accelerated prepayment, of the remaining construction costs identified in water project specific irrigation rate repayment schedules, as adjusted to reflect payment not reflected in such schedule, and properly assignable for ultimate return by the contractor, or if made in approximately equal installments, no later than 3 years after the effective date of the repayment contract, such amount to be discounted by ½ the Treasury rate. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days following receipt of request of the contractor;

(B) require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such contractor shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than $5,000,000. If such amount is $5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law;

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract; and

(D) continue so long as the contractor pays applicable charges, consistent with section 9(d) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(3) CONTRACT REQUIREMENTS.—The following shall apply with regard to all repayment contracts under subsection (c)(1) of section 9 of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(B):

(A) Provide for the repayment in lump sum of the remaining construction costs identified in water project specific municipal and industrial rate repayment schedules, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days after receipt of request of contractor.

(B) The contract shall require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than $5,000,000. If such amount is $5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law.

(C) Continue so long as the contractor pays applicable charges, consistent with section 9(c)(1) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(4) CONDITIONS.—All contracts entered into pursuant to paragraphs (1), (2), and (3) shall—

(A) not be adjusted on the basis of the type of prepayment financing used by the water users' association;

(B) conform to any other agreements, such as applicable settlement agreements and new constructed appurtenant facilities; and

(C) not modify other water service, repayment, exchange and transfer contractual rights between the water users' association, and the Bureau of Reclamation, or any rights, obligations, or relationships of the water users' association and their landowners as provided under State law.

(b) ACCOUNTING.—The amounts paid pursuant to subsection (a) shall be subject to adjustment following a final cost allocation by the Secretary of the Interior. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be not less than one year and not more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary shall credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) APPLICABILITY OF CERTAIN PROVISIONS.—

(1) EFFECT OF EXISTING LAW.—Upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs pursuant to a contract entered into pursuant to subsection (a)(2)(A), subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) shall apply to affected lands.

(2) EFFECT OF OTHER OBLIGATIONS.—The obligation of a contractor to repay construction costs or other capitalized costs described in subsection (a)(2)(B), (a)(3)(B), or (b) shall not affect a contractor's status as having repaid all of the construction costs assignable to the contractor or the applicability of subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) once the amount required to be paid by the contractor under the repayment contract entered into pursuant to subsection (a)(2)(A) have been paid.

(d) EFFECT ON EXISTING LAW NOT ALTERED.—Implementation of the provisions of this title shall not alter—

(1) the repayment obligation of any water service or repayment contractor receiving water from the same water project, or shift any costs that would otherwise have been properly assignable to the water users' association identified in subsections (a)(1), (a)(2), and (a)(3) absent this section, including operation and maintenance costs, construction costs, or other capitalized costs incurred after the date of the enactment of this Act, or to other contractors; and

(2) specific requirements for the disposition of amounts received as repayments by the Secretary under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(e) SURFACE WATER STORAGE ENHANCEMENT PROGRAM.—

(1) IN GENERAL.—Except as provided in subsection (d)(2), three years following the date of enactment of this Act, 50 percent of receipts generated from prepayment of contracts under this section beyond amounts necessary to cover the amount of receipts forgone from scheduled payments under current law for the 10-year period following the date of enactment of this Act shall be directed to the Reclamation Surface Water Storage Account under paragraph (2).

(2) SURFACE STORAGE ACCOUNT.—The Secretary shall allocate amounts collected under paragraph (1) into the ''Reclamation Surface Storage Account'' to fund the construction of surface water storage. The Secretary may also enter into cooperative agreements with water users' associations for the construction of surface water storage and amounts within the Surface Storage Account may be used to fund such construction. Surface water storage projects that are otherwise not federally authorized shall not be considered Federal facilities as a result of any amounts allocated from the Surface Storage Account for part or all of such facilities.

(3) REPAYMENT.—Amounts used for surface water storage construction from the Account shall be fully reimbursed to the Account consistent with the requirements under Federal reclamation law (the law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093))), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) except that all funds reimbursed shall be deposited in the Account established under paragraph (2).

(4) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Account under this subsection shall—

(A) be made available in accordance with this section, subject to appropriation; and

(B) be in addition to amounts appropriated for such purposes under any other provision of law.

(5) PURPOSES OF SURFACE WATER STORAGE.—Construction of surface water storage under this section shall be made for the following purposes:

(A) Increased municipal and industrial water supply.

(B) Agricultural floodwater, erosion, and sedimentation reduction.

(C) Agricultural drainage improvements.

(D) Agricultural irrigation.

(E) Increased recreation opportunities.

(F) Reduced adverse impacts to fish and wildlife from water storage or diversion projects within watersheds associated with water storage projects funded under this section.

(G) Any other purposes consistent with reclamation laws or other Federal law.

(f) DEFINITIONS.—For the purposes of this title, the following definitions apply:

(1) ACCOUNT.—The term ''Account'' means the Reclamation Surface Water Storage Account established under subsection (e)(2).

(2) CONSTRUCTION.—The term ''construction'' means the designing, materials engineering and testing, surveying, and building of surface water storage including additions to existing surface water storage and construction of new surface water storage facilities, exclusive of any Federal statutory or regulatory obligations relating to any permit, review, approval, or other such requirement.

(3) SURFACE WATER STORAGE.—The term ''surface water storage'' means any federally owned facility under the jurisdiction of the Bureau of Reclamation or any non-Federal facility used for the surface storage and supply of water resources.

(4) TREASURY RATE.—The term ''Treasury rate'' means the 20-year Constant Maturity Treasury (CMT) rate published by the United States Department of the Treasury existing on the effective date of the contract.

(5) WATER USERS' ASSOCIATION.—The term ''water users' association'' means—

(A) an entity organized and recognized under State laws that is eligible to enter into contracts with reclamation to receive contract water for delivery to and users of the water and to pay applicable charges; and

(B) includes a variety of entities with different names and differing functions, such as associations, conservatory district, irrigation district, municipality, and water project contract unit.

TITLE X—SAFETY OF DAMS

SEC. 1001. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.

The Reclamation Safety of Dams Act of 1978 is amended—

(1) in section 3, by striking ''Construction'' and inserting ''Except as provided in section 5B, construction''; and

(2) by inserting after section 5A (43 U.S.C. 509) the following:

''SEC. 5B. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.

''Notwithstanding section 3, if the Secretary determines that additional project benefits, including but not limited to additional conservation storage capacity, are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided—

''(1) the Secretary determines that developing additional project benefits through the construction of new or supplementary works on a project will promote more efficient management of water and water-related facilities;

''(2) the feasibility study pertaining to additional project benefits has been authorized pursuant to section 8 of the Federal Water Project Recreation Act of 1965 (16 U.S.C. 4601–18); and

''(3) the costs associated with developing the additional project benefits are agreed to in writing between the Secretary and project proponents and shall be allocated to the authorized purposes of the structure and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and Acts supplemental to and amendatory of that Act.''.

TITLE XI—WATER RIGHTS PROTECTION

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Water Rights Protection Act''.

SEC. 1102. DEFINITION OF WATER RIGHT.

In this title, the term ''water right'' means any surface or groundwater right filed, permitted, certified, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts the water to beneficial use, including water rights for federally recognized Indian tribes.

SEC. 1103. TREATMENT OF WATER RIGHTS.

The Secretary of the Interior and the Secretary of Agriculture shall not—

(1) condition or withhold, in whole or in part, the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on—

(A) limitation or encumbrance of any water right, or the transfer of any water right (including joint and sole ownership), directly or indirectly to the United States or any other designee; or

(B) any other impairment of any water right, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact;

(2) require any water user (including any federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement;

(3) assert jurisdiction over groundwater withdrawals or impacts on groundwater resources, unless jurisdiction is asserted, and any regulatory or policy actions taken pursuant to such assertion are, consistent with, and impose no greater restrictions or regulatory requirements than, applicable State laws (including regulations) and policies governing the protection and use of groundwater resources; or

(4) infringe on the rights and obligations of a State in evaluating, allocating, and adjudicating the waters of the State originating on or under, or flowing from, land owned or managed by the Federal Government.

SEC. 1104. RECOGNITION OF STATE AUTHORITY.

(a) IN GENERAL.—In carrying out section 1103, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) recognize the longstanding authority of the States relating to evaluating, protecting, allocating, regulating, and adjudicating groundwater by any means, including a rulemaking, permitting, directive, water court adjudication, resource management planning, regional authority, or other policy; and

(2) coordinate with the States in the adoption and implementation by the Secretary of the Interior or the Secretary of Agriculture of any rulemaking, policy, directive, management plan, or other similar Federal action so as to ensure that such actions are consistent with, and impose no greater restrictions or regulatory requirements than, State groundwater laws and programs.

(b) EFFECT ON STATE WATER RIGHTS.—In carrying out this title, the Secretary of the Interior and the Secretary of Agriculture shall not take any action that adversely affects—

(1) any water rights granted by a State;

(2) the authority of a State in adjudicating water rights;

(3) definitions established by a State with respect to the term ''beneficial use'', ''priority of water rights'', or ''terms of use'';

(4) terms and conditions of groundwater withdrawal, guidance and reporting procedures, and conservation and source protection measures established by a State;

(5) the use of groundwater in accordance with State law; or

(6) any other rights and obligations of a State established under State law.

SEC. 1105. EFFECT OF TITLE.

(a) EFFECT ON EXISTING AUTHORITY.—Nothing in this title limits or expands any existing legally recognized authority of the Secretary of the Interior or the Secretary of Agriculture to issue, grant, or condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal land subject to the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, respectively.

(b) EFFECT ON RECLAMATION CONTRACTS.—Nothing in this title interferes with Bureau of Reclamation contracts entered into pursuant to the reclamation laws.

(c) EFFECT ON ENDANGERED SPECIES ACT.—Nothing in this title affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) EFFECT ON FEDERAL RESERVED WATER RIGHTS.—Nothing in this title limits or expands any existing or claimed reserved water rights of the Federal Government on land administered by the Secretary of the Interior or the Secretary of Agriculture.

(e) EFFECT ON FEDERAL POWER ACT.—Nothing in this title limits or expands authorities under sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), 811).

(f) EFFECT ON INDIAN WATER RIGHTS.—Nothing in this title limits or expands any water right or treaty right of any federally recognized Indian tribe.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–204. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–204.

Mr. MCCLINTOCK. 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:

In the table of contents, in the matter regarding section 204, strike ''calfed'' and insert ''CALFED''.

Page 155, line 19, strike ''All repayment contracts'' and insert ''Except for those repayment contracts under which the contractor has previously negotiated for prepayment, all repayment contracts''.

Page 157, line 11, strike ''The following'' and insert ''Except for those repayment contracts under which the contractor has previously negotiated for prepayment, the following''.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment makes one technical change to the bill by capitalizing an acronym in the table of contents and makes one clarifying change to title IX by ensuring that those who have already negotiated prepayments of their debt to the U.S. Treasury are not impacted by provisions in that title.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. HUFFMAN. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, who has the right to close?

The Acting CHAIR. The gentleman from California (Mr. MCCLINTOCK) has the right to close.

Mr. MCCLINTOCK. Mr. Chairman, I am prepared to close. I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, again, I do not oppose this technical amendment to the bill, but I do want to point out that fixing typos and realphabetizing indexes and other technical changes do not fix the much deeper problems with this bill and do not change the reality that it is not going to become law because it has deep substantive problems that need to be addressed.

That is why it is so widely opposed, as it has been in prior years, when essentially the same bill has been run through on party lines.

I yield 1 minute to the gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding me the time.

Mr. Chairman, while this amendment does make technical changes that were agreed upon in committee, it speaks to, I think, a much larger question, which is the debate we have been having here, and that is: Is this, in fact, a work in progress? I submit that it is.

Obviously, this legislation would not be signed into law under its current form, and I think many of those who are supporting the legislation understand that; but we understand that, in fact, there is a crisis, a drought affecting every region of California.

For those of us who feel very strongly about trying to maintain a strong agricultural economy, we know we have to work together. The fact is California produces half—half—of the Nation's fruits and vegetables, and these are 300 commodities that are so important to not only America's food supply but to a good healthy diet and to ensure that, in fact, we can compete around the world as it relates to ensuring that America remains independent in producing its own food.

There is a lot at stake here. We need to work together as this process goes along. We will have serious areas of disagreement, but that doesn't mean we can't continue to work together.

Mr. MCCLINTOCK. Mr. Chairman, I am prepared to close when the gentleman is finished.

Mr. HUFFMAN. Mr. Chairman, again, we don't oppose this technical amendment, but we wish that there were substantive amendments that might address some of the deep flaws that have prevented this bill from having any chance of becoming law in prior years and will again this year.

I will just close by quoting from the Los Angeles Times. It states:

> A competing Democratic bill, H.R. 2983 by Representative Jared Huffman, has some areas of overlap. Like the Valadao bill, it reasonably calls on the Federal Government to accelerate feasibility studies for a number of proposed dams that have been stuck for years in the planning phase. Republicans, of course, have faith that the dams will pencil out and will be funded. Many Democrats are convinced that the yield numbers—the amount of additional water that would be stored and the associated dollar cost—would be so paltry as to finally put an end to the discussion.
>
> In other areas, though, the Huffman bill is starkly different and, frankly, much smarter, focusing on updating Federal water policies and practices that today are firmly rooted in outdated, mid-20th century knowledge and technology.

There is a lot we could be working on together substantively. We certainly have no problem with the technical changes here, but it is high time that we have hearings and serious deliberations and discussions about substance. If we do that, we might just find that there are some common solutions that could become law.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I would simply remind my colleague that, in the 112th Congress, this bill went through one of the most exhaustive public processes of any bill heard by Congress.

Its genesis was in two public hearings in the Central Valley in 2010 and 2011. It was vetted through not one, but two public hearings in Washington in which minority Democrats called twice as many witnesses as majority Republicans.

On the House floor, every Democratic amendment was made in order and considered. In fact, over the past 5 years, we have held 18 hearings on various versions of this bill. We consulted 60 water agencies throughout northern and central California, including many in Democratic districts.

The bill was taken up again in the 113th Congress and redebated. This time, extensive negotiations took place between House and Senate Members. The fact is there are few issues in this Congress that have been more thoroughly debated than those encompassed in this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–204.

Mr. MCNERNEY. 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 39, line 10, after ''water weed,'' insert ''water hyacinth,''.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is simple and straightforward but addresses a critical issue affecting the economy, the environment, and the health of the delta as well as other regions throughout the State.

This amendment adds water hyacinth to the list of invasive species to be considered for a pilot project established by the bill. The water hyacinth is an extremely invasive weed that has taken over the delta.

Take a look at the picture. This channel is completely blocked over by the weed. It can double in size every 10 days. It has seeds that remain buried in sediment and remain viable for 20 years. It is difficult to remove mechanically and to manage through pesticides.

The result is what you see here in this picture. It clogs waterways, preventing the movement of water through the delta. It negatively affects farmers, recreational opportunities, and disrupts the national ecosystem. These effects have only been worsened by the drought.

I represent the Port of Stockton. This is the third largest inland port in the Nation. The hyacinth affects traffic in and out of the port, preventing navigation of the channels at night because of ships that can't navigate between the weeds, the levees, and smaller vessels.

This causes unreasonable delays and costs importers approximately $200,000 in additional expenses per year. Last year alone, the port had to remove more than 2 million tons of the plants. Even Stockton's Christmas lighted boat parade had to be canceled for the first time in its 35-year history.

Eradicating this invasive species will take a holistic approach, involving stakeholders at all levels. I have heard from the marina owners, farmers, environmental organizations, and local communities on how the water hyacinth continues to impact their lives on a daily basis.

I was fortunate enough to help secure $1 million in Federal funding to help an existing effort between Federal, State, and local partners focused on managing the water hyacinth infestation, but these efforts are just the beginning. This amendment ensures that we continue building off the current work.

I would like to thank my colleagues, Mr. GARAMENDI, Mr. DESAULNIER, and Mr. COSTA, for joining me on this amendment. I urge its adoption.

I yield 1 minute to the gentleman from California (Mr. GARAMENDI), my colleague.

Mr. GARAMENDI. Mr. Chairman, I thank my colleague from the delta.

This is but one small example of what we ought to be doing, and that is working together to solve very, very complex problems. Unfortunately, the underlying legislation really is not the result of the kind of interaction that is necessary.

Mr. MCNERNEY and I represent the delta. That delta is as large as the Westlands Water District, and it also happens to be the largest estuary on the West Coast of the Western Hemisphere from Alaska to Chile. It is absolutely an essential element in the environment of the entire West Coast of the United States; yet the underlying legislation ignores the fact that those of us who represent this area have been no part of the legislation.

If we work together, we can solve problems such as water hyacinth and the next amendment, which I will be taking up. I want to commend Mr. MCNERNEY for putting forth this amendment and hopefully beginning the interaction necessary to develop a proper water bill for all California.

□ 1045

Mr. MCNERNEY. I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I want to thank the gentleman from California (Mr. MCNERNEY) for offering this amendment.

Water hyacinth is a significant problem that has impacted the operations of both the Central Valley water

project as well as the State Water Project.

This year, as a result of water hyacinth infestation, pumping at the Jones Pumping Plant was reduced significantly for periods of time that resulted in the loss of water. Local water contractors responded in a collaborative manner to help remove that infestation that we see there, over 89,000 cubic yards of hyacinth at a cost of almost $2 million to remove it to try to get the operations to continue.

Luckily, the capacity at the State pump, Banks pump, provided an opportunity to make up the difference. However, we may not be so lucky in the future.

So I want to support this amendment. It impacts not just cities, boaters, and recreationalists, but farmers and the entire region. This is a good amendment, and I urge my colleagues to support it.

Mr. MCNERNEY. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I ask unanimous consent to claim time in opposition to this amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. DENHAM. Mr. Chairman, I, too, represent San Joaquin County, along with Representative MCNERNEY, and believe that this is a solution to a big problem that we share within the delta.

This native species is something that needs to be managed and is a welcome amendment to this bill. This amendment rightly focuses on the invasive plant that can have devastating impacts on fish and other organisms in the delta.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–204.

Mr. GARAMENDI. 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 48, after line 19, insert the following:

(4) collaborate with the California Department of Water Resources to install a fish screen at the Delta Cross Channel Gates in coordination with operations to protect migrating smelt and salmonids;

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, this amendment, like the previous amendment, is simple but very important.

We heard the discussion from Mr. MCNERNEY and supporters of his amendment about the water hyacinth and the endangered species that have plagued not just the California delta, but other parts of the West.

It is important. This amendment is also a small but important amendment. It deals with a way of providing a fish screen on the Delta Cross Channel, a very important element in the California water system. Why this hasn't been done before, I don't know.

I live within a mile of the Delta Cross Channel, and I have often wondered why the agencies have not pursued a fish screen. They have to close the channel gates when the fish are in the river, thereby providing less water through the delta. So this would simply move it along.

These two amendments are an example of what we ought to be doing.

Mr. MCNERNEY and I represent the delta, which is 700,000 acres, equal in size to the area that is the principal proponent of the underlying legislation, that is the Westlands Water District. Both are important and critical agriculture areas, both of which need water.

The underlying legislation ignores the environmental needs and the agricultural needs of the delta, and in a very complex way provides a mechanism to take water out of the delta without regard to either the environmental or the agricultural or the community needs in the area.

It is not going to pass. It should never become law. It is an example of how not to solve California water problems. The way you solve California water problems are with amendments such as Mr. MCNERNEY's or this amendment that I am putting forth and serious discussions between those of us who represent the delta.

I would also like to point out to my colleagues who are proponents of this bill that I represent 200 miles of the Sacramento River, from the very end of it—that is at San Francisco Bay—to an area 199.6 miles upriver, including virtually all of the rice industry of California, of which there are some 600,000 acres, and nearly half of that acreage is fallow this year.

So the drought isn't just about the impact on the San Joaquin Valley system, of which we have heard much debate this morning. It is also about the Sacramento Valley north of the delta, where the drought has had a major impact.

California needs to work together in the immediate situation, which it is actually doing. The Federal and State governments' water policy through the Department of the Interior and the Bureau of Reclamation, the Fish and Wildlife Agency—both the State and Federal Government have done yeoman's work, extraordinary work, stretching the water supplies of California. This bill would override that effort and make it impossible for them to continue.

God help us if the drought goes another year—it could—in which case this bill, if it would become law, all that has been done in California over this last 3 years to stretch the water supplies would be pushed aside.

We shouldn't do it that way. We should be working together. Mr. HUFFMAN has a good piece of legislation that has already achieved statewide support from water contractors, from those who understand the intricacies of this system. We can do it if we sat down together. And that has not happened.

For those of us who represent the delta and north of the delta, we find this to be objectionable and we find it to be rather foolish. There is a middle ground. But don't, as this bill does, push aside the environmental laws, which are the only protections for the largest estuary system on the West Coast of the Western Hemisphere. Don't do that.

Why would you destroy the salmon fisheries? Why would you destroy 700,000 acres and the water supplies for the Bay area? You shouldn't do that. You don't need to do that.

There are rational and reasonable ways to solve the California water problem. Some of it is in this bill. The storage systems are good, well done, but don't do that in a way that pushes aside the environmental protections that provide the balance not just for the environment, but for the communities that are affected. Don't do that. We can work together. Just give us a chance to do so, which you have not thus far done.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, the gentleman from California talks about a bill that he is not willing to support, but yet he wants to amend a bill that he says is going nowhere.

The truth is the bill is going somewhere. This bill is going to move off this floor and move into the Senate. It is time for the Senate to show some action. It is time for the two bodies to actually do what they are supposed to do and work together to find a solution for California.

To do nothing is criminal. To do nothing will put farms out of business, will create much higher unemployment than seen anywhere else in the country, and will devastate a food supply that feeds the rest of the Nation and much of the world.

Now this amendment in particular has some problems. In conversations with the Bureau of Reclamation, they have not asked for this project and they have no money identified for the project. I am unaware of the State of California's position as well.

Fish screens are hugely expensive projects. They are subject to destruction under high flow events due to debris and restrict recreation.

I am concerned that this project is not even feasible. What this project aims to do is make sure that water is not transferred south of the delta. What many of my friends forget is, as I represent San Joaquin County, Mountain House, a community—not just farmland—that gets a zero allocation, is south of the delta. It actually exports water. So does Tracy, Manteca, Ripon, Escalon, areas in San Joaquin that I represent that are south of the delta.

This is not an us against them fight. This is a fight for the survival of California. And it is not just about an emergency transfer of water. It is about the future of California. Do we want to have enough water for all of our residents? Do we want our number one industry, agriculture, to be a vibrant industry?

We have the opportunity to have greater storage. And we ought to have some commonsense solutions in the process. You talk about wanting to save fish? Why not get rid of the predator fish, or at least go out and harvest some of them so they are not eating 98 percent of the fish that you say you are trying to help?

There are commonsense solutions in here that will allow us to have greater flexibility, greater storage, and a better plan for the future of California. We should not be wasting water and just allowing freshwater to get pushed arbitrarily out to the ocean.

This is sound environmental policy that will help us in the future and gives us a negotiating point with the Senate, Republicans and Democrats actually working together, for a solution that helps us in California.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. 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 California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–204.

Mr. LAMALFA. 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 65, strike lines 1 through 6 and insert the following (and redesignate the subsequent provisions accordingly):

(2) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete a publicly available draft of the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(4) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108-361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2017;

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, I am pleased to offer this amendment with my neighbor to the north, Mr. WALDEN, which will protect due process for water contractors of the Bureau of Reclamation-operated Klamath Project in California and Oregon.

The amendment confers applicant status on these contractors, ensuring that they are included in Endangered Species Act consultations that could affect operations of the water projects they rely upon. Applicant status also ensures that information and alternative actions provided by the contractors must be considered when the Bureau considers ESA-related operational changes.

While the Bureau has, in its own words, treated the contractors in a manner similar to applicants since the 1990s, and local Indian tribes have invited contractors to provide information, the Bureau has not granted them the protections and inputs the full applicant status would provide, which is why we need the bill.

H.R. 2898 already provides applicant status for the federally operated Central Valley Project in California.

Mr. DENHAM. Will the gentleman yield?

Mr. LAMALFA. I yield to the gentleman from California.

Mr. DENHAM. I believe the gentleman has two amendments today.

Mr. LAMALFA. Yes. This first amendment is on the Klamath Project.

Are the amendments out of order? They are out of numerical order.

Mr. Chairman, I offer this amendment on the Sites Reservoir. This helps complete a surface water storage project feasibility study by aligning the bill's language with the MOU recently signed by the Bureau of Reclamation and project stakeholders.

□ 1100

Sites Reservoir has been studied for decades, but stakeholders recently agreed to help fund the study's completion. Last year, California's voters authorized billions in funding for projects like Sites, but the State cannot determine which projects to invest in until the feasibility studies are complete.

This is a key project to help the State prepare for future droughts, and the State Department of Water Resources found that it would generate an additional 900,000 acre-feet of water during drought years. That is enough for 7.2 million people per year.

This noncontroversial amendment helps to allow Californians to invest in their own water infrastructure, which is a laudable goal that I think we should all support.

I have been pleased to sponsor a bill with my colleague, Mr. GARAMENDI, aimed at advancing this project, and I hope I will have your support today on this amendment.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I ask unanimous consent to claim time in opposition, though I am not opposed to this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to my distinguished colleague from Fresno, California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding me the time.

Mr. Chairman, as my colleague mentioned, this amendment updates the bill to be consistent with the memorandum of understanding between the Bureau of Reclamation and the Sites Joint Powers Authority.

As has been noted by speakers on both sides, California last year came together, in a bipartisan, overwhelming way, to provide $7.5 billion for improving our water system to provide more funding for the tools in our water toolbox to provide greater reliability throughout California; $2.7 billion of that water bond measure was set aside for water storage projects. This is one of the projects that can participate in that funding.

I support this effort because increased storage capacity—both surface, as well as groundwater recharge—is absolutely necessary to provide the additional resiliency and reliability in California's water system.

I support the construction of Sites Reservoir, working in conjunction with increasing the supply of Shasta Reservoir, by increasing that dam, would provide additional water supply, as well as Temperance Flat, as well as the expansion of Los Vaqueros, which is underway by the Contra Costa Water District, as well as the expansion of San Luis Reservoir, which is allowed for in this legislation, as well as increased groundwater banking. All of these are part of the solution.

We must expand the storage in the State to reduce the impacts of future droughts and the population growth; therefore, I support this amendment.

Mr. LAMALFA. Mr. Chairman, again, this is a technical measure to help

align the language in H.R. 2898 with the MOU, memorandum of understanding, that the Bureau of Reclamation has put forward so that we can expedite the studies for the Sites Reservoir project, one that we have needed for a long, long time and will be very helpful towards water solutions for California.

I ask for the support of this very simple technical measure, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, this amendment simply aligns the bill with the recently signed MOU with the Bureau of Reclamation regarding these studies. We do not oppose it. It is consistent with an earlier policy rider added to the Energy and Water Appropriations bill.

Contrary to some of the things we have heard in this debate, I and other Democrats are not standing in the way of these storage studies. The delta smelt and the environmental laws are not standing in the way of these storage studies.

In fact, my own drought bill, H.R. 2983, provides crucial funding and direction to the Bureau of Reclamation to finish CALFED feasibility studies that have the financing possible to be completed within the next 10 years.

We do support finishing these studies. Now, some of these projects may pencil out, but I think it has become clear over the many, many years these studies have languished that some of these projects have turned into zombie reservoirs which won't go away because project proponents have never been forced to fully account for how their financing will actually work.

Many of these projects will not pencil out, but it is high time that we complete the studies, face the reality, and get the information so that we can move on with real water solutions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CALVERT

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–204.

Mr. CALVERT. 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 81, line 3, strike ''3'' and insert ''2''.

Page 81, line 12, strike ''and''.

Page 81, line 15, strike the period and insert ''; and''.

Page 81, after line 15, insert the following:

''(vi) 1 member shall be a representative of a wildlife entity that primarily focuses on waterfowl.''.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. CALVERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, in H.R. 2898, we establish an oversight board for the Central Valley Project Restoration Fund.

What my amendment does is simple. It adds an additional conservation seat to the 11-member board, which will provide parity between the environmental and user group interests.

The advisory board reflects the interests of agriculture, municipal and industrial users, power contractors, wildlife refuges, in addition to the economic impacts of water operations, so that the Secretary of the Interior will receive recommendations that encompass a broad perspective.

The reason for my amendment is also simple, to ensure that a more balanced and effective approach is being taken as the Secretary of the Interior prioritizes spending levels on projects and programs carried out through the restoration fund.

Again, in closing, my amendment strikes a better balance between conservation and user groups interests on the 11-member board and will help to ensure that the annual surcharges water and power users contribute will be spent on the most effective methods in habitat restoration and environmental mitigation.

Mrs. LUMMIS. Will the gentleman yield?

Mr. CALVERT. I yield to the gentlewoman from Wyoming.

Mrs. LUMMIS. Mr. Chairman, we support the amendment and commend the author for offering it.

Mr. CALVERT. Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I ask unanimous consent to claim time in opposition, though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I, too, commend the author for his concern about waterfowl and wildlife. This amendment, by itself, is not harmful, but it is important to acknowledge that it doesn't come close to curing the problems with this bill that are, in fact, very harmful to fish and wildlife.

The gentleman's amendment seeks to provide cover in some ways to proponents of this bill who are now coming under fire from the California Waterfowl Association and other sportsmen's groups because this bill hurts migratory birds and other wildlife and waterfowl.

The California Waterfowl Association is on record opposing this bill because: ''It would eliminate water supplies for California migratory waterfowl and other wetlands-dependent species.''

Other sportsmen's groups also oppose. Trout Unlimited has spoken out against the bill because it would weaken protections for steelhead and salmon.

While I do not oppose this bill, it is important not to suggest that this bill is somehow good for or supported by hunters or sportsmen's groups. It is not.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is a very legitimate concern that my colleagues are dealing with in terms of how funds are being spent by the restoration programs and how we provide support for the efforts to provide more accountability and improve the transparency of the expenditures of the fund.

I appreciate and support my colleague's amendment to improve the makeup of the advisory board, which I think is important. However, I think that adding one more waterfowl representative needs to be done to try to provide additional balance in terms of the representation of the various interests on the board.

Let me finally say I represent Grasslands, a large part of Grasslands district, which is the largest part of the Pacific Flyway in terms of almost 200,000 acres of contiguous wetlands, and they have raised some issues as relates to this legislation, and we are going to work those out because, in fact, that is a very important part of the Pacific Flyway.

In addition to that, the flexibility that we create in the underlying bill really is, in part, to ensure that we do provide water, even the limited water available, so that we can maintain this important habitat.

Mr. CALVERT. I thank my colleagues for supporting this amendment. It is a simple amendment. This is a process, as my friend from California has mentioned. After we move this bill forward today, we will have the opportunity, hopefully, to conference with the Senate. Hopefully, they can pass a bill in the Senate, and we can do something good for the State of California.

I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–204.

Mr. COSTA. Mr. Chairman, I rise for an amendment that is before the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 92, after line 19, insert the following:

SEC. 611. REPORT ON RESULTS OF WATER USAGE.

The Secretary of the Interior, in consultation with the Secretary of Commerce and the Secretary of Natural Resources of the State of California, shall publish an annual report

detailing instream flow releases from the Central Valley Project and California State Water Project, their explicit purpose and authority, and all measured environmental benefit as a result of the releases.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chair, and the ranking member, since the early 1990s, the Federal and State lawmakers and regulators have made a number of policy choices to implement the Endangered Species Act and Clean Water Act and the Central Valley Project Improvement Act. All of these have had good intentions.

From the Trinity River, to the Shasta Reservoir, to the San Francisco Bay Delta, and up to the San Joaquin River, about 3.5 million acre-feet of Central Valley Project and California State Water Project have been as a result of those acts rededicated for environmental management purposes.

The Central Valley Project Improvement Act alone, since its enactment, has resulted in over 17 million acre-feet of water being reprioritized for different needs and for different purposes.

It is important to note that this doesn't mean that the water, in reprioritization, doesn't continue to serve multiple purposes within the system because it does; but it does mean that the use has been prioritized so that, in fact, it must meet environmental objectives over that of human needs, which are a distant second to the environmental uses of this water as a result of the passage of those previous acts.

These changes, I believe, have harmed a large number of Californians, including those from small, rural, and often disadvantaged communities that I represent, as well as to the larger areas that are dependent upon this water supply, whether we talk about Santa Clara in Silicon Valley or Los Angeles, in the metropolitan water district.

Approximately 25 million people and 7 of the Nation's top 10 agricultural counties have seen their water supply diminish and their water cost escalate over the last 20 years; that is a fact, and as my colleagues say, facts are hard to dispute. The increased cost has been there, and the reduction of the water supply is, in fact, a result of this.

Many of the farmers I serve have seen their water supplies diminish to 40 percent—40 percent—of their long-term average and have received no surface water—no surface water—for the last 2 years.

Communities that I have represented have had their drinking wells go dry, leaving entire towns without a water supply for drinking or bathing. These are incredibly harmful impacts to a very simple question.

We ought to know the benefits. Has society benefited from the policy changes to dedicate the water for these important environmental purposes, like preventing the extinction of species, which none of us want to do?

The answer, I am sad to say, is it seems to have had not the impact that was intended because the species continue to decline.

Unfortunately, though, notwithstanding efforts within the Federal agencies, the State agencies, and the National Academy of Sciences, we don't really know. We don't really know because we don't have an accurate reporting or accounting of how end-stream flows are used and what benefit is expected to be achieved by them and whether the benefit was achieved by those flows.

□ 1115

I would certainly feel a little better knowing that we are increasing the species, the salmonoid in California, notwithstanding the loss of water. In fact, the salmonoid have continued to decline.

The dedication of millions of acre-feet of water and the expenditure of billions of dollars has resulted in a water supply situation that has never been worse for all of California. Likewise, the condition of the species to which we have dedicated so much has never been so much at risk.

The latest delta smelt population index is zero, and the status of protected salmon is in serious doubt. While the extinction of these species isn't probable, given the hatchery-based fish populations, the potential loss of wild populations is of grave concern to all of us.

One thing that the drought has achieved to make operational priorities of the project abundantly clear is that the first priority of the projects, besides this cosharing, is flood control. God, I would pray that it would flood in California. I would love to have what they are having in Texas.

The second priority is followed by salmon temperature management, which is very problematic right now as a result of this drought. This is followed by protecting the bay-delta water quality—people ought to have good water quality; I want my friends in the bay area to drink good, fresh water—and, finally, any possible deliveries to the communities for the refuge wildlife, which I spoke to a moment ago, that includes grasslands and other refuges, as well as our farms, our farms that produce the food.

I am introducing this amendment to create at least some accountability and transparency in the environmental management efforts underway so that we can better understand and so we can measure what is working and what isn't working. That is why this amendment is important.

I ask that it be adopted for all the reasons that I have stated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–204.

Mr. LAMALFA. Mr. Chair, I have another amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 92, line 20, insert the following new section:

SEC. 611. KLAMATH PROJECT CONSULTATION APPLICANTS.

If the Bureau of Reclamation initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Klamath Project (or any part thereof), Klamath Project contractors shall be accorded all the rights and responsibilities extended to applicants in the consultation process. Upon request of the Klamath Project contractors, they may be represented through an association or organization.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, this is the much anticipated amendment having to do with the Klamath project that I am offering with my neighbor, Mr. WALDEN, from the north side of the border.

The amendment again confers applicant status on those contractors that are involved in the Klamath project, ensuring that they are included in the Endangered Species Act consultations that could affect operations of the water project they rely upon.

Applicant status also ensures that information and alternative actions provided by the contractors must be considered when the Bureau considers ESA-related operational changes.

While the Bureau has, in its words, treated the contractors ''in a manner similar to applicants'' since the 1990s and local tribes have invited contractors to provide information, the Bureau has not granted them the protections and input that the full applicant status would provide.

H.R. 2898 already provides applicant status for the federally operated Central Valley Project in California, and this simply ensures that all Federal water contractors in the region receive equal legal protections.

I yield to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Chairman, I thank the gentleman from California (Mr. LAMALFA) for yielding and for working with me on this amendment as well, which will assist our Klamath project farmers in the Klamath Basin.

As you pointed out, there is a long history of water issues in this basin and there is much work to be done.

Frankly, a basin-wide, long-term solution is what is most needed. While we are working toward that solution, these issues remain.

In the interim, it is critical that we pass this amendment to simply formalize the rule of the Klamath project irrigators by giving them applicant status for ESA consultations.

The Klamath project contractors have existing contracts with the Bureau of Reclamation, and they are directly affected by Reclamation's consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

In recent years, as you mentioned, the Klamath project contractors have provided input to the section 7 consultations through the invitation of the Klamath tribes. I would like to thank the Klamath tribes and especially Klamath Tribal Chairman Don Gentry for working with the project contractors through this process.

So passing this amendment would only formalize the practice that has already been occurring and ensure the project contractors could continue this process in the future.

To legislatively designate the project contractors as having the role of applicants would not change the substantive obligations of the Bureau of Reclamation under the ESA or the obligations of the wildlife agencies to prepare biological opinions.

So I would ask my colleagues to join us in formalizing a process that has been sort of informal along the way, but inconsistent at times, and give the consistency there that is important to continue the discussions that are underway in the basin.

Mr. HUFFMAN. Mr. Chair, I rise to claim time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chair, I am the other neighbor on this Klamath-Trinity water system. I didn't have the benefit of working with my colleagues on this legislation.

My hope, as we go forward, is that we could be a little more neighborly and try to talk with each other and work together on this system that affects our mutual constituents.

Mr. Chair, as if the underlying bill, which includes numerous assaults on the Endangered Species Act, is not bad enough, unfortunately, this is an amendment that would make it even worse.

It plays favorites among stakeholders, elevating agriculture above all else at the expense of the environment and other cultural and economic interests.

As if the Klamath water contractors don't have things good enough with taxpayer-subsidized water and zero-interest loans, this amendment seeks to give them special status and significantly more leverage during the Endangered Species Act consultation process.

As long as the project is in place, the Bureau of Reclamation has a duty to manage it for the benefit of all stakeholders. That is important.

The interests of the water contractors are certainly no more legitimate than those of the Klamath tribes for whom endangered fish are part of their cultural heritage, nor are they more important than the interests of commercial and recreational fishermen, who generate hundreds of millions of dollars for the economy and continue to wait patiently for the restoration of fish stocks vital to their livelihoods.

In addition to being a bad deal for tribes and fishermen, this amendment is yet another attempt by House Republicans to drive the extinction of American fish and wildlife one species at a time.

Let's be honest. Giving agricultural interests privileged status in ''helping'' to determine the fate of endangered coho salmon and endangered Lost River and shortnose suckers is nothing short of a death sentence for those species.

It is past time for my colleagues across the aisle to stop blaming the Endangered Species Act for all of their ills. Fish did not cause the drought, and killing them will not make it go away.

The better solution is to make water use more sustainable for Californians and the environment that they cherish.

I yield back the balance of my time.

Mr. LAMALFA. Mr. Chair, it is a little harder to be neighborly when the facts get twisted around and the intent of the bill is misconstrued.

Indeed, this has been a collaborative process with the Bureau, the tribes inviting information from those stakeholders that are the water contractors.

This would simply confer a status upon them that would make them fully at the table as an applicant. It doesn't do anything to change the allocation or any other factor of those water contractors or give them any favorite status.

I yield to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Chair, I would just say, as somebody who has been involved in these issues going back to 1999, I have worked with the tribes. I have worked with irrigators to prove fish passage and to help improve fish health.

So I really take offense to the kind of language you are using here on the floor because we have done a lot of good to put fish screens in, to help improve the survivability of the suckers, to put more water aside. We have done a lot of good things.

So I welcome you to this House, and I welcome you to work with us on these issues, but I have to tell you it is a little offensive in your comments.

Mr. HUFFMAN. Will the gentleman yield for a question?

Mr. LAMALFA. I yield to the gentleman from California.

Mr. HUFFMAN. We could start working together on the Klamath restoration settlement and, moving forward, that legislation.

I hope that we can begin to talk together. We have legitimate interests on both sides of the State border and at both ends of this important watershed.

Mr. WALDEN. If the gentleman will yield, I am just saying there is a better way to have this discussion than hurling the kind of language you are hurling around, because a lot of us have worked, both sides, bipartisan, and a lot of work. I open the door to have those conversations with you as well.

The Acting CHAIR. The Chair reminds the gentleman from Oregon that the gentleman from California (Mr. LAMALFA) controls the time.

Mr. LAMALFA. Mr. Chair, the ESA requires us to use the best available science and information and have all the stakeholders able to be at the table, such as having full applicant status, for the Klamath water users.

Having them as an applicant just gets more information and more input from everybody that might be affected by possible ESA decisions.

We would love to work in a collaborative, neighborly process around here. When the rhetoric flies so much that accuses us, accuses that water users up there a long time, that have had a promise made to them by the Federal Government of being something other than what they are, it does make it difficult. And it is the kind of thing that the American people, as they view the operations on TV, really get tired of.

So I would be one that would love to cooperate and get a result. But on this amendment here, we need this help for those contractors to have a fair seat at the table.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HUFFMAN. 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 California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114–204.

Mr. GRIJALVA. 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 162, line 5, strike ''into the'' and all that follows through line 15, and insert ''for projects that reclaim and reuse wastewaters.''.

The Acting CHAIR. Pursuant to House Resolution 362, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chair, before I speak to my amendment, I want to acknowledge the gentlewoman from California (Mrs. NAPOLITANO) for her input on this amendment and for her long advocacy for water reuse, recycling, and conservation, and for emphasizing that we need a near-term water-creation strategy, along with a long-term sustainable strategy. H.R. 2898 is not that long-term sustainable strategy.

Californians and others across the west need drought relief now. The proponents of this legislation know that it will not provide that immediate relief. They also know their bill will never become law.

So why are we here today, wasting everybody's time? It is simply because House Republicans are not going to miss an opportunity to attack the Endangered Species Act and the National Environmental Policy Act.

The allegation that environmental laws have restricted dam construction is patently false. In fact, it was President Reagan who first sought to help curb the deficit by turning off the tap of easy Federal money that had funded multi-billion-dollar boondoggles and pork barrel dam projects.

Building new dams takes forever because it doesn't make economic sense without heavy government subsidies. Instead of flushing taxpayers' dollars, we should be investing in projects that recycle wastewater, create reuse, and provide immediate water supplies.

Eight-seven percent of California's wastewater, hundreds of billions of gallons of water that could supply the needs of agriculture and people, is lost to the Pacific Ocean each year because we do not have enough water recycling projects in place. This is literally an ocean of missed opportunity.

□ 1130

Mr. Chairman, my amendment creates new water for the people of California. If Republicans were serious about solving this drought problem, they would have written a bill that creates new water. Sadly, they have not. Instead, they have written a bill that uses a very real crisis to attack the ESA and NEPA.

This bill insults people who are suffering through this historic drought, and it is just the latest example of House Republicans blocking public participation in government and driving the extinction of American fish and wildlife one species at a time.

I agree with my colleagues; this is a manmade drought. It is manmade because we are not conserving and recycling water that we have and because we are wasting time on this bill instead of planning to increase water supplies in the short term and in long-term sustainable strategies.

Mr. Chairman, I urge my colleagues to vote ''yes'' on my amendment, and I reserve the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I said earlier this is a time of choosing between two very different visions. The Democrats offer us a vision of scarcity and astronomical water prices. We have been trying it their way—it doesn't end well. Our bill serves a different vision of abundant water and hydroelectricity at affordable prices—and the prosperity and the quality of life that means for every American.

Water is plentiful, but it is unevenly distributed over time. We build reservoirs to store water in wet years so that we have it in dry ones. We stopped building major reservoirs over 1 million acre-feet 40 years ago because of policies imposed on us by the very same voices that we now hear raised against this bill. The Sacramento River is bigger than the Colorado, yet we store 70 million acre-feet on the Colorado and only 10 million acre-feet on the Sacramento.

We will not solve our water shortage until we build more dams. That is what our bill does.

This amendment would scrap this vision of abundance for more of the same—not more water, only more conservation, more recycling, and more doing with less. Conservation is important in a drought, but conservation is the management of a shortage. Managing a shortage does not solve a shortage. Only abundance can do that.

Mr. Chairman, when we confuse conservation with supply, as these voices from the left always do, in a real drought, we discover that we have already played that card and we no longer have it available to stretch supplies in an emergency.

Mr. Chairman, new dams not only mean more abundant water for the West; they provide clean, cheap, and reliable hydroelectricity. They provide flood control to protect regions that would otherwise be inundated and uninhabitable. They assure year-round flows of water to riparian habitats that would otherwise be desiccated in drought and devastated by flood. All of these benefits would be sacrificed on the altar of the environmental left by this amendment.

Supply or shortage, that is the question. This bill opens up a new era of supply. This amendment takes us further down the road of coping with shortage not as a temporary stopgap, but as a way of life.

Well, we have had a taste of that way of life. We have watched our lawns turn brown. We have watched our water bills skyrocket. We have watched businesses shut down. We have watched thousands of farmworkers thrown out of work. We have seen food lines in the fertile agricultural region of the West. We have had enough.

Mr. Chairman, we seek a new future where water and hydroelectricity are abundant and inexpensive, where jobs are plentiful, where grocery shelves are full, where water police are not knocking on the door because we have taken too long in the shower, and where our lawns and gardens are green again.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Los Angeles Times had an article entitled, ''Editorial: GOP Water Bill in Congress Should Be Rejected.'' It compared the two pieces of legislation, JARED HUFFMAN's H.R. 2983 and the bill that is on the floor today, H.R. 2898. The conclusion was that we needed a commonsense, comprehensive approach.

The article says, ''the Huffman bill is starkly different and frankly much smarter, focusing on updating Federal water policies and practices that today are firmly rooted in outdated, mid-20th century knowledge and technology.''

It is a comprehensive approach that my side of the aisle seeks, and this legislation before us today does nothing.

Mr. Chairman, I want to speak to another important aspect of the legislation, which is the issue of relief. Providing a near-term relief, I think, is essential—that is not to stall a long-term solution, but to provide the relief that everybody has talked about that California and the Central Valley needs.

The Central Valley has been described as the ''Salad Bowl'' of America. The delicious crops that are grown there are consumed by Americans at a low cost. There is an occasional reference to the people that day in and day out labor to pick those crops and put them on the tables of the American people—the farmworkers.

Referencing their dire economic and living conditions that they find themselves in right now, the conclusion is that we need to proceed to pass H.R. 2898 to help these farmworkers and their families. I agree; farmworkers and their families must be a priority for relief. H.R. 2898 doesn't provide any relief to farmworkers and their families.

Mr. Chairman, farmworkers need an investment. They need an investment in education; they need an investment in housing; they need an investment in livable incomes, and they need to work on the concentrated poverty that we find. Those areas of farmworker communities had one of the highest poverty rates in California before the drought; they are at a high poverty rate now with the drought; and if we want to change the course of history, we need to deal with that issue. We need to continue to restrict pesticide use that harms humans, and we need to have working conditions and opportunity available to farmworkers.

Farmworkers don't need crocodile tears. They need relief; they need attention, and they need investment. They need a relief that is near term and not one dominated by technology and outmoded strategies that will not bring that relief to them. We should be about creating opportunity, creating

immediate relief, and helping those families not only in the near term, but in the long term.

Mr. Chairman, I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I yield the remainder of my time to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding the time.

Mr. Chairman, I am opposed to this amendment not because it provides additional water for reclamation and reuse, which I support. I am opposed to this amendment because it prevents any of these funds from being used for storage—groundwater and surface storage water.

As I said earlier, Californians, by over a two-thirds vote, supported a significant bond measure last year for that water storage, both surface and groundwater. This amendment would prevent that from occurring.

Mr. Chairman, let me also talk a little bit about the narrative that has been coming from some of my colleagues that I just firmly reject about this legislation and the underlying bill.

This does not—this does not—amend the Endangered Species Act. It does not provide any kind of a rollback of the endangered species law. That is just false.

It does not impact the water quality of the delta or the bay. And do you know why? Because we have a State law in California under Decision 1641 that requires the State Water Board to monitor the level of salinity in the delta and to protect the water quality for people in the Bay area who derive their water from that source.

So how could this legislation impact Decision 1641? It simply cannot.

As it relates to the operational flexibility, which has been alluded to as the great problem in this legislation, much of that flexibility that we have been urging over 4 years has begun to take place in the last year or 2. This legislation would take that flexibility that they finally have begun to do and put that in practice and codify it in law. That is what this legislation does.

I must say, Mr. Chairman, that under the constraints of this legislation, with this greater flexibility, the Secretary of the Interior still has the ability to provide the justification, in fact, if she feels that this flexibility cannot be implemented.

Mr. Chairman, those protections are there. That is what this legislation does. I urge your support.

Mrs. LUMMIS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. LUMMIS. 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 Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–204 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. GARAMENDI of California.

Amendment No. 7 by Mr. LAMALFA of California.

Amendment No. 8 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 236, not voting 15, as follows:

[Roll No. 443]

AYES—182

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
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
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
Payne
Pelosi
Perlmutter
Peters
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
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
Yarmuth

NOES—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
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
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
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
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
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 (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—15

Brat
Byrne
Conyers
Costello (PA)
Doyle, Michael F.
Engel
Garrett
Hudson
Johnson (GA)
Larson (CT)
Long
Newhouse
Nolan
Smith (WA)
Wilson (FL)

□ 1206

Messrs. McKINLEY, SHIMKUS, and HENSARLING changed their vote from ''aye'' to ''no.''

Mr. RANGEL, Ms. KELLY of Illinois, Mr. GENE GREEN of Texas, Ms. LOFGREN, and Mr. PASCRELL changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Chair, on rollcall No. 443, had I been present, I would have voted "yes."

Stated against:

Mr. NEWHOUSE. Mr. Chair, on rollcall No. 443, I was unavoidably detained. Had I been present, I would have voted "no."

Mr. BRAT. Mr. Chair, on rollcall No. 443, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 7 OFFERED BY MR. LAMALFA

The Acting CHAIR (Mr. HOLDING). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LAMALFA) on which further proceedings were postponed and on which the ayes 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 172, not voting 15, as follows:

[Roll No. 444]

AYES—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
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
Cramer
Crawford
Crenshaw
Cuellar
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
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
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
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
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
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—172

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
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
Cooper
Courtney
Crowley
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
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
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
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—15

Conyers
Costello (PA)
Cummings
Doyle, Michael F.
Engel
Eshoo
Garrett
Graves (MO)
Herrera Beutler
Hudson
Joyce
Larson (CT)
Long
Nolan
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1210

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 242, not voting 12, as follows:

[Roll No. 445]

AYES—179

Adams
Aguilar
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
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Fitzpatrick
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)
Lawrence
Lee
Levin
Lewis

Lieu, Ted
Lipinski
Loebsack
Lofgren
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
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
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

NOES—242

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
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
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
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
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
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
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
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
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Conyers
Costello (PA)
Doyle, Michael F.
Engel
Garrett
Hudson
Larson (CT)
Long
Marchant
Nolan
Pelosi
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1214

Mr. BUCK changed his vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. 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. HOLDING, 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. 2898) to provide drought relief in the State of California, and for other purposes, and, pursuant to House Resolution 362, 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.

MOTION TO RECOMMIT

Mr. BERA. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BERA. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Bera moves to recommit the bill H.R. 2898 to the Natural Resources Committee, with instructions to report the same back to the House forthwith, with the following amendment:

After section 610, insert the following:

SEC. 611. PROTECTING THE SUPPLY OF WATER FOR DRINKING AND TO FIGHT WILDFIRES.

Under the provisions of this Act, the Secretary shall ensure that there is an adequate supply of water—

(1) for residential drinking water that is safe and not tainted with arsenic, salt, nitrates from fertilizers, industrial chemicals, or harmful algae, which become concentrated in diminished water supplies; and

(2) to fight wildfires, utilizing water from reservoirs or other surface waters, and to honor Tribal water rights.

Mr. BISHOP of Utah (during the reading). Mr. Speaker, I ask unanimous consent that we consider it as having been read and we dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. BERA. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, this bill will immediately proceed to final passage as amended.

Mr. Speaker, this amendment is simple. It ensures that we have safe drinking water for our constituents and enough water to fight wildfires.

It has been hot and dry in California. We are now in the fourth straight year of drought conditions; and, in fact, 95 percent of our State has reached severe drought status. This is a problem.

We are talking about families; we are talking about farmers, small-business owners who are feeling the pain of this prolonged drought every day. It is a crisis, and in a crisis, everyone has to come together, to work together to find solutions that work for all of us.

However, the bill offered today, yet again, undermines the efforts that were taken in California to work together, and instead, it allows Washington, D.C., politicians to pick winners and losers and pit communities against each other. This bill creates no water. It does not solve this crisis, and that is a problem.

Look at this picture. This is my home district, Folsom Lake. This is what it looked like last summer, and this summer, it is worse. In fact, Folsom Lake right now is at 42 percent of capacity. By August, it is expected to reach the lowest point in recorded history. Over half a million people depend on Folsom Lake for their drinking water.

We owe it to the families of Folsom, Fair Oaks, Roseville, and all across the State to work together to better manage the water that we have. As currently written, this bill would jeopardize their access to safe water. As water supplies decrease, residential drinking water risks contamination from higher concentrations of nitrates,

arsenic, industrial chemicals, and harmful algae.

We owe it to the people in our State to make sure, when they turn on their taps, they have safe drinking water. Let's work together to find comprehensive solutions, long-term solutions to ensure their access to storage. We have got to work together as Democrats and Republicans, not pit northern California against southern California. I urge my colleagues on both sides of the aisle to give this motion their full support.

I yield to the gentleman from southern California (Mr. PETERS), my colleague.

Mr. PETERS. Mr. Speaker, across the West and particularly in California, we are in the fourth year of a prolonged drought that is placing us at increased risk for wildfires.

The underlying bill would harm not just one community or industrial sector, but would undercut years of existing water policy and put communities like mine in San Diego in more danger. The images of depleted reservoirs, lakes, and streams drying up abound, with millions of dead trees littering our forests. As The New York Times reported just yesterday: ''For those who know fire, fuel is now all they see.''

We are in the midst of what we expect to be a long and harsh wildfire season. Just since January 1, California fire officials have responded to more than 3,300 wildfires, which is a thousand more than the average from the last 5 years.

The lake fire that started just a month ago has consumed an area of national forest roughly the size of San Francisco, and the dozens of wildfires that erupted in San Diego last May burned thousands of acres and destroyed 65 homes. Projections show that the cost of fighting wildfires this year could reach up to $2.1 billion, far above the roughly $450 million spent annually in the 1990s.

It is not just money at stake. Two of the most deadly wildfires in California history, the Witch and Cedar fires occurred in San Diego and killed 17 people. This is also a matter of life and death.

This bill does not make it rain; no one can do that. It simply undermines the State of California's water policies to move water away from one set of communities and into different ones.

The motion to recommit requires that, as we make changes to Western water allocations, we ensure there is enough water in reservoirs, lakes, and community supplies to make sure that wildfires can be fought when they occur, which they certainly will. It also ensures that we honor the existing tribal water rights and protect the health of those communities.

I urge my colleagues to support this motion to recommit and to oppose the underlying legislation.

Mr. BERA. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, this is a procedural motion. Obviously, if it were a serious one, we could have considered it anytime in committee or on the floor in the amendment process, but it is a procedural motion that is also somewhat flawed.

In this particular one, it mentions that nothing will happen until the Secretary shall ensure that something happens. Unfortunately, in this provision of the bill, they don't define Secretary, so I am not really sure which Secretary would have to define something. It could be the secretary of my office if you really wanted it that way. It provides that we are going to have water for drinking and for wildfires.

Now, some of you may remember that, last week, we actually had a forest bill in here which provided for wildfires. We gave them money; we gave them authority; we gave them the tools. It passed with a bipartisan vote, but some of our friends who are not voting for this one weren't voting for that one either. We solved the wildfire issue already, scratched that one off.

If you really want drinking water, that is what the base bill does. The entire purpose of this bill is to emphasize the fact that, in this drought, we are trying to help people. The goal is to get water to people so they can work.

In an area that has a 50 percent unemployment rate, they can provide food for people. It is important to all of us. It is not as important for me as it used to be, but it is still important for all of us.

We actually provide jobs for people in these areas where they desperately need that work. We are doing it. This is about people. This is moving water so people can actually be helped, and that is what the underlying bill has to do, and the procedural issues that we are trying to hold up this process, they don't actually help people. They may help the process, but they don't actually help people.

We need a policy more than the opponents of this bill have, which is: Let's pray for rain and hope something happens.

We need to do what our pioneer ancestors told us to do and take the water we have and save it and store it, and that is what the underlying bill does, not just for California, but for the rest of the West, for all of us, where we have these same types of situations.

You can vote for the underlying bill, realizing you are helping people. Good grief, 2008, we found water on Mars; we can actually find water for people here in the West.

Vote ''no'' on the motion to recommit; support the underlying bill. Let's get this bill going through the system so we can actually do something good for the people of this country.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 239, not voting 11, as follows:

[Roll No. 446]

AYES—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
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
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

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
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
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
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
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
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
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 (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—11

Brat
Costello (PA)
Doyle, Michael F.
Engel
Garrett
Hudson
Larson (CT)
Long
Murphy (FL)
Nolan
Palazzo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1233

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRAT. Mr. Speaker, on rollcall No. 446, my vote did not register. Had I been present, I would have voted "no."

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

Mr. TONKO. 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 245, noes 176, not voting 12, as follows:

[Roll No. 447]

AYES—245

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
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
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
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
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
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
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
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

NOES—176

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
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)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Sensenbrenner
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—12

Carson (IN)
Conyers
Costello (PA)
Doyle, Michael F.
Engel
Gallego
Garrett
Hudson
Larson (CT)
Long
Murphy (FL)
Nolan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1239

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MURPHY of Florida. Mr. Speaker, on rollcall Nos. 446 and 447. 446 Recommit—"yes," 447. Passage of H.R. 2898—"no."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2898, WESTERN WATER AND AMERICAN FOOD SECURITY ACT OF 2015

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 2898, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, including striking the instruction ''line 20'' and inserting ''after line 19'' in amendment No. 7.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the majority leader, Mr. MCCARTHY, for the purpose of inquiring about the schedule of the week to come and thereafter.

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

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House. On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

In addition, the House will consider H.R. 1734, the Improving Coal Combustion Residuals Regulation Act, sponsored by Representative DAVID MCKINLEY. This bill is essential to protect and create jobs.

If we do not act, the EPA will replace the existing successful State-based regulatory program with harmful new regulations that will cost hundreds of thousands of jobs and result in billions of dollars in burdensome costs for job creators.

□ 1245

The House will also consider H.R. 1599, the Safe and Accurate Food Labeling Act, sponsored by Representative MIKE POMPEO. This bipartisan bill will ensure uniform national labeling of foods from genetically engineered plants. By addressing the patchwork of conflicting labeling laws, we will fix the growing problem of inconsistent and confusing information for consumers.

Finally, Mr. Speaker, the House is expected to consider the conference report for the National Defense Authorization Act for Fiscal Year 2016.

Mr. HOYER. I thank the gentleman for his information with respect to the legislation for next week.

As the gentleman knows, we have now passed six appropriation bills. Last week, consideration of the Interior bill was postponed. The gentleman and Mr. ROGERS have both made representations that they hope to do all 12 appropriations bills.

You did not announce any appropriations bills on the schedule for next week. Can the gentleman tell me whether or not he expects to bring additional appropriations bills to the floor prior to the August break?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Yes, it is our intention to get back to the appropriations process as soon as possible. As the gentleman does know, there are some very serious and sensitive issues involved. We are in the midst of a constructive and bipartisan conversation on how we can resolve these issues. I will be sure to keep the Members updated as the appropriations bills are scheduled for continued consideration.

Mr. HOYER. I thank the gentleman for his comment, particularly in terms of the willingness to work in a bipartisan fashion.

As the majority leader knows, there is, on his side of the aisle and on our side of the aisle, a great concern that the 302 allocations to the Appropriations Committee are insufficient to meet their responsibilities. Mr. ROGERS, as you know, your chairman of the Appropriations Committee, a Member of your side of the aisle from Kentucky, has characterized the sequestration numbers as unrealistic and ill-advised.

The Senate has not passed any appropriations bills, as the gentleman knows. It is my hope, and I would like to ask the majority leader whether he contemplates any bipartisan discussions with reference to how we might come to an agreement so that appropriations bills could, in fact, be enacted, sent to the President, and signed by the President.

The President, as you know, sent down a budget which was paid for, which had Defense numbers at the numbers that your side of the aisle used by utilizing Overseas Contingency Operation funds to bridge the gap between the sequester number and the President's number.

My question to you is: Is there any contemplation, either before we break or shortly after we come back—because October 1 will be on us very, very quickly—to have bipartisan discussions, a la Ryan-Murray, to get to a number that we can agree on and that we can pass appropriations bills, have conferences, and send them to the President and be signed, hopefully, before October 1, but if not before October 1, certainly before December 18?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding and his continuous questions throughout the months on this.

It is still our intention on this side of the aisle to get our business done, uphold the current law which is in place. I know you and I have had many debates back and forth that we know that sequestration started in the White House, and we continue to play by what the law states today and move our bills in a bipartisan manner, with a very open process on the floor where any Member can bring an amendment up, and we will continue to use that process as we move forward.

Mr. HOYER. I thank the gentleman.

The majority leader, Mr. Speaker, regularly brings up that sequester started in the White House. He knows I very severely disagree with that. And he voted for a Cut, Cap, and Balance Act which had in that bill—which no Democrat, I think, voted for—sequester. And it was passed 5 days before our Republican friends, Mr. Speaker, alleged that Mr. Lew suggested that to Mr. REID as a way we could get by the House's refusal, up to that point in time, to extend the debt limit, which meant we couldn't pay our bills. But I don't think that is very useful in discussing how we get by this loggerhead that we have met on the appropriations process.

I served on the Appropriations Committee for 23 years before I became a leader, and we did pass bills—not always on time, but we had an ability, Republicans and Democrats working on the Appropriations Committee, working in the Congress, to get our bills done.

Mr. Speaker, I don't know whether you recall. I presume you will recall that when we got to a similar impasse, Mr. RYAN, the then-chairman of the Budget Committee, Ms. MURRAY, the then-chairwoman of the Budget Committee in the Senate, got together and came up with some figures that we could agree on on a bipartisan basis. Until that time, we had the same kind of scenario that we are now confronted with.

Mr. Speaker, it is my view that, unless we have such a meeting of the minds, we are going to put this country in another crisis of our own making.

We, Democrats, are prepared to enter into some sort of an agreement, consistent with HAL ROGERS' belief, that we can get to a realistic and advised compromise, not this unrealistic and ill-advised—Mr. ROGERS' words, Republican chair of the Appropriations Committee, not mine.

And if we don't do so, when we get to September 30, or we get to December 18, let's not wring our hands and say, How did this happen? We will know exactly how it happened, and it will have happened because we refused to sit down, as the majority leader just said

a few minutes ago, in a bipartisan way to do the people's business in a responsible, collegial way in which we can get to an agreement so the bills can be passed.

I think this argument about who is responsible for sequestration—clearly, we have a different point of view—and a bill that passed before the suggestion was made by Jack Lew so we could get by the impasse and America pay its bills is really not very useful.

Mr. Leader, let me go to another subject. The gentleman moved, on two occasions, to refer to the House Administration Committee legislation which related to the use of the Confederate battle flag. Both of those issues are now pending in the House Administration Committee. One of them has been there for some 3 weeks now.

Can the gentleman tell me whether there is any suggested action by the committee, whether there have been any hearings scheduled, and whether or not we may see that legislation brought to the floor at any time in the foreseeable future?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Just to clarify before I answer your other question on some of your other statements, I am concerned about what the rest of the summer looks like. A lot of my concern stems from what I hear on the other side of the aisle, especially in the Senate side.

As the gentleman knows from his years of working for more than two decades on appropriations, the appropriations process we have today is the most open this House has ever seen. Never in history, while you were on the Appropriations Committee, was it as open a process that any Member from any side of the aisle could just offer an amendment, not even prewritten, just a closed process.

But your comments about sequester, what I am really concerned about is the comments of Senator SCHUMER, Senator REID, that they were going to have the summer of the shutdown, the destruction, that they were going to shut everything down, and I am concerned about some of your comments that are leading in that direction. I don't want to go there. I want to finish our work as we have been doing here.

And history, I can't rewrite it. I mean, Bob Woodward, respected journalist as we all know from his days back to Watergate, today, in his ''The Price of Politics,'' he wrote of the time in history. Sequester was not debated here on this floor or created on this floor, not even in the Senate as well. You can read it in his book. It was created in the White House of this administration. It is the law of the land. We will uphold the law of the land and do our work based upon those numbers.

Now, the question you had before me was dealing with what we referred to House Administration. I have met with the chair and I have met with Members on the gentleman's side of the aisle. We have nothing scheduled for next week, but we are currently working towards solving this, to me, a very serious and sensitive issue, and I look forward to getting it done and working with you to make it happen.

Mr. HOYER. I appreciate the fact that we might be bringing something to the floor so that we can express the opinion of this House. As the house and senate in South Carolina expressed its opinion, it surely is appropriate for this House of Representatives, representing the values of our country, sworn to uphold our Constitution that stands for equality of all, that we can express ourselves and take appropriate action. I appreciate the gentleman's view.

I have great respect for Mr. Woodward. Mr. Woodward, shortly after that book came out, I called him. He came into my office. We had a discussion about that representation. I will tell the gentleman that I believe Mr. Woodward was incorrect. He did not have information I gave him. I don't mean that he necessarily says he is incorrect.

But there is no doubt, when you want to talk about history, you passed a bill 5 days before the suggestion was made by Jack Lew, which was, presumably, coming out of the White House, to Mr. REID, the majority leader. Five days before that, you passed, on this floor, a bill which was called Cut, Cap, and Balance, which had sequester as your fallback policy.

So you are right. You can't change history. That is history. I have said that a number of times. The gentleman has not corrected me. I presume that, therefore, he believes that I am accurate in that representation of the timing.

But very frankly, that history is irrelevant. What is relevant, as the gentleman and I, I think, both agree, if we don't get to an agreement on a number that is as we did in Ryan-Murray—we have done this before. We have done this before. Now, my view is we did it because you didn't want to have your Members vote on legislation that had numbers that were draconian before the election, but that may be only my personal perspective.

But the fact of the matter is the American people expect us to get their work done. Getting their work done, at minimum, means funding the government at appropriate levels. And, again, I would say that Mr. ROGERS does not believe the sequester—I agree with you. It is the law of the land. I think it is wrong. I think it is a bad law. It was not a law that was intended to go into effect. It went into effect simply because the supercommittee that was established in that same legislation couldn't come out with a solution.

In 13 months, the Congress couldn't come out with a solution, and, therefore, on January 1, 2014, we were confronted with these draconian, ill-conceived numbers, according to Mr. ROGERS. Let's not be confronted with those numbers 60 days from now on October 1 where we are unable to do our business. So I would urge my friend, and I would be glad to work with him toward that end.

We just passed a bill, Mr. Leader, which I voted for. We passed it on a bipartisan basis—the majority of my Members voted for it; the majority of your Members voted for it—a highway bill. It was, however, I know on our side, and I know that in discussions with you, your feeling as well, that it is not what we ought to be doing.

What we ought to be doing is passing a long-term, at least 6-year reauthorization bill for the highway program so that Governors, mayors, county executives, local officials, contractors, and construction workers would all have some confidence that there would be a revenue stream to fix our roads, repair our bridges, and build roads where they are needed.

Can the gentleman tell me whether he believes that there is a plan to get to the—and I know he and I have discussed it—but a plan to get to, before the December 18 date that the present bill calls for, a long-term highway reauthorization?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding, and I thank him for his work and help on passing the highway bill this week.

As the gentleman knows, nobody in this House wants to pass a short-term highway bill. We want certainty. We want to make sure the money goes the furthest and in the most efficient and effective way.

The reason why we are going to a short-term, December 18, is because it is our plan and our intention, together, to be able to find the resources to have a highway bill that can be 5 years.

□ 1300

It is our intention to be able to have that.

We have a plan, I believe, we are working towards, and the first step was extending highways to the December 18 date. All we have next is to pass the Senate.

If they pass our highway bill, we will be in the right place, prepared to have it done before December, a 5-year that we could all work together in a bipartisan manner to have done.

Mr. HOYER. I hope we do that.

In the short term, however, we have done another item which we have not reauthorized, and that is the Export-Import Bank.

Senator MCCONNELL believes that that has the votes in the Senate, and he believes that the highway bill that we have just sent them is a vehicle to add that Export-Import Bank proposal to. And my presumption is it will be in that bill when it comes back to us.

Hopefully, it will come back within the next few days because, of course, the highway authorization ends at the end of this month, in which case there will be no authorization to spend money on the highway program.

Can the gentleman tell me whether or not, if that comes back, it will be on the floor? I have heard some discussion about the fact that the Speaker says it will be on the floor, but the Export-Import Bank would be open to amendment.

Would the gentleman tell me whether or not there are any plans along those lines.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding to me one more time.

The gentleman is well aware of how I feel about the Export-Import Bank, and we have a difference of opinion. I am one who has always believed in the principle that you should just deal with the subject that is before you.

We have passed the highway bill. The best advice I can give to the Senate—it is a clean highway bill until December 18—is to pass a clean highway bill and move it to the President.

Mr. HOYER. I understand that that is the gentleman's desire. I know he is opposed to the Ex-Im Bank reauthorization.

As you know, we passed it in a bipartisan fashion when the gentleman from Virginia (Mr. Cantor) was the majority leader, and the gentleman voted for it. He has changed his mind. Certainly many of us do that from time to time.

But my question to him is: If they don't do what the gentleman suggests—i.e., a clean highway bill—and they send it back, as, apparently, Leader MCCONNELL thought that they would do, consistent with his representation to the Senator from Washington State and others—if they add the Ex-Im Bank to that bill and it comes back—I know the gentleman is reluctant to speculate. But we have a very, very short period of time left in this session before the August break.

Does the gentleman believe that, if it comes back and is in the highway bill, that we would make the Export-Import Bank portion of that bill at least open to amendment?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

And if I just may correct the gentleman, he took the liberty of saying whether I changed my mind. I did vote for the Ex-Im Bank 2 years ago, but I voted for an Ex-Im Bank that had reform in it. I have not seen that reform. I did not change my mind. I kept my principle. The same principle that I have is my best advice to the Senate.

I know you want to talk hypotheticals, and I know our colloquy is about next week. But none of that is scheduled for next week.

But to the gentleman and to the Senate, my best advice for them is to pass our clean highway bill and send it to the President.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, the problem with the suggestion the majority leader makes is the Export-Import Bank will be out of business. If that happens, Speaker BOEHNER has said it is going to adversely affect jobs in America. It will adversely affect the ability of small, medium, and large businesses to sell our goods overseas by people working here in America.

The Export-Import Bank is about jobs, and to simply let it twist in the wind and let it be unauthorized simply because of inattention, when it has the majority of votes on this floor? Mr. Speaker, I have said that over and over again and have not been contradicted.

There are 60 Republicans who have sponsored the Export-Import Bank's reauthorization. There are 188 Democrats—or at least 185 Democrats who will vote for it. That is 249 votes. All you need is 218. There is no doubt that the Export-Import Bank has the votes to pass this House and the Senate, and, yet, we fiddle while jobs are being burned.

Mr. Speaker, that is not good policy for our country. It is not good policy for our workers. It is not good policy for our businesses, for our exporters. It makes us uncompetitive with the rest of the world. Sixty countries have a similar facility. I know in a perfect world perhaps that wouldn't exist. But 60 of our competitors around the world have such a facility that make their goods cheaper than we will be making ours.

That is not good sense. It is not good policy. It is not the expectation, I think, of the American people. And it is not the will of this House.

I regret that we have not addressed this already. But I certainly hope when the Senate—as I expect them to do—adds it to the House highway bill—and I am not sure whether it will be our bill or their bill or our bill amended—we may have to go to conference or we may have to get to an agreement.

But one way or the other, we ought to adopt the will of this House and reauthorize the Export-Import Bank so that we will protect jobs.

It was Speaker BOEHNER who said that it was shortly after we took the action we took on June 30 and allowed the Export-Import Bank to expire that we would lose jobs. In fact, that is happening. So I would hope that that would not be the case.

Lastly, Mr. Speaker, I would like to ask the majority leader this: I get a lot of rumors on my side. I know you get a lot of rumors on your side. And I sort of smile at them and I say, ''I think not.''

But I have had 20 Members today ask me, Mr. Speaker, are we not going to be here the last week of July that is presently scheduled. And I would like to clear that up.

I yield to my friend for a definitive answer on the schedule for—this is a scheduling question, by the way, as to whether or not, in fact, we are going to be here the last week of July.

Mr. MCCARTHY. I thank the gentleman for yielding.

I smile because the only rumor I heard more of was about Taylor Swift in the Capitol the other day.

I think this is just wishful thinking of the Members. But the American people expect us to get our work done. We have a lot of work to get done. No, we will be here, as the schedule says, and we will finish it. But we will not be leaving early.

Mr. HOYER. I appreciate the majority leader's clarification. My Members will not necessarily appreciate it, but I understand it.

I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JULY 16, 2015, TO MONDAY, JULY 20, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. ABRAHAM). Is there objection to the request of the gentleman from California?

There was no objection.

FETAL BODY PARTS TRAFFICKING

(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, evidence has been made public that the largest abortion provider in America has been actively engaged in the illegal and horrific practice of trafficking of fetal body parts.

Planned Parenthood performs over 300,000 abortions annually. This organization financially gains from the destruction of innocent, unborn children and now has been shown to profit from the selling of children's organs to fetal tissue brokers.

Those who defend Planned Parenthood and these evil practices argue these clinics simultaneously provide access to other needed health services. Well, Mr. Speaker, one does not justify the other.

Throughout the United States, there is no shortage of faith-based health service providers that, unlike Planned Parenthood, honor, respect, and care for all women and unborn children. They do not prey on vulnerable individuals for profit.

Mr. Speaker, I have joined my colleagues, calling for an investigation into the trafficking of fetal tissue and activities of abortion providers, such as Planned Parenthood, companies that broker fetal tissue, and any incentives created by National Institutes of Health funding for research using body parts of unborn children.

PRIDE PARADE FESTIVAL IN ISTANBUL, TURKEY

(Mr. SEAN PATRICK MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I rise to express my deep concern over the atrocities that recently occurred at this year's pride parade in Istanbul, Turkey.

For years, the Turkish LGBT community and their supporters have been able to partake in one of the few permitted pride parades in the Muslim world, but this year this peaceful parade was broken up when police dispersed the parade with tear gas, rubber bullets, and water cannons, reminiscent of the worst full countertactics of the American civil rights movement.

LGBT pride gatherings are peaceful, focusing on love and solidarity and the human rights of all people, including LGBT people, which is a stark contrast to the unnecessary and brutal violence endured by those parade-goers.

This past May I had the opportunity to visit the brave LGBT activists in Turkey and to speak to them about their hopes for a better community.

As a member of the LGBT community and of the Congressional Equality Caucus, I am deeply disturbed by the way in which such a positive festival was received by the Turkish Government.

Turkey has long expressed, by its commitments to the Organization for Security and Co-operation in Europe, its dedication to freedom of assembly and freedom of speech. Turkey is a NATO ally. Its actions are at odds with these previous commitments to freedom.

I am urging this Congress to join me in condemning these actions. Today we will send a letter signed by more than 50 Members of this body to the Turkish Ambassador, expressing our outrage by these actions and our support of the Turkish people.

PLANNED PARENTHOOD'S SALE OF FETAL TISSUE

(Mrs. LOVE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOVE. Mr. Speaker, I stand before this body because I am outraged at the recent revelation by a Planned Parenthood director who speaks on video about harvesting an unborn baby's body parts to sell.

She details the horrific and barbaric practice of aborting babies in such a cold, casual way as to preserve certain body parts for sale.

Mr. Speaker, this is an organization that receives Federal funds to do their work. Is this what the taxpayers are paying for? Is this what they asked for? No.

Given Planned Parenthood's official comments on video and the list of serious questions that are raised, I am calling for a full congressional investigation.

I demand information about Planned Parenthood's donation of fetal tissue for research or for any other purpose and for Federal funds to be completely withdrawn.

This is not over. We will press on. I will continue to remind this body that we work for the American people—not the other way around—that we swore to uphold and defend the Constitution of the United States, and we will preserve life, liberty, and the pursuit of happiness.

This is un-American and absolutely unacceptable.

FETAL TISSUE TRAFFICKING

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

Mr. HUELSKAMP. Mr. Speaker, earlier this year Members of Congress stood on this House floor and condemned the evils of trafficking humans, especially the exploitation of women and children who are treated as commodities to be bought, used, and disposed of.

And we then walked the talk, refusing to turn a blind eye to these horrors, and passed sweeping reforms to combat and end this egregious human rights abuse.

Now we must urgently act again. Abortion giant Planned Parenthood has exposed itself as a perpetuator of another shocking form of trafficking: the illegal selling and buying of baby body parts and intact organs.

That is right. It is not enough that Planned Parenthood kills babies in the womb. No. It has to profit off the death of its victims by first dismembering these unborn children and then selling their organs piece by piece to the highest bidder.

Enough is enough. We will investigate this unlawful, barbaric practice and bring an end to these horrifying abuses.

□ 1315

HONORING THE NEW HORIZONS MISSION

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

Mr. DOLD. Mr. Speaker, I rise today to celebrate NASA's New Horizons mission. Yesterday, after traveling more than 3 billion miles, the New Horizons probe passed just 7,800 miles from the surface of Pluto.

Pluto was discovered in 1930 by a 24-year-old astronomer from my home State of Illinois. In 2006, NASA launched New Horizons in an effort to learn more about Pluto, the Kuiper belt, and the formation of our solar system. Yesterday, New Horizons sent us back our first closeup pictures of Pluto's surface.

Mr. Speaker, the New Horizons mission is a great success for NASA. Not only will we learn great things about our solar system, but I hope that these pictures will serve to inspire a new generation of astronomers and physicists.

America's future relies on a strong and robust program of science, technology, engineering, and math education, or STEM, and I hope that the success of this mission will encourage more students to follow that path.

FORT HOOD

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

Mr. WILLIAMS. Mr. Speaker, as a representative from the 25th Congressional District of Texas, it is my pleasure to represent Fort Hood in the United States Congress.

From its state-of-the-art training facilities to its experienced leadership and world-renowned reputation, Fort Hood demonstrates 21st century training for the 21st century soldier. Fort Hood is a treasure of Texas, but it is also the gold standard for the Army, the Department of Defense, and our Nation's overall national security posture.

Last week, in an address to the National Commission on the Future of the Army, I presented my thoughts on the recent troop reduction announcement and how it relates to Fort Hood.

If sequestration takes effect in October as planned, the U.S. Army will have to cut 30,000 soldiers in addition to the 40,000 soldiers that will be removed from ranks over the next 2 years. At this level, our military may not be able to commit to current deployments, let alone successfully take on new challenges.

Mr. Speaker, with the expansion of ISIS in Syria and Iraq, the instability of governments in the Middle East, and an aggressive Russia and China, I do not believe this is the time to be cutting our Army to pre-World War II levels.

Mr. Speaker, Fort Hood is a resilient community made up of the finest soldiers I have ever met. They have been dealt some serious challenges in recent years, and each time, they have overcome them.

Fort Hood is the Great Place; even so, Mr. Speaker, it is imperative this Congress relieves the strain the sequester has put on Fort Hood and our entire military. It is not fair for our brave men and women to suffer the consequences of our inability to properly govern.

I would like to express my gratitude to Fort Hood, the Department of the Army, our soldiers and their families, and fellow Texans.

May God bless our troops; may God bless the Great Place, and God bless the United States of America.

In God We Trust.

THE WAR ON POVERTY

(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, over the past four decades, the growth of upward mobility in America has stagnated despite the numerous programs and trillions of dollars spent on our efforts to reduce poverty.

In the wake of a stalemated war on poverty, we need to move beyond the status quo and, instead, look at the tangible impact that local leadership is having on the programs and concepts that they have created to help those who are struggling in our communities.

In other words, Mr. Speaker, we need to focus on what works. Our goal should be moving people out of poverty and up the socioeconomic ladder, and we can start by turning to our local nonprofit leaders that are working to defeat hopelessness and offering concrete and aspirational futures.

Look at AR Kids Read, the volunteer-based literacy initiative getting private sector volunteers into our elementary schools in Little Rock and Pulaski County and guiding third-graders to a successful future by working with them to assure that they read at grade level.

Let's look at Our House shelter in Little Rock, which teaches families who are struggling with homelessness how to make and sustain positive change.

Mr. Speaker, by prioritizing innovation and success in our community engagement, organizations like these—private, faith-based, and public—working hand in hand can offer our families hope, aspiration, and a roadmap toward the pursuit of happiness.

CRIMINAL JUSTICE REFORM

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

Mr. FITZPATRICK. Mr. Speaker, it seems like, too often, issues in this town are predetermined—Republicans care about this; Democrats care about that. There isn't any crossover, and then we are stuck in gridlock.

As someone who has spent my time in Congress working to bridge the gap between left and right, I know there is more that unites us than divides us on the big issues. Today, I am proud to highlight another area of bipartisan agreement, criminal justice reform.

The SAFE Justice Act is a legislative proposal to modernize and strengthen our criminal justice system for the 21st century, addressing its exploding costs to taxpayers and often disproportionate application.

States across the Nation—red and blue alike—have led the way on this important issue, and they offer a blueprint for how we address corrections at the Federal level.

The SAFE Justice Act expands on these lessons by seeking to curtail overcriminalization, increase evidence-based sentencing alternatives, reduce recidivism, and increase transparency and accountability.

Mr. Speaker, there is a serious, bipartisan appetite to address this issue now, from the House and the Senate to the White House; and I look forward to working with my colleagues to tackle serious criminal justice reform in this Congress.

CONGRATULATING NASA AND THE NEW HORIZONS TEAM

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

Mr. LAMALFA. Mr. Speaker, this week, the first closeup images of Pluto were released thanks to the first-ever mission to explore this world 3 billion miles away.

NASA's New Horizons spacecraft launched at a speed well above 30,000 miles per hour, making it the fastest spacecraft ever launched. The New Horizons probe was launched almost 10 years ago; yet NASA was able to predict its arrival time within 1 minute only a few thousands miles from the planet.

New Horizon's successful mission reaffirms the leadership role the United States plays and must play in the future in space exploration. This helps foster innovation and new technology. The space program also inspires future generations to pursue degrees and careers in science, technology, engineering, and mathematics.

As New Horizons begins the process of transmitting data, we will learn even more about Pluto, as well as the Kuiper belt, on its next mission beyond Pluto.

Mr. Speaker, NASA's New Horizons team needs to be congratulated for its historic accomplishment, and it is one that all Americans can be proud of as a testament to America's ingenuity and determination.

Once again, NASA has expanded the reach of space exploration, and we applaud their efforts and the New Horizons team.

APPOINTMENT OF INDIVIDUALS TO UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 6, 2015, of the following individuals on the part of the House to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2016:

Mr. Larry Wortzel, Williamsburg, Virginia

Mr. Peter Brookes, Springfield, Virginia

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. MCCARTHY) for today on account of a family illness.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until Monday, July 20, 2016, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2186. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Novaluron; Pesticide Tolerances [EPA-HQ-OPP-2014-0232; FRL-9929-57] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2187. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiabendazole; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2015-0396; FRL-9929-95] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2188. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a supplemental update of the Budget, commonly known as the Mid-Session Review, containing revised estimates of receipts, outlays, budget authority, and the budget deficit for fiscal years 2015 through 2025, pursuant to 31 U.S.C. 1106; to the Committee on the Budget.

2189. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Distillates, (Fischer-Tropsch), heavy, C18-C50, branched, cyclic and linear; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0585; FRL-9929-27] received July 15, 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.

2190. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Interstate Transport Requirements for the 2008 Lead and 2010 Nitrogen Dioxide National Ambient Air Quality Standards [EPA-R10-OAR-2015-0329; FRL-9930-69-Region 10] received July 15, 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.

2191. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Texas; Low Reid Vapor Pressure Fuel Regulations [EPA-R06-OAR-2015-0027; FRL-9930-79-Region 6] received July 15, 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.

2192. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; North Carolina; Nitrogen Dioxide and Sulfur Dioxide National Ambient Air Quality Standards Changes [EPA-R04-OAR-2015-0368; FRL-9930-76-Region 4] received July 15, 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.

2193. 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; Virginia; Revision to the Definition of Volatile Organic Compounds [EPA-R03-OAR-2015-0360; FRL-9930-63-Region 3] received July 15, 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.

2194. 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 Lancaster Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard [EPA-R03-OAR-2015-0050; FRL-9930-56-Region 3] received July 15, 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.

2195. 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; Illinois; Midwest Generation Variances [EPA-R05-OAR-2013-0436; EPA-R05-OAR-2014-0663; FRL-9929-71-Region 5] received July 15, 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.

2196. 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; Connecticut; Prevention of Significant Deterioration and Nonattainment New Source Review [EPA-R01-OAR-2014-0842; A-1-FRL-9927-32-Region 1] received July 15, 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.

2197. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Open Phase Conditions in Electric Power System (BTP 8-9) received July 15, 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.

2198. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Physical Security —— Review of Physical Security System Designs —— Standard Design Certification and Operating Reactor Licensing Applications (SRP 13.6.2) received July 15, 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.

2199. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG rule — Strategies and Guidance to Address Loss of Large Areas of the Plant Due to Explosions and Fires (SRP 19.4) received July 15, 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.

2200. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's Major final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015 [NRC-2014-0200] (RIN: 3150-AJ44) received July 15, 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.

2201. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Clarifications and Corrections to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML) [Docket No.: 150325297-5297-01] (RIN: 0694-AG59) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

2202. A letter from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting the final feasibility report and final environmental assessment of the Portsmouth Harbor and Piscataqua River, New Hampshire and Maine Navigation Improvement Project, pursuant to the Water Resources Development Act of 2000, Sec. 436 and the Flood Control Act of 1970, Sec. 216; (H. Doc. No. 114—47); to the Committee on Transportation and Infrastructure and ordered to be printed.

2203. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Transaction of Interest Notice for Basket Contacts (Notice 2015-48) (NOT-110323-15) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2204. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Listing Notice for Basket Option Contacts (Notice 2015-47) (NOT-139093-14) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2205. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Use of Lump Sum Payments to Replace Lifetime Income Being received By Retirees Under Defined Benefit Pension Plans [Notice 2015-49] received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2206. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9726] (RIN: 1545-BJ58, 1545-BM37, 1545-BM39) received July 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

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. MILLER of Florida: Committee on Veterans' Affairs. H.R. 675. A bill to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; with amendments (Rept. 114–206). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1607. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; with an amendment (Rept. 114–207). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 1599. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes; with an amendment (Rept. 114–208, Pt. 1). Ordered to be printed.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1777. A bill to amend the Act of August 25, 1958, commonly known as the ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes; with an amendment (Rept. 114–209). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2395. A bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes (Rept. 114–210). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1831. A bill to establish the Commission on Evidence-Based Policymaking, and for other purposes; with an amendment (Rept. 114–211). 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. BARR (for himself and Mr. TONKO):

H.R. 3084. A bill to improve the integrity and safety of Thoroughbred horseracing by requiring a uniform anti-doping program to be developed and enforced by an independent Thoroughbred Horseracing Anti-Doping Authority; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. CICILLINE, Mr. CUMMINGS, and Mr. GRIJALVA):

H.R. 3085. A bill to amend section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 to make violators of such section liable to residents and invitees of target housing for such violations, and for other purposes; to the Committee on Financial Services.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 3086. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits to individuals who have been wrongfully incarcerated; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself and Ms. BASS):

H.R. 3087. A bill to amend the Elementary and Secondary Education Act of 1965 to assure educational stability for children in foster care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, 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. RODNEY DAVIS of Illinois (for himself and Mr. LIPINSKI):

H.R. 3088. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means, 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. WALBERG (for himself and Mrs. LAWRENCE):

H.R. 3089. A bill to close out expired grants, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey, Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIRES, Mr. TONKO, Mr. VAN HOLLEN, and Mrs. WATSON COLEMAN):

H.R. 3090. A bill to amend the Public Health Service Act to authorize grants for training and support services for Alzheimer's patients and their families; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey, Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIRES, Mr. TONKO, Mr. VAN HOLLEN, and Mrs. WATSON COLEMAN):

H.R. 3091. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California (for herself, Mr. SMITH of New Jersey, Mr. FATTAH, Mr. GARAMENDI, Mrs. BEATTY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. LYNCH, Ms. MATSUI, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SIRES, Mr. TONKO, Mr. VAN HOLLEN, Mrs. WATSON COLEMAN, Mr. LIPINSKI, and Mr. PETERS):

H.R. 3092. A bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp; to the Committee on Oversight and Government Reform, 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. GIBBS:

H.R. 3093. A bill to direct the Secretary of Transportation to make certain changes in the implementation of the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAVES of Louisiana (for himself, Mr. MILLER of Florida, Mr. RICHMOND, Mr. AUSTIN SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. BOUSTANY, Mr. ABRAHAM, Mr. PALAZZO, Mr. WITTMAN, Mr. OLSON, Mr. GENE GREEN of Texas, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. BENISHEK, Mr. JODY B. HICE of Georgia, Mr. LONG, Mr. BABIN, Mr. COOK, Mr. WALZ, Mr. LAMALFA, Mr. LATTA, and Mr. CARTER of Georgia):

H.R. 3094. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to transfer to States the authority to manage red snapper fisheries in the Gulf of Mexico; to the Committee on Natural Resources.

By Mr. SMITH of Nebraska (for himself, Mr. KIND, Mr. THOMPSON of California, Mr. SCHRADER, and Mr. YOUNG of Iowa):

H.R. 3095. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. LANCE, Mr. CROWLEY, and Mr. YOUNG of Alaska):

H.R. 3096. A bill to amend the Elementary and Secondary Education Act of 1965 to award grants to State and local educational agencies for the establishment, improvement, and expansion of world language education programs; to the Committee on Education and the Workforce.

By Mr. AMASH (for himself, Mr. RIBBLE, Mr. MULVANEY, Mr. JORDAN, Mr. LABRADOR, Mr. MASSIE, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. BRIDENSTINE, Mr. LOUDERMILK, Mr. SANFORD, Mr. BUCK, Mr. BRAT, Mr. CHAFFETZ, Mr. MEADOWS, and Mr. PERRY):

H.R. 3097. A bill to prohibit the payment of surcharges for commemorative coin programs to private organizations or entities, and for other purposes; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 3098. A bill to establish the Brownfield Redevelopment and Economic Development Innovative Financing program to promote urban renewal, and for other purposes; to the Committee on Financial Services.

By Mr. HARPER (for himself, Ms. CASTOR of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mrs. BLACK):

H.R. 3099. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TOM PRICE of Georgia:

H.R. 3100. A bill to prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself, Mr. STIVERS, and Mr. TIBERI):

H.R. 3101. A bill to direct the Secretary of Veterans Affairs to review the list of veterans designated as former prisoners of war, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KATKO (for himself and Miss RICE of New York):

H.R. 3102. A bill to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; to the Committee on Homeland Security.

By Mr. KINZINGER of Illinois (for himself and Mr. LOEBSACK):

H.R. 3103. A bill to encourage spectrum licensees to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Energy and Commerce.

By Mr. LARSON of Connecticut:

H.R. 3104. A bill to amend the Internal Revenue Code of 1986 to reduce carbon pollution in the United States, invest in the Nation's infrastructure, and cut taxes for working Americans; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, 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. LEVIN (for himself, Ms. PELOSI, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. HOYER, Mr. CLYBURN, Mrs. DINGELL, Mr. KIND, and Mr. NEAL):

H.R. 3105. 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 Ways and Means.

By Mr. MILLER of Florida:

H.R. 3106. A bill to authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEARCE (for himself, Ms. MICHELLE LUJAN GRISHAM of New

Mexico, Mr. STEWART, Mr. COFFMAN, Mr. BEN RAY LUJÁN of New Mexico, Mr. BYRNE, Mr. COLLINS of Georgia, and Mrs. ROBY):

H.R. 3107. A bill to require the continuation in effect of sanctions imposed with respect to Belarus, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself, Mr. HONDA, and Mr. GALLEGO):

H.R. 3108. A bill to improve energy savings by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. POSEY:

H.R. 3109. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans, and for other purposes; to the Committee on Financial Services.

By Mr. REED (for himself, Mr. PASCRELL, Mr. HARPER, Mr. RANGEL, Mr. KING of New York, Mr. THOMPSON of California, Ms. DELBENE, Mr. GIBSON, Mr. COLE, Mr. RODNEY DAVIS of Illinois, Mr. DENT, Mr. KELLY of Pennsylvania, Mr. MEEHAN, Mr. SMITH of New Jersey, and Mr. FITZPATRICK):

H.R. 3110. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 3111. A bill to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. STEFANIK (for herself, Mr. HUDSON, and Mr. WALBERG):

H.R. 3112. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits plan; to the Committee on Education and the Workforce.

By Mr. WEBER of Texas (for himself, Mr. RIBBLE, Mr. OLSON, Mr. BURGESS, Mr. BABIN, Mr. JENKINS of West Virginia, Mr. FARENTHOLD, and Mr. CRAMER):

H.R. 3113. A bill to prohibit the Secretary of Veterans Affairs from obligating or expending funds for alternative energy generation projects unless specifically authorized by law, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, 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 Ms. MAXINE WATERS of California (for herself, Ms. LEE, Mr. GRIJALVA, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. SMITH of Washington, Mr. NADLER, Ms. NORTON, Ms. JACKSON LEE, Mr. HASTINGS, Mrs. BEATTY, Mr. MEEKS, Ms. CLARKE of New York, Mr. BUTTERFIELD, Mr. TAKANO, Mr. MCGOVERN, Mr. PASCRELL, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. RUSH, Ms. BROWN of Florida, Mr. SIRES, Mr. LEWIS, and Mr. MCDERMOTT):

H. Res. 366. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSKAM (for himself, Mr. ABRAHAM, Mr. ADERHOLT, Mr. ALLEN, Mr. AMODEI, Mr. BABIN, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of Michigan, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BLUM, Mr. BOST, Mr. BRADY of Texas, Mr. BRAT, Mr. BRIDENSTINE, Mrs. BROOKS of Indiana, Mr. BUCHANAN, Mr. BUCSHON, Mr. BURGESS, Mr. BYRNE, Mr. CARTER of Texas, Mr. CHABOT, Mr. CHAFFETZ, Mr. COLLINS of New York, Mr. COLLINS of Georgia, Mrs. COMSTOCK, Mr. CONAWAY, Mr. COOK, Mr. CRAMER, Mr. CURBELO of Florida, Mr. RODNEY DAVIS of Illinois, Mr. DENHAM, Mr. DESANTIS, Mr. DESJARLAIS, Mr. DOLD, Mr. DONOVAN, Mr. DUNCAN of South Carolina, Mrs. ELLMERS of North Carolina, Mr. EMMER of Minnesota, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLORES, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GIBBS, Mr. GIBSON, Mr. GOHMERT, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GUINTA, Mr. HARPER, Mr. HARRIS, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. HILL, Mr. HOLDING, Mr. HUDSON, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HUNTER, Mr. HURD of Texas, Mr. HURT of Virginia, Mr. ISSA, Mr. JENKINS of West Virginia, Ms. JENKINS of Kansas, Mr. SAM JOHNSON of Texas, Mr. JORDAN, Mr. JOYCE, Mr. KELLY of Pennsylvania, Mr. KING of Iowa, Mr. KING of New York, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. KNIGHT, Mr. LAMALFA, Mr. LAMBORN, Mr. LANCE, Mr. LATTA, Mr. LUETKEMEYER, Mr. LONG, Mr. LOUDERMILK, Mrs. LOVE, Mr. MACARTHUR, Mr. MARCHANT, Mr. MCCLINTOCK, Mr. MCKINLEY, Mr. MEADOWS, Mr. MESSER, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MOOLENAAR, Mr. MOONEY of West Virginia, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mrs. NOEM, Mr. NUNES, Mr. OLSON, Mr. PALAZZO, Mr. PALMER, Mr. PEARCE, Mr. PERRY, Mr. PITTENGER, Mr. PITTS, Mr. POE of Texas, Mr. POMPEO, Mr. POSEY, Mr. TOM PRICE of Georgia, Mrs. RADEWAGEN, Mr. RATCLIFFE, Mr. REICHERT, Mr. RENACCI, Mr. RIBBLE, Mr. RICE of South Carolina, Mrs. ROBY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROONEY of Florida, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. ROTHFUS, Mr. ROUZER, Mr. SALMON, Mr. SANFORD, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Ms. STEFANIK, Mr. STEWART, Mr. STIVERS, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mr. TIPTON, Mr. TURNER, Mr. VALADAO, Mrs. WAGNER, Mr. WALBERG, Mr. WALKER, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WESTERMAN, Mr. WESTMORELAND, Mr. WILLIAMS, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. WOODALL, Mr. YODER, Mr. YOHO, Mr. ZELDIN, and Mr. ZINKE):

H. Res. 367. A resolution expressing the sense of the House of Representatives in disapproval of the Joint Comprehensive Plan of Action agreed to by the P5+1 and Iran on July 14, 2015; to the Committee on Foreign Affairs.

By Mr. LEWIS (for himself, Mr. CONYERS, Mr. RANGEL, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. BASS, Ms. CLARKE of New York, Mr. GRIJALVA, Ms. JACKSON LEE, Mrs. LAWRENCE, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. RICHMOND, Mr. SERRANO, and Ms. SEWELL of Alabama):

H. Res. 368. A resolution expressing the sense of the House of Representatives on Nelson Mandela International Day; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

94. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 11, urging the President and the Congress of the United States to recognize the unique military value of California's defense installations and the disproportionate sacrifices California has endured in previous base realignment and closure rounds; to the Committee on Armed Services.

95. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 6, urging the President and the Congress of the United States to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; to the Committee on Financial Services.

96. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 14, urging Congress to support legislation reauthorizing the Export-Import Bank of the United States; to the Committee on Financial Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII 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. BARR:

H.R. 3084.

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 Mr. CARTWRIGHT:

H.R. 3085.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. SAM JOHNSON of Texas:

H.R. 3086.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3087.

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 Supreem Court of the United States.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3088.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Mr. WALBERG:
H.R. 3089.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7 of the Constitution of the United States;
''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''
The purpose of the bill is to require the Office of Management and Budget to provide a more extensive account of the receipts and expenditures of all current grant programs to determine which programs should be closed.

By Ms. MAXINE WATERS of California:
H.R. 3090.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 1 of the U.S. Constitution and
Article 1, Section 8, clause 3 of the U.S. Constitution.

By Ms. MAXINE WATERS of California:
H.R. 3091.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 1 of the U.S. Constitution and
Article 1, Section 8, clause 3 of the U.S. Constitution.

By Ms. MAXINE WATERS of California:
H.R. 3092.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.

By Mr. GIBBS:
H.R. 3093.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, of the United States Constitution.

By Mr. GRAVES of Louisiana:
H.R. 3094.
Congress has the power to enact this legislation pursuant to the following:
Article I, §8, Clause 3, of the United States Constitution

By Mr. SMITH of Nebraska:
H.R. 3095.
Congress has the power to enact this legislation pursuant to the following:
This bill makes changes to existing law relating to Article 1, Section 7 which provides that ''All bills for raising Revenue shall originate in the House of Representatives.''

By Mr. PRICE of North Carolina:
H.R. 3096.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to ''make all Laws which shall be necessary and proper'' to provide for the ''general Welfare'' of Americans. In the Department of Education Organization Act (P.L. 96–88), Congress declared that ''the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively.'' The Department of Education's mission is to ''promote student achievement and preparation for global competitiveness by fostering education excellence and ensuring equal access.''

By Mr. AMASH:
H.R. 3097.
Congress has the power to enact this legislation pursuant to the following:
Acticle 1, Section 8, clause 5 empowers Congress ''To coin Money, [and] regulate the Value thereof.'' Congress currently authorizes the minting of commemorative coins, and this bill directs the proceeds of the minting.

By Ms. HAHN:
H.R. 3098.
Congress has the power to enact this legislation pursuant to the following:
According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.
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. HARPER:
H.R. 3099.
Congress has the power to enact this legislation pursuant to the following:
Article I, §8, clause 3

By Mr. TOM PRICE of Georgia:
H.R. 3100.
Congress has the power to enact this legislation pursuant to the following:
Consistent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Furthermore, the treatment of Medicaid among other provisions provide for the general welfare of the Unites States and thereby retain authority within Clause 1 of Section 8, Article of the U.S. Constitution.

By Mr. JOHNSON of Ohio:
H.R. 3101.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States.

By Mr. KATKO:
H.R. 3102.
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; and
Article I, 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. KINZINGER of Illinois:
H.R. 3103.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. LARSON of Connecticut:
H.R. 3104.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. LEVIN:
H.R. 3105.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. MILLER of Florida:
H.R. 3106.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. PEARCE:
H.R. 3107.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. PETERS:
H.R. 3108.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution

By Mr. POSEY:
H.R. 3109.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. REED:
H.R. 3110.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I and Amendment XVI of the United States Constitution.

By Mr. SALMON:
H.R. 3111.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Ms. STEFANIK:
H.R. 3112.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 3 of the United States Constitution.

By Mr. WEBER of Texas:
H.R. 3113.
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 1 Section 1 and Article 1 Section 9. ''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.'' ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public money shall be published from time to time.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 136: Ms. BASS and Ms. LORETTA SANCHEZ of California.
H.R. 167: Mrs. NOEM.
H.R. 169: Mr. MEADOWS.
H.R. 272: Mrs. BLACKBURN.
H.R. 300: Mr. LAMBORN.
H.R. 303: Mr. COLE.
H.R. 333: Mr. VEASEY, Mr. ENGEL, and Mrs. LAWRENCE.
H.R. 501: Ms. GABBARD.
H.R. 563: Mrs. LAWRENCE and Mr. TAKANO.
H.R. 592: Mr. BROOKS of Alabama.
H.R. 600: Ms. STEFANIK.
H.R. 700: Mr. LYNCH.
H.R. 721: Ms. WASSERMAN SCHULTZ.
H.R. 757: Ms. LORETTA SANCHEZ of California and Mr. RODNEY DAVIS of Illinois.
H.R. 759: Mr. RUSSELL.
H.R. 775: Mr. KIND.
H.R. 815: Mrs. NAPOLITANO.
H.R. 828: Mr. ROSKAM and Mrs. NOEM.
H.R. 842: Mr. REED.
H.R. 911: Mr. WILLIAMS.
H.R. 921: Mr. WELCH and Mr. REED.
H.R. 928: Mrs. MCMORRIS RODGERS.

H.R. 961: Mr. SMITH of Nebraska.
H.R. 969: Mr. KNIGHT, Mr. MULLIN, Mr. NUNES, Ms. VELÁZQUEZ, Mr. RODNEY DAVIS of Illinois, and Mrs. MIMI WALTERS of California.
H.R. 985: Ms. WASSERMAN SCHULTZ.
H.R. 1019: Ms. SPEIER.
H.R. 1091: Ms. GRAHAM.
H.R. 1148: Ms. JENKINS of Kansas.
H.R. 1178: Mr. LEWIS.
H.R. 1209: Mrs. KIRKPATRICK.
H.R. 1233: Mr. WOMACK, Mr. DESJARLAIS, Mr. GOODLATTE, and Mr. COLLINS of Georgia.
H.R. 1270: Mr. POSEY and Mr. MCKINLEY.
H.R. 1301: Mr. COFFMAN.
H.R. 1309: Mr. GRIFFITH.
H.R. 1344: Mr. OLSON and Mr. PASCRELL.
H.R. 1356: Mrs. BUSTOS, Mr. RYAN of Ohio, Mr. ENGEL, Mr. HINOJOSA, Mrs. LAWRENCE, and Mr. VEASEY.
H.R. 1399: Ms. GABBARD.
H.R. 1422: Mr. KIND.
H.R. 1427: Mr. YARMUTH and Mr. MOONEY of West Virginia.
H.R. 1475: Mr. PETERS and Mr. OLSON.
H.R. 1516: Mr. REED and Mr. JOHNSON of Georgia.
H.R. 1559: Mr. LYNCH, Ms. HAHN, Ms. LINDA T. SÁNCHEZ of California, Mr. DELANEY, and Mr. LIPINSKI.
H.R. 1594: Mr. BENISHEK, Mr. WELCH, and Mr. ENGEL.
H.R. 1599: Mr. GOSAR, Mr. HURT of Virginia, Mr. BROOKS of Alabama, Mr. STUTZMAN, Mr. SCHWEIKERT, Mr. SHUSTER, Mr. DENHAM, and Mrs. MILLER of Michigan.
H.R. 1610: Mr. RATCLIFFE and Mr. LUETKEMEYER.
H.R. 1612: Mr. GALLEGO and Mr. GRIJALVA.
H.R. 1624: Mr. FITZPATRICK, Mr. BARR, Mr. STIVERS, Mrs. NOEM, Mr. COSTA, Mrs. WALORSKI, Mr. PAULSEN, Mr. NEUGEBAUER, Mr. REED, and Mr. TURNER.
H.R. 1671: Mr. BROOKS of Alabama.
H.R. 1728: Mr. ASHFORD.
H.R. 1736: Mr. POMPEO and Mr. BOST.
H.R. 1772: Mr. LANCE.
H.R. 1786: Mr. PRICE of North Carolina and Mr. JOYCE.
H.R. 1832: Mr. SWALWELL of California.
H.R. 1886: Mr. BISHOP of Michigan.
H.R. 1887: Mr. DONOVAN.
H.R. 1901: Mr. WALKER and Mr. DUNCAN of South Carolina.
H.R. 1902: Ms. VELÁZQUEZ.
H.R. 1969: Mr. ENGEL, Mr. RYAN of Ohio, Mr. CONNOLLY, Mr. WALZ, Mr. RUSH, Ms. BORDALLO, Mr. THOMPSON of California, Mr. SEAN PATRICK MALONEY of New York, Mr. COLE, and Mr. VEASEY.
H.R. 1994: Mr. GIBSON, Mr. MARINO, and Mr. BRAT.
H.R. 2050: Mr. COOK and Mr. COSTELLO of Pennsylvania.
H.R. 2061: Mr. HURT of Virginia.
H.R. 2063: Mr. GRIJALVA, Mr. CICILLINE, Ms. NORTON, and Ms. BORDALLO.
H.R. 2096: Mr. MEEHAN and Mrs. MCMORRIS RODGERS.
H.R. 2156: Mr. FRELINGHUYSEN.
H.R. 2169: Ms. GRAHAM.
H.R. 2193: Mrs. DINGELL.
H.R. 2215: Mr. GRAVES of Louisiana.
H.R. 2258: Mr. GRAVES of Louisiana.
H.R. 2287: Mr. CHABOT.
H.R. 2355: Ms. DELBENE.
H.R. 2358: Mr. GUTHRIE.
H.R. 2400: Mr. JOHNSON of Ohio, Mr. WEBSTER of Florida, Mr. HARRIS, Mr. JOLLY, Mr. LAMALFA, and Mr. ZINKE.
H.R. 2403: Mr. HANNA.
H.R. 2408: Mr. BLUMENAUER.
H.R. 2417: Mr. OLSON.
H.R. 2449: Mr. O'ROURKE, Mr. HIGGINS, Ms. ROYBAL-ALLARD, Ms. MATSUI, and Ms. WASSERMAN SCHULTZ.
H.R. 2464: Mr. BOUSTANY, Mr. YOHO, and Mr. JONES.
H.R. 2477: Mr. EMMER of Minnesota.
H.R. 2494: Mrs. NAPOLITANO and Mr. COFFMAN.
H.R. 2510: Mr. NEWHOUSE.
H.R. 2530: Mr. THOMPSON of California and Ms. MATSUI.
H.R. 2553: Mr. ROSS, Ms. DELAURO, and Mrs. NAPOLITANO.
H.R. 2564: Ms. CASTOR of Florida.
H.R. 2588: Mr. TIPTON.
H.R. 2635: Mrs. RADEWAGEN.
H.R. 2657: Mr. MCKINLEY.
H.R. 2658: Mr. LOBIONDO.
H.R. 2663: Mr. TIPTON, Mr. PERLMUTTER, Mr. AMODEI, and Mr. COOK.
H.R. 2715: Ms. BONAMICI.
H.R. 2740: Mrs. KIRKPATRICK.
H.R. 2754: Mr. KILMER.
H.R. 2775: Mr. COOPER and Mr. SIMPSON.
H.R. 2793: Mr. OLSON and Mr. POLIQUIN.
H.R. 2798: Mr. HIGGINS.
H.R. 2802: Mr. KELLY of Mississippi, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. GIBBS, Mr. HENSARLING, and Mr. MASSIE.
H.R. 2817: Mr. WELCH.
H.R. 2818: Mr. FLEMING, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BABIN, Mr. WALBERG, and Mr. WITTMAN.
H.R. 2867: Mr. TAKANO, Ms. FRANKEL of Florida, Mr. ENGEL, Mr. MURPHY of Florida, Mr. TONKO, Ms. ADAMS, and Ms. MENG.
H.R. 2899: Mr. MARINO.
H.R. 2920: Mr. QUIGLEY, Mr. PASCRELL, and Ms. MCSALLY.
H.R. 2960: Mr. BURGESS.
H.R. 2978: Mr. MURPHY of Florida, Ms. KAPTUR, Ms. CASTOR of Florida, Ms. JACKSON LEE, and Ms. WILSON of Florida.
H.R. 2979: Mr. LEVIN, Mr. LARSON of Connecticut, Mr. KEATING, Mr. WALZ, and Mr. VEASEY.
H.R. 2992: Ms. BORDALLO.
H.R. 3006: Mr. GIBBS, Mr. ROE of Tennessee, Mr. PITTENGER, and Mr. PEARCE.
H.R. 3024: Mr. MARCHANT and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3025: Mr. CALVERT.
H.R. 3026: Mr. RUIZ.
H.R. 3037: Mrs. KIRKPATRICK.
H.R. 3052: Mr. JONES, Mr. SAM JOHNSON of Texas, and Mr. DUNCAN of South Carolina.
H.R. 3057: Mr. THOMPSON of Pennsylvania.
H.R. 3067: Ms. JENKINS of Kansas, Mr. RANGEL, and Mrs. LAWRENCE.
H.J. Res. 55: Mr. CLAWSON of Florida.
H.J. Res. 59: Mr. BURGESS.
H. Con. Res. 17: Mr. MOONEY of West Virginia and Mrs. RADEWAGEN.
H. Con. Res. 19: Mr. FRANKS of Arizona.
H. Con. Res. 20: Mr. MOONEY of West Virginia.
H. Con. Res. 40: Mr. GIBSON and Mr. VEASEY.
H. Con. Res. 41: Mr. COHEN.
H. Con. Res. 50: Ms. CLARK of Massachusetts.
H. Con. Res. 62: Mr. GROTHMAN, Mr. WEBER of Texas, Mr. DESANTIS, Mr. JOHNSON of Ohio, Mr. GRAVES of Missouri, and Mr. FLEMING.
H. Res. 130: Mr. BISHOP of Michigan.
H. Res. 290: Mr. BISHOP of Michigan and Ms. ESHOO.
H. Res. 343: Mr. BILIRAKIS.
H. Res. 346: Mr. DIAZ-BALART.
H. Res. 354: Mr. CARTWRIGHT, Ms. WILSON of Florida, Mr. PASCRELL, and Mr. VEASEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2898 OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 2: Strike ''collaborate with the California Department of Water Resources to install'' and insert ''conduct a study, in collaboration with the California Department of Water Resources, to determine the feasibility and suitability of installing''.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, THURSDAY, JULY 16, 2015 No. 111

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Righteous God, lead us not into temptation but deliver us from evil. Set our lawmakers on safe paths, protecting them from dangers seen and unseen. Preserve them and their loved ones, doing for them more than they can ask or imagine. Provide our Senators with counsel even in the night seasons, that they may prevail against the evil forces that seek to destroy our Nation and world. As they trust Your loving kindness, may their hearts rejoice in Your salvation. Lord, deal bountifully with them and the members of their staffs.

We pray in Your marvelous Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, the pundits told us it would never happen. Republicans and Democrats will never agree on a way to replace No Child Left Behind, they said. But a new Senate that is back to work is proving them wrong. We are poised to pass bipartisan legislation that will replace an education law that no longer works with significant education reforms that will work.

It is a bipartisan bill that would take decisionmaking power away from distant Federal bureaucrats and empower parents, teachers, States, and school boards instead. It is a bipartisan bill that would end the practice of States being coerced into adopting measures such as Common Core. It is a bipartisan bill that would substitute one-size-fits-all Washington mandates for greater State and local flexibility.

Because the needs of a student in Kentucky aren't likely to be the same as the needs of a student in Montana or California, this is a bill that would clear the way for educational standards and programs to be designed with the needs of local students in mind. In short, the Every Child Achieves Act is aimed at helping students succeed instead of helping Washington grow.

I urge colleagues to join me in passing it soon. That would be a big achievement for our kids, and it would be another reminder of what is possible in a Senate that is back to work for the American people.

After all, what did our constituents see in this debate? They saw Senators they sent to Washington, regardless of party, having their voices heard. They saw Senators working across the aisle. They saw Senators of both parties offering amendment after amendment and then voting to adopt many of them.

On this bill alone, the new Senate has already taken rollcall votes on 17 amendments. We expect to take up to 6 more today. Just to put that in perspective, the new Senate will have taken more amendment rollcall votes on this single bill alone than the old Senate took all of last year on all bills combined. That is something we should all want to celebrate because it means the voices of the American people are being heard again here in the Senate.

So I want to thank the senior Senators from Tennessee and Washington for all of their hard work on this bill. Their continued dedication helped to lead us to the point where we are today.

I also want to acknowledge the efforts of the House of Representatives on this issue. The Republican-led House passed legislation to address this issue the past few years, but the old Senate did not act. This year the Senate, under new management, is poised to finally do its job. We look forward to going to conference with the House on this issue.

But first, we must pass the bill before us. So let's keep the productive momentum going. Let's pass this bill, and let's replace No Child Left Behind once and for all.

After all, we have already seen how States such as Kentucky have been able to achieve more success by obtaining just a limited amount of flexibility from the current law via conditional waivers. Just imagine what Kentucky and other States can achieve when fully empowered to do what is right for their students.

ORDER OF PROCEDURE

Mr. MCCONNELL. Now, Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 22 occur at 2:15 p.m. on Tuesday, July 21.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, let me just say to all Senators that we are making progress on the highway bill, and we are setting the vote for next Tuesday to allow the bipartisan supporters of a longer term bill a couple of days to complete the draft substitute.

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

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Chairman INHOFE, Senator BOXER, and a bipartisan group of Senators are working out the final language. I want to thank them for their efforts, and I hope we will find a way to go forward on a multiyear, paid-for highway bill.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

A COOPERATIVE MINORITY

Mr. REID. Mr. President, I commend Senators MURRAY and ALEXANDER for their good work on this education bill. But I want the record to be spread with this. The bill is passing this Congress because we have had a constructive minority during this Congress.

Senator Harkin, who was chair of that committee, had indicated—and I said this on the Record last week—that on two separate occasions they reported the bill out of the education committee, but it was filibustered and never got to the floor.

So I understand why my friend the Republican leader is beating his chest about how great the Senate works, because it does work if you have a cooperative minority, and that is what we have done. We have worked very hard to try to get this done, and as a result of our work together, we have been able to get it done. But please save everyone the lack of history. My friend keeps bringing up: Boy, the Senate is working so well. It is very cynical what my friends did in stopping everything for the last 4 years. They stopped everything. Hundreds of times they stopped bills from moving to the floor. So my friend comes to the floor and says: Oh man, things are working so great now. Isn't it great the Senate is working?

Cynical as it was, the Republicans had a plan, and that was to oppose everything. We had a Democratic President, we had a Democratic Senate, and if they opposed everything, it would work out great for them, and it did. It wasn't good for the country, but they are now in the majority. Now, how long they stay there remains to be seen.

If you look at the poll numbers about how well my friend is doing, the Republican leader is not doing very well, with the lowest numbers since they started doing polling on leaders—Democratic or Republican leaders.

So we will continue to cooperate when we can. The highway bill is coming up, and I hope we can work together to get something done on that. It is something that is long overdue. We have tried to get that done in the past, but we had Republican objections on everything we tried.

We have had 33 short-term extensions on the highway bill—33. We used to do them as a matter of routine every 5 years. But that isn't the way it is any longer. But we are going to cooperate as much as we can on the highway bill and everything else.

EXPORT-IMPORT BANK

Mr. REID. Mr. President, prior to leaving the floor, I want to talk about another subject that is extremely important.

One of the sad things that has happened the last few months is that Republicans have brought to a standstill—and that is even an understatement to say that—the Export-Import Bank. It is now gone. Legislation was not passed. So something we have always done in the past routinely—reauthorized this bill—we have not done so this time. The Republicans have stopped it. It is gone. The Export-Import Bank is gone.

Our ability to sell to other countries our products has been seriously overwhelmed. It is so sad. And it really is sad. Other countries have these export-import banks. There is some mindset from my Republican friends that we can't do anything that government is involved in. But if we are going to be competitive in the world, we have to have a program such as the Export-Import Bank. It has been around for a long time and has been very successful. If we don't do this, for example, the airplanes we build in the State of Washington will actually come to a screeching halt. They can sell to America but not to other countries.

Now, am I making all this up? No. In fact, other countries have these banks. Is it one or two countries? No, it is scores of countries—scores of countries. I will take a minute or two to read the names of the countries that have working export-import banks to help their businesses and workers compete globally: Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Brazil, Canada, China, Hong Kong, Colombia, Croatia, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Israel, Italy, Japan, Jordan, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Norway, Oman, Poland, Portugal, Russia, Singapore, Slovakia, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom, Uzbekistan.

Every one of these countries has a working export-import bank. Why do they have them? Because they want to be competitive. Whatever they are able to sell to a foreign country—whether a bag of wheat or some kind of product they manufacture—they want to be able to help their local businesses sell to foreign countries—but not the United States. And we are really hurting.

I can't imagine—I can't imagine—how the Republicans, whose support for business-oriented operations—we thought over the years their interest was in helping business—has just turned a blind eye. They are not interested in helping business any more. Why? Because these working Export-Import Banks are government operations. Does it cost the Federal Government of the United States money? Of course not. We have received $7 billion back in rewards that goes to our Treasury. We make money on the deal.

So I would say to my friend who believes the Senate is working well, I wish somebody would say to my Republican friends, you know, every small business organization supports the Export-Import Bank. The chamber of commerce is not an organization that is out beating the drums for Democrats, but they are running ads all over America saying: Republicans, do something about this. Huge companies like Boeing—there are hundreds of thousands of jobs at Boeing—are dependent on being able to export those big airplanes.

As a result of Republicans' nonaction and not reauthorizing this important piece of legislation—before this collapse of the Bank took place, there were 165,000 Americans working in jobs related to the Export-Import Bank. I don't know how many there are today, but I guarantee there are not 165,000. Each day that goes by, others lose their jobs. Little companies from the State of Nevada are calling me and saying: We have to have this. We are going to go out of business.

The bad feeling my Republican friends have for anything dealing with the government so that they do stuff like this—it is hard to explain to anybody why they would do something like this.

Every one of these countries has programs. I have read their names into the RECORD. I think it is just a shame what has happened with this wonderful institution that is so good for creating jobs for America.

If the Presiding Officer would announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. 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.

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.

Murray (for Coons/Rubio) amendment No. 2243 (to amendment No. 2089), to authorize the establishment of American Dream Accounts.

Alexander (for Cruz/Lee) amendment No. 2180 (to amendment No. 2089), to provide for State-determined assessment and accountability systems.

Alexander (for Hatch/Bennet) amendment No. 2082 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 relating to early learning.

Murray (for Warren) amendment No. 2106 (to amendment No. 2089), to amend title II of the Elementary and Secondary Education Act of 1965 to include specialized instructional support personnel in the literacy development of children.

Alexander (for Burr/Bennet) modified amendment No. 2247 (to amendment No. 2089), to amend the allocation of funds under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965.

Murray (for Murphy) amendment No. 2186 (to amendment No. 2089), to establish the Promise Neighborhoods program.

Murray (for Brown/Manchin) amendment No. 2100 (to amendment No. 2089), to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program.

Murray (for Sanders) amendment No. 2177 (to amendment No. 2089), to provide for youth jobs.

Murray (for Casey) amendment No. 2242 (to amendment No. 2089), to establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success.

Murray (for Schatz) amendment No. 2130 (to amendment No. 2089), to amend title I to support assessments of school facilities.

Murray (for Nelson) modified amendment No. 2215 (to amendment No. 2089), to include partnering with current and recently retired STEM professionals and tailoring educational resources to engage students and teachers in STEM.

Murray (for Manchin/Ayotte) amendment No. 2222 (to amendment No. 2089), to amend the State plan requirements of section 1111 of the Elementary and Secondary Education Act of 1965 in order to support children facing substance abuse in the home.

Alexander (for Boozman/Gillibrand) amendment No. 2231 (to amendment No. 2089), to support professional development to help students prepare for postsecondary education and the workforce.

Murray (for Baldwin/Whitehouse) amendment No. 2188 (to amendment No. 2089), to ensure States will ensure the unique needs of students at all levels of schooling.

Alexander (for Capito/Durbin) amendment No. 2156 (to amendment No. 2089), to amend the State report card under section 1111 of the Elementary and Secondary Education Act of 1965 to include the rates of enrollment in postsecondary education, and remediation rates, for high schools.

Alexander (for Thune) amendment No. 2232 (to amendment No. 2089), to allow extended services Project SERV grants under part A of title IV of the Elementary and Secondary Education Act of 1965 to be available for violence prevention activities.

Murray (for King/Capito) amendment No. 2256 (to amendment No. 2089), to amend the definitions of eligible technology and technology readiness survey and to provide a restriction on funds.

Murray (for Schatz) amendment No. 2240 (to amendment No. 2089), to provide resources needed to study and review Native American language medium schools and programs.

Murray (for Warren/Gardner) amendment No. 2249 (to amendment No. 2089), to amend section 1111(c) of the ESEA to require States to provide an assurance regarding cross-tabulation of student data.

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

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

Ms. AYOTTE. Mr. President, I come to the floor this morning to speak about the bill that we have pending on the floor, a law that is long past due for reexamination and reauthorization, the Elementary and Secondary Education Act.

This law was last updated in 2001 as the No Child Left Behind Act. Fourteen years is far too long to go without updating the primary law focused on an issue that is so important to the future of our country, ensuring that children in New Hampshire and across this country receive a high-quality education.

I am the mother of a 7-year-old and 10-year-old, and this could not be a more important issue to me and to, I know, other mothers across the country. Many parents, teachers, and school leaders in New Hampshire have expressed to me their concerns about No Child Left Behind, and so it is past time for us to update and improve this law.

I believe education decisions are best made locally, including decisions about school curriculum and how education dollars are spent. While its goals of accountability were very important and laudable, No Child Left Behind, unfortunately, imposed a one-size-fits-all regime on every school in every State in this country.

No Child Left Behind imposed unworkable mandates and unreasonable goals that led many schools in America to be labeled as failing, with no reasonable way to get off the failing list. Congress's inaction, up to this point has led to a system where the Federal Secretary of Education can dictate to States what priorities they must set in order to receive a conditional waiver from parts of this law.

This Senate's bipartisan education reform bill, the Every Child Achieves Act that is on the floor right now, would return decisionmaking on education to where it belongs, back to States, local schools, teachers, and parents.

I wish to thank Chairman ALEXANDER and Ranking Member MURRAY of the HELP Committee for conducting an open debate on this critically important legislation and working together. I am encouraged that Republicans and Democrats worked together and overcame disagreements to move this important legislation forward. That is how the Senate should work and that is what the American people deserve from their elected representatives.

Like all Granite Staters, I want children in our State and across our country to have even better opportunities than our generation has had, and the foundation for future success starts with a quality education. Every parent knows that, and that is why this is such an important topic that we have been debating on this floor.

Granite Staters have shared with me some of the biggest challenges facing our students because of No Child Left Behind, and the Every Child Achieves Act seeks to address them. For example, as I mentioned, No Child Left Behind created a one-size-fits-all system that ignored differences between different parts of the country and primarily used tests as the measure of accountability at the expense of other important measures of success, such as student progress, attendance and graduation rates, parent and teacher engagement, among others.

We have seen what happened under this law over the last decade. Schools are overtesting and educators are teaching for the test as opposed to making sure our children really learn the topic matter. That is not how we should be educating our young people. We want to make sure they have a firm understanding of the concepts they are learning in school.

The Every Child Achieves Act restores these powers to the States. It makes sure States have the flexibility they need to develop their own ways to test and measure accountability. I know from our local communities and our local school boards that they are focused every single day in their own communities on making sure their communities are delivering the best quality education and understand the geography and the different challenges facing their communities, and it is important we restore that decisionmaking to them.

This bill will let States decide how to measure student achievement and school success within their own borders. What might be right and work for North Dakota may not be the right approach for a State like New Hampshire, and so this allows each State and locality to engage on what is best for the State.

The Every Child Achieves Act also prohibits Washington from mandating or incentivizing any States to adopt any particular curriculum standards, such as common core. This is an issue many of my constituents have raised with me, and so this bill will, again, restore this decisionmaking to the States and the parents and teachers. In doing so, this bill reaffirms that it should be the State, not the Federal Government, that determines education standards. Each State is different and uniquely situated to determine the curriculum and accountability measures that best fit the needs of their students without interference from Washington. We don't need the Washington-knows-best attitude. We know the best decisions are made locally.

This bill includes additional reforms that will help strengthen our education system and better prepare our young

people to join the rapidly changing and competitive global 21st century workforce. It ensures parents can still have access to data about their State, district, and school's education performance so they can make informed decisions about their child's education. It increases support for high-quality charter schools, giving parents greater choice to determine the best learning environment for their children. It creates State-based need assessments to help identify low-performing schools and allows States, not the Federal Government, to determine how to best help low-performing schools.

All of these reforms are much needed, commonsense steps toward reforming and improving our education system, and I believe more can be done to specifically help students in New Hampshire. That is why I appreciate the willingness of Senators ALEXANDER and MURRAY to work with me to allow votes on several bipartisan amendments that I have included in this bill, and I know this has been a very open process. This is how the Senate should operate.

I was able to work across the aisle on a number of amendments that addressed New Hampshire's priorities. The first of those is strengthening our mental health first aid training to ensure that school personnel have the critical mental health first aid training they need to improve the safety and well-being of students in schools in New Hampshire and across the country. This is something I have heard so much about from our local communities. That is why I was pleased to see the Senate adopted my amendment on mental health awareness training programs yesterday.

I wish to thank Senator BLUMENTHAL for working with me to include this important amendment that will help school personnel safely address mental health issues earlier, before they reach a crisis stage.

I know an issue I have heard so much about in New Hampshire about that 21st century workforce is STEM education. When it comes to developing the high-skilled workers we need to compete, we must ensure that we have better STEM education in our schools for that next generation of American innovators. Promoting education initiatives and job training in the areas of science, technology, engineering, and mathematics is critical to ensuring that we stay on the cutting edge and that we ensure that our children have the skills they need to get those good-paying jobs when they leave high school, postsecondary education, and beyond with their college education.

Over the last few years, an effort to increase students' proficiency and close the education gap between the United States and other countries has seen a renewed focus on STEM, and we have seen it in New Hampshire as well. One of the issues I have seen a focus on which I think is very important is including more women and girls in STEM education.

At the college level, women are currently studying in the STEM fields at a lower rate than men, and many women who do earn STEM degrees actually end up working in other fields. Despite that fact, we are expected to see a 20-percent increase in STEM jobs we are going to need to build that workforce. Yet women only make up 25 percent of the STEM workforce. So we have a long way to go, and that is one of the reasons I worked with Senator GILLIBRAND on a measure to broaden student access to mentorship, tutoring, and afterschool activities to encourage interest in and develop STEM skills. Our amendment was focused on encouraging States to explore ways to increase participation in STEM programs by underrepresented groups, including girls, minority students, English learners, students with disabilities, and low-income students, so we can have a broad array of our students ready to take on those jobs and the workforce we need to grow our economy.

Another area where we need to grow the economy in our country is in manufacturing. We are seeing the beginnings of a manufacturing renaissance. Last week, I was visiting a company in New Hampshire called Rapid Manufacturing in Nashua, NH. They have a partnership with a local community college to train their workforce and to bring them right from the community college into Rapid Manufacturing. They have more positions than they can fill right now. In fact, they are going into the middle schools and high schools to get kids excited about career and technical education. We really need this, and the jobs are there. I hear this from so many of our employers.

I was glad to work across the aisle on an important amendment that did not get included but got quite a bit of support from Senator KAINE and gained support from Senators PORTMAN, CAPITO, GRAHAM, BOXER, WHITEHOUSE, CASEY, and WARNER, and I wish to thank them.

This would create a pilot program in our middle schools to get our children excited about career and technical education for those advanced manufacturing jobs where we need to grow our workforce. While I am disappointed this amendment was not included on this bill, I am encouraged that Senator ALEXANDER said he would be open to working with us on this effort as a potential when we reauthorize the Perkins Act in the future, which will deal with higher education.

In addition to the issues we see with workforce, STEM, and manufacturing, unfortunately, an issue too many of our States are dealing with—and New Hampshire has been hit hard—is substance abuse. As part of my ongoing efforts to combat the heroin and prescription addiction crisis in New Hampshire, I worked with Senator MANCHIN to put forth two measures to better assist students dealing with substance abuse issues at home. Our amendment would encourage local education decisionmakers to provide professional development, training, and technical assistance to schools and communities that are affected by the crisis of addiction, and this is something I know we are also going to address in an amendment I am supporting later today.

New Hampshire has been a leader in what is called competency-based education. What that means is actually assessing students on measures other than tests. That is actually measuring students on innovative assessments and measures of accountability; for example, when students actually go out into their community and have real hands-on experience based on the career they are focusing on. New Hampshire has been the first State in the Nation to actually receive a grant on competency-based education.

I was very glad to work with Senator KING to improve a section of this bill that would allow a greater ability for States to participate in alternative assessment pilot programs like we have seen in New Hampshire. This is, again, about transferring control from Washington of how we assess how our students are doing and how we ensure accountability in our schools to innovative local ideas like what we have seen in New Hampshire when it comes to competency-based education. So I want to thank Senator KING for working with me on that.

There are a number of other amendments for which I thank my colleagues on both sides of the aisle and which I think are very important in this bill. I was very glad to work on them with my colleagues. They include working with Senator BOOKER on assisting homeless and foster youth; working with Senator WARNER on including language ensuring better transitions from school to the workplace; and working with Senator BENNET on supporting the use of shared service alliances for early childhood education programs. For example, in New Hampshire we have the Seacoast Early Learning Alliance. I was very glad to work with Senator BENNET on that amendment. Also, improving oversight of the Early Learning Alignment and Improvement Grants Program—oversight of our programs is critical. I was glad to work with Senator WARNER on oversight of these programs and, finally, work with Senator ISAKSON again on the local control piece, and that is putting the decisionmaking back with the parents. This amendment will better inform parents about their rights when it comes to mandatory assessments and the qualifications of their classroom teachers. I think we need to inform parents so that they can make the best decisions for their children.

I am confident that the bipartisan, commonsense reforms in the Every Child Achieves Act will improve our education system and certainly make sure that the decisionmaking rests where it should—with parents, teachers, local school boards, and our States, rather than the Washington

one-size-fits-all approach we have seen too often. In turn, it will help prepare students in New Hampshire and across our country for good careers and a brighter future. All of us here want to ensure that our children will have better opportunities than we have had in this great country, and we certainly owe that to our children. I am very glad we had this important debate on the floor.

Again, I thank Senator ALEXANDER and Senator MURRAY for working across the aisle on this important bill.

Thank you, Mr. President.

I yield the floor.

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

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

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

EPA RULE

Mr. BARRASSO. Mr. President, late last month, the Supreme Court issued a severe rebuke to the Obama administration and to his Environmental Protection Agency. It was a strong stand against Washington overreach.

The Environmental Protection Agency had written what it called the mercury and air toxics standards rule. The rule was a key part of the Obama administration's war on coal. The Supreme Court said that when Washington bureaucrats were writing this rule, they failed—the EPA failed—to consider the overwhelming costs they were imposing on hard-working American families. The Court said: ''One would not say that it is even rational, never mind appropriate, to impose billions of dollars in economic costs in return for a few dollars in health and environmental benefits.'' It wasn't even rational, never mind appropriate. The Court's decision was exactly right, and many of us saw it as a big step forward in reining in this out-of-control Environmental Protection Agency.

Here is the problem. The rule came out in 2012, and the Supreme Court didn't make its ruling until 2015. That is 3 years. It is far too late for many Americans who work at coal plants and who have already been hurt by the EPA's ruling in 2012. That is because power companies were already having to comply with that rule while it made its way through the court process. They have already closed plants because of the rule, even though the Supreme Court now says that the rule was inappropriate, it was wrong. Now, unemployed workers won't get their jobs back now that the Court has ruled against the Obama administration. Because of these regulations, people are already paying higher electricity rates than they would have been paying otherwise. Consumers don't get their money back, either, now that the Supreme Court says the Environmental Protection Agency overstepped its authority.

This isn't the first time this Agency has gone beyond the law and beyond what it is allowed to do. That is what it did when it put out its so-called waters of the United States rule. It is a recent rule—waters of the United States. It is a new regulation. The Agency wants to use it to greatly expand government control over the Nation's land and water. Farmers, ranchers, hard-working families would no longer be able to decide what to do with their own land. States, counties, and towns would no longer be able to decide what regulations will be best to protect the streams and the waters and the lakes within their borders. That is the problem. These decisions would now be made by Washington bureaucrats no matter what the cost, no matter how small the benefits or how large the cost.

Not only did the Agency increase its authority dramatically, it appears that it abused the rulemaking process to get the results the EPA wanted. What do I mean by that? Well, when Washington writes big, expensive regulations, it is supposed to have a public comment period so that people who might be harmed by the rules can have their say. According to news reports, when the EPA was writing the waters of the United States rule, the EPA twisted the public comment process into its own private, government-funded spin machine. This government agency ignored the negative comments by Americans who were actually concerned about the law and who were hurt by the law.

That is not what I am saying; that is what the New York Times said when it reported on the scandal back in May. The New York Times said that the EPA used taxpayer dollars to lobby liberal groups to flood the Agency with positive comments. These were the same phony, ginned-up comments that it used to justify the dramatic overreach of its new regulations. It is incredible, it is unbelievable, and I believe it is also illegal.

If my colleagues want another example of overreach by the Environmental Protection Agency, look at the regulations it wrote to restrict the amount of carbon dioxide produced by powerplants. It is called the Clean Power Plan. When the EPA was writing this rule, it did the exact same thing the Supreme Court just said was not even rational. The EPA counted up what it said would be the benefits of the regulation without caring at all about the true costs.

So what are the true costs? Well, according to one estimate, the new regulations would add up to $366 billion in additional costs over the next 15 years. That cost will be passed on to consumers and will force more powerplants to close and more Americans to lose their jobs. For all of that expense, all of that damage to hard-working families, the benefits would be minimal.

The Obama administration makes wild claims about environmental benefits of this regulation. They are the same kinds of claims that it made for the rule the Supreme Court just called unreasonable. The Agency exaggerates the benefits, the Agency ignores the costs, and it puts its thumb on the scale to come up with the policy that it wants.

One of the big costs the Environmental Protection Agency has been ignoring is the damaging health effects of the unemployment caused by the regulations. When a powerplant closes, people in those communities lose their jobs and their health suffers. High unemployment increases the likelihood of hospital visits, of illnesses, of premature death. High unemployment raises health care costs, and it hurts children's health and family well-being. Those are real costs to families, to society, and the EPA continues to intentionally ignore them.

The Environmental Protection Agency was wrong when it wrote its mercury and air toxics rule, it was wrong when it wrote its waters of the United States rule, and it was wrong when it wrote its powerplant rule.

The Supreme Court has said the Environmental Protection Agency needs to take a more honest approach—the Supreme Court telling President Obama's EPA to take an honest approach—and it needs to take the true costs into consideration. That is what States across the country are already doing. Governors in Oklahoma, Wisconsin, Indiana, and Texas are refusing to be bullied by the Obama administration. They are refusing to give up their right to decide what is best for their own citizens. I believe these States are taking the right approach. They are waiting to get a true idea of the costs as well as the benefits before they rush to allow rules that would shut down powerplants and put thousands of people out of work. The Supreme Court says that is what Washington should be doing as well.

Maybe now the Obama administration will finally listen and start basing its regulations on what the science says is true, not just on what the bureaucrats of the administration wish were true.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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, in my home State of Washington and across the country, students and parents and teachers and communities are counting on us to finally fix No Child Left Behind. I have been very glad to work with Chairman ALEXANDER on our bipartisan bill called the Every Child Achieves Act. Our bipartisan bill gives States more flexibility while also including Federal guardrails to make

sure all students have access to a quality public education.

I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even better. It is not the bill I would have written on my own, and I am sure it is not the bill Chairman ALEXANDER would have written on his own, but it is a good, strong step in the right direction. And it is not the last opportunity, of course, we will have to work on this bill before it is signed into law. In fact, after the Senate passes the bill today, we will go to conference, and then I will be looking forward to working closely with their ranking member, BOBBY SCOTT, with the administration, and with Democrats and Republicans in the House and Senate who are interested in building on the Senate's bipartisan work and getting this done. I hope Chairman KLINE and House Republicans will be willing to join us at the table to reach an agreement on the final product that works for our kids and our parents and our schools and our communities across the country.

Strengthening accountability is extremely important to me and to Ranking Member SCOTT. Democrats, including 42 of our Senate Democrats, voted for Senator MURPHY's accountability amendment yesterday. It is also important to the administration. We will continue to push for that in conference.

We still have more work to do today before we wrap up and vote on final passage. The senior Senator from Pennsylvania has offered an amendment to expand access to high-quality early education. That is being offered by Senator CASEY. Making sure kids can start kindergarten ready to learn is one of the best investments I believe we can make to help our kids succeed in school and later in life. I urge my colleagues to vote for that amendment when it comes up for a vote shortly. Then, of course, we will have a number of other amendments and finally passage, and hopefully we will be able to reach that in a positive way today.

Mr. President, I said this many times on the Senate floor, but it bears repeating to emphasize how important education is for the future of this country. Providing a quality education isn't just good for students today, it is an investment in our future workforce, it is an investment in our future economy, and it is an investment in a growing strong middle class that will help our country grow stronger. As we all know, across the country today, parents, students, and teachers in our communities are looking to us to fix No Child Left Behind.

So, again, I commend Senator ALEXANDER for his strong work on this, for his willingness to work on a bipartisan basis and get us to where we are today, to be able to look very soon to passing the bill out of the Senate and continuing our work to fix this broken law.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Washington for her comments. At 10:45 a.m., we will begin voting. We have six amendments—five or six that we expect to vote on, and then at 1:45 p.m. we will have passage of the bill or cloture and final passage of the bill. So we will finish our bill fixing No Child Left Behind today. Of course, in the U.S. Senate nothing is done until it is done, so I don't want to anticipate that—but I think it is fair to make a few comments about the bill at this point, anticipating we will have a successful conclusion this afternoon.

If we are able to pass a bill fixing No Child Left Behind this afternoon, it will be a remarkable accomplishment for a U.S. Senate filled with 100 experts on education. I said earlier this week that dealing with a piece of legislation about elementary and secondary education is a little bit like going to a football game at the University of Tennessee, where there are 100,000 people in the stands and every one of them is an expert on football, and they know exactly what the next play is to call. Consensus among experts is not easy, but consensus is necessary in the U.S. Senate if we are going to deal even with such a complex problem as this, and that is exactly what we have achieved.

As Senator MURRAY said, we found a consensus first about the urgent need to fix No Child Left Behind, 7 years overdue. That is our collective thought in the U.S. Congress. We tried twice the last two Congresses, but we fell apart over partisan differences. I will give Senator MURRAY credit for coming up with the idea of how we began this process earlier this year, and that was for the two of us, consulting with our committee members and other Senators, to produce a draft that would be a starting point for our committee, and that worked well. We considered nearly 60 amendments in committee, adopted 27, I believe, and the committee reported unanimously to this body a bill to fix No Child Left Behind. That gave us a very good head start because members of our committee represent some of our most liberal Members and some of our most conservative Members. The fact that we could agree on how to take that step made a big difference, and that is one reason we will succeed this afternoon in passing the bill.

So we found a consensus not only on the urgent need to fix No Child Left Behind but on how to fix No Child Left Behind, and the consensus is this: continue the law's important measurements of academic progress of students but restore to States, school districts, classrooms, teachers, and parents the responsibility for deciding what to do about improving student achievement. That theme runs through this bill.

This change, in my opinion, should produce fewer tests and more appropriate ways to measure students' achievement. It is the most effective way to advance higher State standards, better teaching, and real accountability. We have had a lot of talk about accountability during this debate, as we should have, and the Presiding Officer, as I was, having been a Governor, watched over the last 15 years how States have become better prepared in dealing with student achievement, how they worked together to create higher standards State by State, worked together to create better assessments, tests State by State, and now work together to create better accountability State by State.

This bill is a recognition of that preparation by the States and recognition also as the New York Principal of the Year said in a letter to us, that people closest to the children cherish their children, and we should not assume that just because we have flown to Washington, DC, for the week that suddenly we are so much wiser about what to do about children in 100,000 public schools and cherish the children more than the classroom teachers and the parents and the school board members and the community and the legislators and the Governors who are closer to them than we are.

The next step, if we are successful this afternoon, is to go to a conference with the House. I have had numerous discussions with Chairman KLINE at the House of Representatives. We have been on parallel paths. We know better than to try to make our institutions do exactly the same thing—that defies human nature—but we can communicate and stay in touch with each other, and our bills are not that different. The committee members are familiar with the bill. There are some important differences, and we will have to work those out, but our goal, if we succeed today, is to take the bill passed by the House, put it together with the Senate bill, produce a conference report, and send it to the desk of President Obama in a form he will be comfortable signing.

I believe the President also sees the need to fix No Child Left Behind. He knows there is confusion and anxiety in most of our 100,000 public schools that need to be settled, and we hope we have come up with a version of the bill that while it wouldn't be the bill he would write if only he were writing it—and as Senator MURRAY said, it is not the bill she would write if only she were writing it, and it certainly would not be the bill I would write if only I were writing it, but we had a consensus we needed to come to. Why do we need a consensus? Because that is how to govern in a complex society.

I first came to the Senate at a young age in the late sixties, and I watched Everett Dirksen, the Republican leader, and President Johnson, the Democratic President, work together to produce the civil rights legislation.

That was more difficult than this—although this has been pretty difficult. It took 68 votes to get cloture at that time, and they did that. It was only because they had a consensus. Senator Russell from Georgia, who had opposed the civil rights bill, went home to Georgia the next day and said: It is the law of the land. We need to support it. The way to govern a complex country is through consensus, and the agency of our government that is the only agent for encouraging and achieving consensus is the U.S. Senate. I thank my colleagues on both sides of the aisle for creating an environment where we could do that.

Senator MCCONNELL has done that by putting the bill on the floor, giving us enough time to have amendments, and having a policy of encouraging amendments so Senators on both sides can have their say, both on the committee and on the floor. There have been more Democratic amendments considered and adopted than Republican amendments, and that is appropriate. Senator CORNYN, Senator THUNE, Senator BARRASSO on this side of the aisle have been very helpful.

I have several times thanked the Democratic leader Senator REID. He has helped to create an environment that permitted this to move in an orderly fashion. We basically conducted the end of the consideration of this bill by unanimous consent. Enough Senators had a chance to have their say that they agreed by unanimous consent that we can consider these amendments and only these amendments in a certain way, with a certain amount of time, and go all the way through to the end. That is a very good way to operate the Senate, and the Democratic leader made that possible, first by allowing the bill to come to the floor without a cloture vote and by working with us as we went through it, and Senator SCHUMER and Senator DURBIN, who along with Senator MURRAY are part of the Democratic leadership, have done the same.

Senator VITTER, Senator LEE, Senator TOOMEY, and Senator BURR have all stepped back a little bit on things they would like to do—so did Senator FRANKEN and so did Senator CASEY on that side of the aisle. In other words, a number of Senators exercised restraint to permit us to work toward a result. In a body that operates by unanimous consent, that is absolutely essential. So this has been a good process.

We have six more amendments this morning, and we look forward to debating those and acting on them. At 1:45, hopefully, we will have a big vote in favor of fixing No Child Left Behind, reflecting the consensus that will keep the important measurements of student achievement, but we will turn back and restore to the State and local governments the responsibility for what to do about the results of those tests. That is the consensus in this bill that survived very well through the committee process and through the amendments so far, and I expect it to survive through the rest of the day.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. 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. 2180

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Cruz amendment No. 2180.

The Senator from Texas.

Mr. CRUZ. Mr. President, there are a number of Members of this body who in good faith are moving forward to reduce the Federal burdens on States, on teachers, on education. Yet at the end of the day, this bill still mandates specific testing requirements. This amendment is a straightforward amendment to remove the testing mandates and to leave the substance of any testing that occurs to the States.

This leaves power over choices in education in the hands of teachers, in the hands of school boards, in the hands of States, in the hands of government that is closest to the people. We have seen with the bipartisan objection to Common Core that the last thing we need in education is unelected bureaucrats in Washington dictating what is being taught to kids at home. This amendment simply takes out the Federal mandates and empowers teachers, school boards, and parents to control the education of their own children.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would urge a ''no'' vote on this amendment. This is the report card. The Federal Government is saying: We will give you $23 billion, and all we are asking in return is that you, State, write a test; that you, State, figure out what the accountability system is and you report it to the parents and the public.

That would mean a third grader, for example, would take two tests a year. Each test would be about 2 hours. So it is a State test, a State assessment. In our Alexander-Murray bipartisan bill, we keep what works in No Child Left Behind, which is the report card, but we get rid of what does not work, and we give back to States responsibility for determining student achievement. This is the consensus that supports this bill.

Keeping the important measure of student achievement is essential to maintaining that consensus. So if you want to get rid of the Common Core mandate, get rid of the waivers for 42 States, reverse the trend to a national school board, vote no and keep the requirement for important measures of student achievement, which are State tests.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2180.

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 South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—40

Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Moran	Wicker
Ernst	Paul	
Fischer	Perdue	

NAYS—58

Alexander	Flake	Murray
Ayotte	Franken	Peters
Baldwin	Gardner	Portman
Bennet	Gillibrand	Reed
Blumenthal	Heinrich	Reid
Booker	Heitkamp	Rounds
Boxer	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Kirk	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Thune
Cochran	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Corker	Merkley	Whitehouse
Donnelly	Mikulski	Wyden
Durbin	Murkowski	
Feinstein	Murphy	

NOT VOTING—2

Graham	Nelson

The amendment (No. 2180) was rejected.

AMENDMENT NO. 2177

The PRESIDING OFFICER. Under the previous order there will be 2 minutes of debate equally divided prior to a vote on the Sanders amendment No. 2177.

The Senator from Vermont.

Mr. SANDERS. Madam President, I applaud President Obama for visiting a Federal penitentiary today to highlight the fact that, tragically, the United States has more people in jail than any other country on Earth. One of the reasons we have so many people in jail is that we have an obscenely high level of youth unemployment: for young White kids, 33 percent; for Hispanic kids, 36 percent; for African-American kids, 51 percent.

The time has come for us to begin investing in jobs and education for our kids, not jails and incarceration. This bill, over a 2-year period, would create 2 million jobs for our young people. It is paid for by closing the carried-interest loophole that allows billionaires to pay a lower tax rate than working class Americans.

It is high time we addressed this issue of high youth unemployment. I ask for bipartisan support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the five remaining votes will be 10-minute votes.

I urge a ''no'' vote, No. 1, because this proposal is unconstitutional. You cannot start a tax increase in the Senate. It has to start in the House. No. 2, we already have three workforce programs that we created just last year: Jobs Corps, the youth bill, and dislocated workers. No. 3, it is a big tax increase. So because it is a big tax increase, because it is duplicative of existing programs, and because it is unconstitutional, I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. MURRAY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—43

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

NAYS—55

Alexander	Cotton	Inhofe
Ayotte	Crapo	Isakson
Barrasso	Cruz	Johnson
Blunt	Daines	King
Boozman	Enzi	Kirk
Burr	Ernst	Lankford
Capito	Fischer	Lee
Cassidy	Flake	Manchin
Coats	Gardner	McCain
Cochran	Grassley	McConnell
Collins	Hatch	Moran
Corker	Heller	Murkowski
Cornyn	Hoeven	Paul
Perdue	Sasse	Tillis
Portman	Scott	Toomey
Risch	Sessions	Vitter
Roberts	Shelby	Wicker
Rounds	Sullivan	
Rubio	Thune	

NOT VOTING—2

Graham	Nelson

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

AMENDMENT NO. 2243

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Coons amendment No. 2243.

The Senator from Delaware.

Mr. COONS. Madam President, the bipartisan amendment I am offering today with Senator RUBIO—and I am grateful to Senator GILLIBRAND for cosponsoring—this American dream accounts amendment is about one thing: giving every child the chance to go to college if they are willing to work hard for it. Time and again, we have seen in this country what kids can achieve when they know their dreams are possible. That is what this amendment and the American dream accounts help solve, ensuring that every child knows a college education is possible.

The American dream accounts encourage partnerships in 10 demonstration sites to develop secure, Web-based student accounts that develop information about each student's literacy and academic preparedness and then ties it to high-impact mentoring and a college savings account.

I myself have seen over the years of working with the national ''I Have a Dream'' Foundation how sending the message to our kids that college is a real possibility for them can make a powerful impact, from elementary school, to middle school, to high school, to college, and it has an impact that changes their behavior and their outcomes in school.

American dream accounts are a bipartisan idea whose time has come. I urge my colleagues to support it with a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, we have four more votes before lunch. It is 11:40 a.m. What we would like to do is to have 10-minute votes. So if Senators will stay on the floor, we will have 10-minute votes or come as close to that as we can.

Madam President, this is an interesting idea, but it belongs in the Higher Education Act, which we are about to take up in our committee, and here is why: It duplicates two existing Federal programs called Gear Up and TRIO.

No. 2, we already have $30 billion of tax credits that we spend. This involves more tax credits. We already spend $30 billion. We should calculate the advantages of this program, along with the $100 billion of loans we make, the $35 billion of Pell grants we make, the $30 billion of tax credits we have, and see where it fits into that. The time to do that is in the next big bill we have from our committee, which is the reauthorization of the Higher Education Act.

I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COONS. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. There is no time remaining.

Mr. RUBIO. 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 South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 68, nays 30, as follows:

[Rollcall Vote No. 244 Leg.]

YEAS—68

Ayotte	Gardner	Murray
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Hirono	Risch
Booker	Hoeven	Rubio
Boozman	Inhofe	Sanders
Boxer	Johnson	Sasse
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Kirk	Scott
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Sullivan
Coons	Markey	Tester
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Moran	Wyden
Franken	Murphy	

NAYS—30

Alexander	Ernst	Paul
Barrasso	Fischer	Perdue
Burr	Flake	Portman
Cassidy	Grassley	Roberts
Coats	Hatch	Rounds
Cochran	Heller	Sessions
Collins	Isakson	Shelby
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Enzi	Murkowski	Wicker

NOT VOTING—2

Graham	Nelson

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

AMENDMENT NO. 2247, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Burr amendment No. 2247, as modified.

The Senator from North Carolina.

Mr. BURR. Madam President, in 1965, President Lyndon Johnson, when the ESEA was passed, said this: Financial assistance to school districts serving areas with concentrations of children of low income should be the target of it. We have never successfully targeted all of those kids in poverty.

Let me say to my colleagues, if your State is in red, your poor students lose under the current formula.

Now, we have come to a compromise, and though I don't think it reflects the best policy, compromise is at the heart of this institution. Therefore, with $14 billion worth of appropriations in title I-A today, this new formula would not take place until we have reached $17 billion, meaning for the next years—probably 10 based upon historical numbers—there would be no change in the distribution in any States. But after that point, this body, for once—for the first time in 50 years—would have the money follow kids in poverty, represented by the red States we see on this map.

I urge my colleagues to support this amendment. It is the right thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask that 30 seconds of my time be yielded to the Senator from Ohio.

I oppose this amendment. I thank the Senators from Tennessee, Washington, and North Carolina for making it less onerous. We did come to a compromise. As he said, it starts at $17 billion, but there is still a major fallacy here.

When we change formulas, we have always held harmless the States that would lose money, but we have been able to increase money. In this bill, we don't. We keep it flat. So we are robbing Peter to pay Paul, which will be an awful precedent which will bite every one of us.

Second, my good friend said the money should go to people from poverty, but they also voted against the Merkley amendment, which required the money to go to people in poverty, and now it can go anywhere.

So I respectfully urge my colleagues to oppose this amendment, although it is improved from the original.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate the fact that we have delayed the impact of this, but the impact is still severe. In my State and many other States, we will see a significant cut.

Do my colleagues know what it is? It is telling States that if you invest in children, you are going to be penalized.

This legislation, the underlying bill, is about helping our children succeed. Yet, in this amendment, we are actually telling States that if you help your kids succeed, you are going to be penalized under a new formula. It is not part of the bill that came out of committee. It is not part of the underlying bill.

So I urge my colleagues to vote no on this amendment and ensure that the States that are helping our kids continue to be able to do so.

The PRESIDING OFFICER. 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 appears to be 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 South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—59

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Flake	Paul
Bennet	Franken	Perdue
Blunt	Gardner	Risch
Boozman	Grassley	Roberts
Boxer	Hatch	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shaheen
Collins	Isakson	Shelby
Corker	King	Sullivan
Cornyn	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	McCain	Tillis
Cruz	McCaskill	Udall
Daines	McConnell	Wicker
Donnelly	Merkley	Wyden
Enzi	Moran	

NAYS—39

Baldwin	Heinrich	Portman
Blumenthal	Hirono	Reed
Booker	Johnson	Reid
Brown	Kaine	Sanders
Capito	Kirk	Sasse
Cardin	Leahy	Schatz
Carper	Lee	Schumer
Casey	Manchin	Stabenow
Cassidy	Markey	Toomey
Coons	Menendez	Vitter
Durbin	Mikulski	Warner
Fischer	Murphy	Warren
Gillibrand	Peters	Whitehouse

NOT VOTING—2

Graham	Nelson

The amendment (No. 2247), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent to engage in a brief colloquy with my colleagues from the State of Tennessee and the State of Washington for no more than 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Madam President.

As we stated, some of us had serious objections to changing the formula, but thankfully the modified amendment follows in a tradition of compromise. And I appreciate my colleagues from Tennessee, Washington, and North Carolina working on it. As a result, we will continue to abide by the ''do no harm'' principle. New York's funding will not be cut, and neither will the funding in any of the other 13 States that would have been cut by the original amendment. We will not punish schools unfairly by using a formula that creates winners and losers. This takes the idea of losing school districts off the table. So, again, I would like to thank my colleagues for working with me to ensure that our students in New York and the 13 other States do not start the next school year at a disadvantage with fewer school resources.

The title I changes we have agreed to reflect our commitment to increasing funding and supporting funding for low- and moderate-income students. I appreciate the commitment my colleagues from Tennessee and Washington have made, and I would like to confirm those here on the floor.

I would ask my dear friend Senator ALEXANDER—I would like you to confirm your commitment to maintain this title I funding proposal which we just passed which is contained in amendment No. 2247, as modified—when the Senate and House convene a conference, that we will not go any lower than this.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I would say through the Chair to the distinguished Senator from New York and the Senator from Illinois and the Republican Senators who are interested in this that the answer to Senator SCHUMER's question is yes, that my commitment is to work—to keep the Senate decision in conference.

Mr. SCHUMER. Madam President, reclaiming the floor, I would just ask my dear friend from the State of Washington whether she concurs in that statement.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, through the Chair to the Senator from New York, I will work in conference to keep the commitment of this amendment.

Mr. DURBIN addressed the Chair.

Mr. SCHUMER. Madam President, I yield to my friend from Illinois.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 1 more minute.

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

Mr. SCHUMER. I yield that minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from New York.

Madam President, the original core amendment would have cost Illinois $180 million in title I funds—$68 million cut to Chicago Public Schools. It was

unconscionable. It would have been devastating. They have so many low-income students. I am glad there is a better approach now.

I hope the title I funding will reach $17 billion soon. It is currently at $14.4 billion, and it has been at that level roughly for the last 5 years.

I thank my colleagues from Tennessee and Washington for affirming that they are going to stand behind this protection during the course of the conference committee.

I would like to commend the leaders of the HELP Committee for working with Senators to reach an agreement on Senator BURR's proposal to rewrite the formula for distributing title I education dollars to the States.

Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and districts offer the kind of teachers and extra services that help low-income students learn and succeed in school.

The Burr amendment we just voted on would change the way those dollars are distributed and would hurt low-income students in Illinois—based in part on the fact that Illinois spends more per pupil on elementary and secondary education than the national average. That is neither fair nor good policy.

The original Burr amendment would have cut Illinois' title I funding by $180 million next year. Every district in the State receiving title I funds would have seen a cut. With the modifications we were able to work out, Illinois' students won't be hurt until title I funding at the Federal level reaches $17 billion a year.

While I hope Federal title I spending would reach $17 billion soon, is currently at $14.4 billion and has remained around that level for the last 5 years. Looking at history and understanding the fiscal challenges in Congress, it is unlikely that Illinois' title I allocation would be impacted by the new formula during the 5-year lifespan of this authorization bill.

I am concerned, however, that the agreement we reached in the Senate could be undermined during conference negotiations with the House. I ask the leaders of the committee, through the Chair, for their assurance that the title I formula will not be further altered in conference.

Mr. SCHUMER. I yield the floor.

AMENDMENT NO. 2100

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Brown amendment No. 2100.

The Senator from Ohio.

Mr. BROWN. Madam President, the Brown-Manchin amendment expands the full-service community schools model to schools across the country. Community schools are different from Promised Neighborhoods—two different approaches to what is a complex set of challenges. Community schools start with a focus on the school, engage partners in joint efforts to improve student achievement and development, and in the process work to strengthen family and community.

Madam President, I yield the remainder of my time to Senator MANCHIN.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, all of us have challenged areas in our States. I have a county—one of the poorest counties in the country is McDowell County. These children have no chance whatsoever. It has the absolute worst statistics any child could be living in. And it is because of these programs that are bringing the compassion of public-private partnerships that we are able to work through to reestablish the services these children won't get. The areas are so sparsely populated, and there is high unemployment.

I would encourage all of you to support this amendment. It continues the program. It is worthwhile. We have McDowell County now with 125 public-private partnerships that we would not have, and these children will not have a chance without them. I encourage your support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a ''no'' vote because States may already do what the amendment says they can do in this new program. There is money in titles I, II, and IV to do that. All this does is take money away from existing programs and give it to a new program which States, if they choose, can already do.

Second, we are approving today an almost identical program called Promised Neighborhoods which the Center for American Progress recommended Congress consolidate with the program this amendment would authorize and create. So we are creating two programs that do the same thing in the same day. In addition, the Education Department Secretary for the Obama administration said Promised Neighborhood in full-service community schools are much more similar than different.

So we need to stop this business of doing well-intentioned programs. One well-intentioned program is enough. We don't need to create two that do the same thing.

I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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 Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—53

Ayotte	Fischer	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Hoeven	Sanders
Brown	Isakson	Schatz
Cantwell	Kaine	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Collins	Markey	Warner
Coons	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—44

Alexander	Flake	Perdue
Barrasso	Gardner	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Cassidy	Heller	Sasse
Coats	Inhofe	Scott
Cochran	Johnson	Sessions
Corker	Kirk	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McCain	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Vitter
Enzi	Murkowski	Wicker
Ernst	Paul	

NOT VOTING—3

Graham	Nelson	Rubio

The amendment (No. 2100) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, for the information of Senators, this is the last vote before lunch. We will have two votes beginning at 1:45 p.m., a cloture vote and the vote on final passage.

AMENDMENT NO. 2242

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Casey amendment No. 2242.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, this amendment focuses on the link between learning and earning. We know that if we invest in our children in prekindergarten education, they will learn more now and earn more later. It is a State-Federal partnership. It is paid for. It focuses on 4-year-olds. Three million 4-year-olds in the country will benefit from high-quality early learning.

The best testimony about this issue comes from parents. Beth in southwestern Pennsylvania said—talking about an early learning program in Pennsylvania: Her daughter couldn't write any of her letters or even recognize them. Now she's improved so much since the first day of class.

And then Megan in southeastern Pennsylvania said: When her son came into this program, he was shy and had very little verbal communication. He now talks nonstop and loves hearing.

That is why we need this amendment to pass. I urge a ''yes'' vote on the Casey amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a ''no'' vote.

The amendment is unnecessary because the Federal Government already spends $22 billion on early childhood education through 45 programs. States spend money through the title I program on early childhood education. Our underlying bill has an important amendment on early childhood, fashioned by Senator MURRAY and Senator ISAKSON, to spend that money more effectively.

This proposal has a familiar ring. It is like a Medicaid mandate, States would pay 40 percent. It is like a national school board, the Federal Government would define teacher salaries, class size, staff-child ratios, and professional development. It is a national school board for 4-year-olds. That is the reverse of what we want to do in this bill.

Another familiar ring is it would be Common Core for kindergarten, so I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WICKER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—45

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

NAYS—52

Alexander	Coats	Daines
Ayotte	Cochran	Enzi
Barrasso	Collins	Ernst
Blunt	Corker	Fischer
Boozman	Cornyn	Flake
Burr	Cotton	Gardner
Capito	Crapo	Grassley
Cassidy	Cruz	Hatch
Heller	Moran	Sessions
Hoeven	Murkowski	Shelby
Inhofe	Paul	Sullivan
Isakson	Perdue	Thune
Johnson	Portman	Tillis
Kirk	Risch	Toomey
Lankford	Roberts	Vitter
Lee	Rounds	Wicker
McCain	Sasse	
McConnell	Scott	

NOT VOTING—3

Graham	Nelson	Rubio

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

The Senator from South Dakota.

AMENDMENT NO. 2232

Mr. THUNE. Mr. President, I wish to make just a quick couple of comments on an amendment that I appreciate the floor managers, Senators ALEXANDER and MURRAY, agreeing to accept by voice vote. It deals with an issue that is really important to my home State.

This amendment would expand the authorized use of Project School Emergency Response to Violence—what we call Project SERV—grants to include violence prevention.

Currently, Project SERV funds are used to restore the learning environment by addressing the disruptive effects of a traumatic crisis or event. However, these funds cannot be used to fund violence prevention activities, such as afterschool programs, mentoring, anger management or skills-building programs.

My amendment would permit a limited and focused expansion of Project SERV to permit prevention activities as part of the efforts to restore the learning environment in cases where there is a continued risk of disruption. This would better tie prevention to a crisis or trauma that has already occurred and better restore and preserve the learning environment in cases such as the tragic suicide crisis in Indian Country or gang violence.

For example, on South Dakota's Pine Ridge Indian Reservation alone, two high school and two middle school age students have committed suicide just since December. My amendment would help give these areas of crisis additional flexibility in restoring our schools to safe and positive environments.

I have worked closely with Chairman ALEXANDER and Ranking Member MURRAY to keep this expansion limited so as not to detract from Project SERV's current scope, and I appreciate very much their help and the Senate's support.

Mr. President, I now ask unanimous consent that following the disposition of the Warren amendment No. 2249, all postcloture time on the substitute amendment be yielded back; further, that the cloture vote on S. 1177 be at 1:45 p.m. today, and that if cloture is invoked, all postcloture time, except for 4 minutes equally divided between Senators ALEXANDER and MURRAY, be yielded back; and following the use or yielding back of time, the Senate vote on passage of S. 1177, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2082

Mr. HATCH. Mr. President, the Hatch-Bennet amendment amends the early learning grant program to allow States to use Pay for Success Initiatives to improve the quality and coordination of the State's system of early learning and care services. My home State of Utah has the first-ever pay for success program designed to expand access to early childhood education for at-risk children. The Utah High Quality Preschool Program delivers a high-impact, targeted curriculum that increases school readiness and academic performance among 3- and 4-year-olds. As children enter kindergarten better prepared, fewer students will need to use special education and remedial services in kindergarten through 12th grade, allowing schools and States to save money. We should build on this success and empower other States to do the same.

I should reiterate that this amendment only allows government funds to be used if the program is successful, encouraging effective use of taxpayer dollars. We should be allowing States to use their funding to encourage ground-up, evidence-based practices. I look forward to seeing meaningful results.

The PRESIDING OFFICER. The question is on agreeing to the Hatch amendment No. 2082.

The amendment (No. 2082) was agreed to.

VOTE ON AMENDMENT NO. 2106

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2106.

The amendment (No. 2106) was agreed to.

VOTE ON AMENDMENT NO. 2130

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2130.

The amendment (No. 2130) was agreed to.

VOTE ON AMENDMENT NO. 2186

The PRESIDING OFFICER. The question is on agreeing to the Murphy amendment No. 2186.

The amendment (No. 2186) was agreed to.

VOTE ON AMENDMENT NO. 2215, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Nelson amendment No. 2215, as modified.

The amendment (No. 2215), as modified, was agreed to.

VOTE ON AMENDMENT NO. 2222

The PRESIDING OFFICER. The question is on agreeing to the Manchin amendment No. 2222.

The amendment (No. 2222) was agreed to.

VOTE ON AMENDMENT NO. 2231

The PRESIDING OFFICER. The question is on agreeing to the Boozman amendment No. 2231.

The amendment (No. 2231) was agreed to.

VOTE ON AMENDMENT NO. 2188

The PRESIDING OFFICER. The question is on agreeing to the Baldwin amendment No. 2188.

The amendment (No. 2188) was agreed to.

VOTE ON AMENDMENT NO. 2156

The PRESIDING OFFICER. The question is on agreeing to the Capito amendment No. 2156.

The amendment (No. 2156) was agreed to.

VOTE ON AMENDMENT NO. 2232

The PRESIDING OFFICER. The question is on agreeing to the Thune amendment No. 2232.

The amendment (No. 2232) was agreed to.

VOTE ON AMENDMENT NO. 2256

The PRESIDING OFFICER. The question is on agreeing to the King amendment No. 2256.

The amendment (No. 2256) was agreed to.

VOTE ON AMENDMENT NO. 2240

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2240.

The amendment (No. 2240) was agreed to.

VOTE ON AMENDMENT NO. 2249

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2249.

The amendment (No. 2249) was agreed to.

The PRESIDING OFFICER. Under the previous order, all postcloture time on the substitute amendment is yielded back.

VOTE ON AMENDMENT NO. 2095

The question is on agreeing to the Peters amendment No. 2095.

The amendment (No. 2095) was agreed to.

VOTE ON AMENDMENT NO. 2089, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 2089), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2249

Mr. GARDNER Mr. President, I thank the Senator from Washington and the Senator from Tennessee for their leadership over the past several days—last week and this week—as we talk about the future of education in this country. I commend them for creating a bill that takes away the Federal Government's mandates on curriculum and direction and makes sure we provide local control to school districts and teachers.

As a father myself of a student who is going into the sixth grade, I have heard a lot about tests over the past several years, and I want to commend the leadership for making sure we are actually getting Congress out of the classroom. So I appreciate my colleagues' leadership.

Today I want to talk about an amendment accepted in the education bill we are dealing with here today that deals with the use of title I funds for concurrent and duel enrollment programs at eligible schools throughout the country.

According to the Georgetown Public Policy Institute, by 2020, 65 percent of the jobs available in the country today will require secondary education. In Colorado, that number is even higher. Again, by 2020, 65 percent of our jobs will require secondary education. In Colorado, that number is going to be greater. The Colorado Department of Education estimates it is not just 65 percent of the jobs that require a secondary education in Colorado by 2020. It will actually be 74 percent of the jobs in our State that are going to require some form of postsecondary education.

Ensuring that our students have the skills necessary to excel in college and in the workforce is absolutely and by far and away the best way to address this concern so we can make sure that we are providing our students with successful futures. Concurrent enrollment and dual enrollment programs have a proven record of success in this arena.

I was in the State legislature in Colorado when we embarked on the first concurrent enrollment ideas that came out of the legislature and that have been greatly successful. But we know it is not just the anecdotes from Colorado, but it is the American Institutes for Research that finds that participation in concurrent and dual enrollment programs reduces the number of students dropping out of high school, increasing a student's likelihood of entering college, making sure they complete college, and getting through to a career.

But our challenge today is that an astounding number of students need to take remedial courses when they enter college. Sitting down with junior college leaders and community college presidents and talking to our universities, they all tell stories about how many students come from high schools to their college or to their campus requiring remedial work in English or mathematics.

According to a report by testing organization ETS, nearly one-half of U.S. millennials scored below the threshold that indicates proficiency in literacy, and two-thirds of U.S. millennials missed the cutoff mark in math proficiency.

Students are discouraged from continuing college when they are required to take courses—nobody wants to go on to college and take the same course—that you thought you had completed in high school. But concurrent and dual enrollment will help solve this problem by allowing students to participate in college-level courses, which, upon completion, will ensure that these students are indeed proficient.

Not only does concurrent and dual enrollment allow proficiency, but it allows students to get ahead of the curve and doing so while in high school.

A study by the National Education Longitudinal Study found that concurrent and dual enrollment participants were 16 to 20 percent more likely to complete a bachelor's degree than their counterparts. Research shows that students who participate in concurrent and dual enrollment programs complete their degrees earlier than their counterparts as well.

A study in 2010 by Kristen Klopfenstein, a Colorado native and graduate of the University of Texas, found that ''the results of taking one or more concurrent or dual credit class tripled the likelihood of graduating from associate programs in three years in relation to students who did not take such courses who typically graduate in four years.''

''Dual enrollment participation was also positively correlated to completing bachelor's degrees in four and five years, relative to students who did not take such courses who typically take longer to graduate.''

These are the types of programs that reward students for their hard work and prepare them for their college career and success.

Many people recognize that courses that provide college credit are typically taken by high-achieving students already on the path to college. A lot of college courses that we see are filled with people we knew were destined for college in the first place. But I think we have to talk about the times where that is not the case, where college courses were taken by people who perhaps never thought they had college in their future. I will share one such story today.

We were visited in the office not too long ago by a young woman from Colorado who told her story about how concurrent enrollment in Colorado really opened the doors to a college future and a college degree she never thought was possible.

The community where I come from is not one that promises a bright future. I am from a low income area of Denver, CO, and we weren't expected to go to college.

I had always known I wanted to pursue higher education, but was nervous that I wouldn't have the skills to succeed.

Fortunately for me, because of concurrent enrollment I was able to get ahead in college for free. I graduated high school with all of my high school credits along with 15 credit hours of college credits.

Concurrent enrollment has helped me in phenomenal ways. It gave me the confidence to know I had the capabilities to succeed in college.

In addition, with the high cost of college I was able to save money. I am now a student at Colorado State University and made the Dean's list this semester.

I am on track to graduate early and it would never have been possible without the programs I participated in in high school.

I want to spread the word so other students can benefit from concurrent enrollment the way that I have. Every young person who wants to go to college should have the opportunity to attend, and I'm thankful I had the opportunity to do so.

Those aren't my words. Those are the words of a Coloradan whose future was made brighter by the fact that she was able to take advantage, while in high school, of college credit classes.

Stories like this are why we have to make sure that, not just Coloradans, but everyone across this country, is able to use title I programs in the same beneficial manner.

So the amendment we offered and that has been accepted, thanks to the work of Senator ALEXANDER, our great chairman, and Ranking Member PATTY MURRAY, would empower students to use these kinds of programs and would allow schools to use title I funds for concurrent and dual enrollment programs, enabling students to simultaneously receive college credit from courses taught by college-approved teachers in secondary education. It would allow eligible schools to use fifth-year program partnerships with institutions of higher education to allow students to participate in concurrent enrollment in the year directly following their senior year of high school.

Earning a postsecondary degree has become a prerequisite for jobs in the 21st century. Going back to the statistics that we shared in the very beginning, 74 percent of jobs in Colorado will require, by the year 2020, a postsecondary education degree. As we face more competition in the global workplace, as we face more competition abroad, we have to have the kinds of education and educational opportunities that give the next generation of business leaders, innovators, and entrepreneurs the skills to succeed.

I believe the concurrent and dual enrollment high school program not only gives them the types of skills they need while in high school but the opportunity to further a college degree and perhaps, as in the story I shared earlier today from that young Coloradan, the chance to go to college, the chance to receive a degree, and to prove they have that bright future. That is what this policy is about. That is what this amendment has been about.

Again, I thank the chairman for the consideration and acceptance of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 2222

Mr. MANCHIN. Mr. President, I rise today to talk about a problem that each one of us—all 100 Senators—knows. In any gathering we go to, in our State or around the country, people are affected by drug abuse, whether legal or illegal. In our personal families, immediate families or extended families, we know somebody whose life is affected.

So today I urge my colleagues to support a commonsense amendment that I have introduced to the Every Child Achieves Act that addresses an epidemic that is devastating to my State and our country—and I know to the Presiding Officer's State also—which is substance abuse.

Communities across the country, including many in my beautiful State of West Virginia, are seeing an alarming rise in substance abuse and addiction to legal prescription drugs. These are drugs we would find in the medicine cabinet of our home.

West Virginia is No. 1 in overdose deaths—No. 1 in overdose deaths—due to drug abuse.

We have seen over a 600-percent increase in the number of people dying since 1999. Nationally, 21.6 million Americans are battling substance dependence or abuse. But as most of us know, we can't truly understand substance abuse by just listening to facts and statistics. It is one that can only be understood by hearing stories of those impacted.

When I was Governor of the State of West Virginia, I traveled around the State, and I saw firsthand the effects that substance abuse can have. We tried to tackle many of these issues at the State level. But it is impossible. All of us have to be in this.

But one of the most moving experiences occurred during my first trip back to the Mountain State after becoming a Senator. I traveled to the really beautiful little town of Oceana, WV.

I went to Oceana Middle School, where I had expected to talk about the importance of receiving a good education and working hard to gain the necessary skills to be successful in the workforce. Instead, I heard personal stories from 11-year-olds who spoke candidly about the ways that drugs were tearing apart their families, their homes, and their community.

As tears trickled down their faces, they shared how they rarely played outside because too many needles coated the streets and drug deals often took place right in front of them.

It is one thing to hear about overdoses and addictions from doctors, medical experts or police officers who deal with substance abuse cases every day. But I can tell you that it is another thing to sit across from an 11-year-old girl who is fighting through tears to describe how her family and her family life have been destroyed.

Her father was hurt in the coal mines and gradually became addicted to painkillers, causing her family to lose everything. As I listened to her story, I couldn't help but think that this young girl had to grow up so very fast and miss some of the pleasures of childhood.

That is why I am doing everything in my power to fight this national problem. My commonsense bipartisan amendment with Senator AYOTTE would simply require that, in States where this is a significant problem, the State education plan include a strategy for how the State will help local education agencies educate students who face substance abuse in their home.

What we are saying is no child can be in a drug-infected home and have a normal childhood. They can't have a normal learning experience in the school system.

To be clear, it does not prescribe or require any particular response. We are not saying you have to do this. The States that wish to have this done can. It simply gives the States the flexibility to craft proposals that meet particular local needs.

That means if there is a child that basically needs extracurricular activity, extra help, extra support, preschool or afterschool, they are able to intervene and change the system that would meet the needs of that community.

Substance abuse by parents and other caregivers can have a significant negative impact on the well-being of children, and it makes it more difficult for them to learn and thrive in schools, as we know.

This amendment is a small step forward toward addressing that problem. But it will encourage the States to consider solutions that will enable local schools and communities to better help these vulnerable children and ensure that every child is ready to learn.

Our country, our States, our communities, our schools, and our children need us to take action to protect them from the devastation of substance abuse.

I am often reminded of the five promises we as adults should make to every child. Colin Powell started this—the five promises—and my wife and I have adopted it when I was Governor. We still have a foundation.

The first promise is that every child has to have a loving, caring adult in their life—a loving, caring adult and unconditional love.

Second, every child should have a safe place.

Every child should have a healthy start in life.

Every child should have an education and have a skill set.

The fifth promise is what we can't teach. We can usually show it from example. Every child should grow to be a loving, caring adult and give something back.

If we don't give children the chance to have that type of an experience and they know they don't have a loving, caring adult, and they don't have a safe place because the home has been ruined because of drug abuse, this is where we need to step in. If we are going to save a generation, this is where we do it. This is the frontline of defense today.

The No. 1 thing that is killing our country is drug abuse, and it is basically coming from prescription drugs. It starts with manufacturing. It goes down with the FDA putting all these lethal drugs on the market that we never had before. It goes down to distribution and dispensing by doctors. Yet we don't have any treatment centers to cure people once they get into it.

So I am asking all of you to please consider supporting this amendment. It is most reasonable, most responsible. It is not mandatory. It is optional. You can fit the needs and tailor this however your community, your State or your county might need.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

JUSTICE FOR TULAROSA BASIN DOWNWINDERS

Mr. UDALL. Mr. President, 70 years ago today, the first atomic bomb was exploded at the Trinity test site in New Mexico. For our Nation, it was the beginning of the nuclear age. For the residents of the Tularosa Basin, it was also the beginning—of great suffering, of generations of cancer and chronic illness. Seven decades later, their suffering continues and so does their fight for justice.

Windows rattled hundreds of miles away. The people of Tularosa saw radioactive debris fall from the sky, not knowing what it was. The fallout killed cattle, and poisoned water, food, and the air. The damage was done. The destruction was real, and so is the sadness, disappointment, and anger. That is very real too.

The Tularosa Basin Downwinders have not forgotten. They rightly ask that we not forget, either.

I met with them and their families earlier this month in Tularosa, and they told me their stories, some of which I will share today.

Henry Herrera was just 11 years old at the time of the blast. He is now 81. He remembers:

> I heard a very large blast and saw a very big flash of light. I got so scared I thought the world was coming to an end.

He himself is a cancer survivor. He told me:

> I'm the only one alive to tell about it. Everyone else has died of cancer.

Edna Hinkle recalled so many in her family that had cancer, one after the other—aunts, uncles, cousins, mother, sister, and herself. She said: ''My oldest daughter . . . says it's not a matter of if you get cancer, it's a matter of when.''

Marjie Trujillo told me that of nine members of her family, six have cancer, and three died from it. The loss is tragic and so is the frustration. She said: ''Many in our community feel our government has turned a deaf ear to our health issues.''

I also heard from Virginia Duran. She was born in Tularosa in 1940 and lived on Padilla Lane. She told me that on the street where she lived, at least 10 people have had cancer. That is just one block.

Many families from the Tularosa Basin know this loss and pain. Nora Foltz is 71 years old. She is the only sibling of five who doesn't have cancer. Her sister, Helen Guerra, is 81 years old. Helen was diagnosed with kidney cancer 17 years ago. Helen's daughter Lupe had multiple illnesses and chronic pain and died at the age of 62.

There are so many stories—far too many stories—like this. As Gloria Herrera said, the Tularosa community has ''shed enough tears to fill a lake.''

It was my privilege to meet with these survivors. Their stories are courageous and troubling, but most troubling of all is the people who were not there, who were not able to speak, and those who have passed away over the last seven decades. We all speak for them now, and we will keep on speaking until justice is done.

The Tularosa Basin Downwinders Consortium is doing critical work. They are organizing the community, telling their stories, and making sure people listen and understand what happened. Tina Cordova is one of the many great advocates who are dedicated, committed, and refusing give up. Tina summed up the feelings of many when she told me: ''We were the unknown, unwilling guinea pigs in the world's greatest experiment.'' I agree with Tina and the members of the consortium. Theirs is a tragic story. They suffered so that we could develop bombs and win wars. That is why I have again pushed for legislation with my colleagues—Senator CRAPO and several others—to amend the Radiation Exposure Compensation Act and finally recognize the Trinity site and include New Mexicans who have suffered for decades. They deserve justice, they deserve compensation, and they are still waiting 70 years later.

We can't change the years that have passed, nor can we erase the years of illness and the pain endured by too many for too long, but fair compensation will make a difference and will provide badly needed help.

It took many years to create the original RECA Program. My father helped to lay the groundwork. He devoted many years to fighting in the courts for men, women, and children who were sick because they had lived downwind during nuclear tests. They were exposed to dangerous radiation. They should have been helped but were ignored instead.

I remember going with him to meet folks in St. George, UT, in 1978. I was just out of law school. There were about 40 or 50 survivors there. They loved their country and trusted their government. They were hesitant to speak out. They did not seek special treatment, but they were wounded people. Caught in the fallout of the nuclear age, they had a right to be heard. My dad heard them, and he demanded that others hear them as well. He fought for them until the end of his life at 90 years old, first in the courts and then in the Congress. He worked with Senators Ted Kennedy and ORRIN HATCH—an unlikely match if ever there were one—and they kept pushing.

President H.W. Bush signed RECA into law 25 years ago in 1990. It was a bipartisan bill. It was driven by simple fairness and it was a historic step forward, but it left some folks behind, including the Downwinders in the Tularosa Basin.

My dad would not give up, the families he worked with would not give up, and we won't give up either. Our bill expands the downwind exposure area to include seven States from the Trinity and Nevada test sites, and it also includes Guam from the Pacific site. It would also allow compensation for post-1971 uranium workers and fund a critical public health study for those who live and work in uranium development communities.

I will continue to push for this legislation. It is the right thing to do, and we should get it done, which is why I will again join my Senate colleagues in sending a letter to the Judiciary Committee to request a hearing on this important bill.

Many families in New Mexico have been hurt, and they worry there is more harm to come. When I was in Tularosa this month, I spoke with a woman named Louisa Lopez. Her husband has mantle cell lymphoma. They know at least 17 other people who have cancer or who have died from it. She said, ''We fear passing this on to our children, future grandchildren, and other generations.''

This weekend, there will be a candlelight vigil in Tularosa. Folks will gather, as they do every year now. They will stand together as candles flicker in the warm New Mexico night. They will remember those who have been brought down by cancer and other radiation-related diseases. They will remember those who have passed away. They will remember that a wrong was done and has yet to be righted. And they will offer prayers and support for those who continue to struggle.

Rosemary Cordova told me in Tularosa:

> We can't bring back those we've lost, but we can support those still suffering. All we're asking is that our government face up to the wrong that has been done . . . that someday soon our government will do what should [have] been done long ago.

It takes courage to speak out. It takes courage to speak truth to power. These folks are heroes, and on this 70th anniversary, I want to say to them: Thank you. Thank you for making your voices heard. Thank you for making your stories known. And thank you for refusing to give up. I will not give up, either. Together, we will keep working for fairness, and the day will come when we can stand together in Tularosa and light the candles of remembrance and finally say justice has been done.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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 Senator from Tennessee, Mr. CORKER, and I

be permitted to engage in a short colloquy.

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

SHOOTING IN CHATTANOOGA

Mr. ALEXANDER. Mr. President, the details are still coming in, but earlier today, between 11 a.m. and 1 p.m., there was a violent attack in Chattanooga, where Senator CORKER was once mayor. Right now Federal, State, and local officials are responding in Tennessee.

I am deeply disturbed by the reports. We understand that the shooting took place at the Naval Reserve Center in Chattanooga and that a police officer has been injured. We also understand that other individuals at the Naval Reserve Center may have been injured as well. Many local businesses, schools, and hospitals are locked down.

I have been in touch with Federal, State, and local officials and will continue to monitor the situation closely. My thoughts and prayers are with all of those involved.

Mr. CORKER. Mr. President, I wish to join our senior Senator in expressing our deep sorrow for those who have been affected and extending our thoughts and prayers to the families. Details are still emerging. We believe this took place in multiple locations, and I know the local representatives there are dealing with this effectively as they move ahead.

I thank the Senator for having us take the time right now to express our sorrow and support for those who are dealing with this issue. I hope those who were injured will survive and end up having full lives, but we know some people were tragically injured. I appreciate the reach-out that has taken place at the local, State, and Federal level to ensure that we are aware of what is occurring.

With that, I yield the floor.

CHARTER SCHOOL AUTHORIZING LANGUAGE

Mr. FLAKE. Mr. President, I ask unanimous consent to enter into a colloquy with Senator ALEXANDER.

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

Mr. FLAKE. As the Senate prepares to vote on the Every Child Achieves Act, I wish to commend Senator ALEXANDER for working with me to include language regarding charter school authorizers in the substitute amendment language.

A charter school authorizer is an entity approved by the State legislature and is responsible for establishing charter schools' academic and accountability standards, among other things. State charter laws vary from State to State in regards to how and to whom authorizers are subject to accountability. For example, a State with independent or multiple authorizers gives entities other than local education boards or the State board, the authority to approve charter schools. These entities are typically outside the traditional education structure of a state and can include independent, statewide charter school boards, or colleges and universities. According to the Center for Education Reform, ''there is a direct correlation between States with multiple authorizers and higher student achievement.'' Out of 44 State laws, 21 States have created independent authorizers.

The language in the underlying Every Child Achieves Act encouraged States applying for grants to Support High-Quality Charter Schools (Sec. 5103) to establish authorizing standards of an authorized public chartering agency, despite the fact that some States don't have any explicit authority over charter school authorizing. This language didn't take into consideration the variation of State by State authorizing structures for charter schools and required that the Federal Government, not States, dictate how and what charter authorizing agencies must do to demonstrate success. In addition, subjecting charter schools to the same rules governing traditional public institutions would make them identical to the very entities that charter schools were meant to provide an alternative to.

The language that Chairman ALEXANDER and I worked with, and ultimately included in the substitute, recognizes that some States have elected to use multiple or independent authorizers and ensures that those States don't have to add an additional layer of bureaucracy to receive grants under the Every Child Achieves Act.

This bill goes a long way in recognizing that Washington cannot be a national school board, and that is why it is imperative that the Federal Government continue to encourage States to determine their own authorizing standards and learn what works best for their students.

The Center for Education Reform, a leading organization promoting charter education supported the language in the substitute explaining ''. . . Charter schools are public schools, which are free from many onerous rules but accountable for performance to their authorizers, which vary State by State. The substitute ensures respect for those individual differences State by State as well as the hard work they are doing to ensure the proliferation of quality schooling option for all children.''

I commend Chairman ALEXANDER for his hard work on this legislation, and for working with me to ensure States, not the Federal Government, are determining charter authorizing standards.

Senator ALEXANDER. Mr. President, I thank Senator FLAKE for his hard work to ensure that charter schools and their authorizers continue to operate with the flexibility needed for them to thrive. Charter schools are public schools that provide more choices for parents to improve their children's future and more freedom for teachers and principals to increase the academic performance of their students. The Every Child Achieves Act supports charter schools in many ways by solidifying Federal support for expanding and replicating high-quality charter schools with a demonstrated record of success, giving States more flexibility to invest in new school models and encouraging them to strengthen charter school authorizing practices. The language championed by Senator FLAKE will promote quality charter authorizing activities without imposing layers of Federal bureaucracy and structures that are incompatible with State practices and laws. As we fix a law that has effectively resulted in 100,000 public schools being controlled by a National School Board in the U.S. Department of Education, it is important to recognize the variance in State laws governing charter schools and empower States to determine their own quality standards.

Today, nearly 2.9 million students—6 percent of U.S. public school students—were enrolled in approximately 6,700 charter schools, and just over the past year, charter school enrollment has grown by over 14 percent, or an additional 348,000 students. I commend Senator FLAKE on his actions to strengthen the program and to promote better State charter school policies and activities that help high quality charter schools continue to grow and flourish.

AMENDMENT NO. 2161

Mrs. MURRAY. Mr. President, when all students have the chance to learn, we strengthen our future workforce. Our country grows stronger. We empower the next generation of Americans to lead the world. We create more opportunities for more families, and we help the economy grow from the middle out, not the top down.

But today, across the country, stark educational inequalities exist. The students in some schools simply don't have the same opportunity to graduate college-and-career ready like other students do. In our country, all students should have access to a quality public education, no matter where they live, how they learn, or how much money their parents make.

So that is why I am glad our bipartisan bill to fix No Child Left Behind has Federal protections to hold schools accountable for educating all students. And I will continue to fight for stronger protections as the bill moves forward.

But educating all students is a tall order if schools don't have the very resources that help students succeed. That is why it is so important to make sure States address inequalities in resources. Senators KIRK, REED, BALDWIN, and BROWN offered a bipartisan amendment that would help schools and States address persistent inequalities in resources and opportunities. I strongly urged my colleagues to support it.

Students do better in school when they have access to a well-rounded education. That includes rigorous coursework that helps prepare students for a college curriculum. It includes offering classes like arts, music, physical

education, and STEM education. It includes setting up effective school library programs that can inspire in kids a love for reading. Those classes and those programs create a school environment where students can learn and thrive.

But too many students across the country do not have access to those critical resources. And too often, it is students of color, kids with disabilities, English-language learners, and students from low-income backgrounds who have the least access to resources that can help them get ahead.

Take experienced teachers, for example. Students of color are more likely to have a teacher who is new to the profession. These students often don't have access to advanced classes and classes like art and music. Students of color are more likely than their White peers to go to a high school that does not offer AP classes. In fact, 20 percent of African-American high schoolers go to a high school that does not offer AP classes. And in 2008, White students were twice as likely to have access to arts education as African-American and Hispanic students.

The same inequality exists for access to technology. Students from low-income backgrounds often don't have access to the Internet or to computers, compared to their peers. A study from Stanford University put this into sharp focus. The researchers asked teachers if their students have the digital tools they need to effectively complete assignments at home. More than half of teachers from more affluent schools said yes. But just 3 percent of teachers from high-poverty schools said their students had access to tools like computers and the Internet.

All of this inequality holds students back. It widens achievement gaps. It robs students of the chance to learn and excel in the classroom. And we need to do something about it, so all students have the opportunity to learn.

We have made important progress in the Every Child Achieves Act. Under the current bill, school districts will already be required to report on: access to safe and healthy school environments, per-pupil expenditures, access to advanced coursework, the number of children enrolled in preschool, and teacher qualifications. And that is a good step in the right direction.

But this bipartisan amendment would take the next step. First, it would expand the list of resource indicators to include things like access to art and music and dedicated school library programs. And it would give States a choice on which resources will be the most meaningful in their communities.

Most importantly, this amendment would help States remedy opportunity gaps across school districts. It does this by requiring States to create a plan to improve access to resources in the schools that lack those tools. And because the plans will be designed by the States and must include input from the communities, these plans will be tailored to fit the needs of local school districts. And States would be required to disaggregate the data on how resources are distributed by income, race, language proficiency, and disability. That will shine a light on if some groups of students are not getting the kinds of opportunities as others. And it will help parents know which resources their local schools offer and where the gaps are.

In short, this amendment will help strengthen our commitment to providing a quality education to all students. This amendment is also important for another key reason. Of course, nearly everyone agrees that the current law, No Child Left Behind, is badly broken. And one of the main reasons is that it placed an almost singular focus on test scores for reading and math. But test scores do not paint the whole picture of how a school is performing.

This amendment would give parents and communities a more holistic view to determine if a school is providing a quality learning environment for all students. And most importantly, this will help States focus resources on traditionally underserved populations so they will get the supports they need to succeed.

Now, some of my Republican colleagues have argued that we don't need this amendment because States and school districts should be responsible for solving resource disparities. But for too long, States and school districts have gotten off the hook for stark inequality. That is why we have seen the persistent inequality of some schools simply not getting the resources they need to help their students succeed. And that needs to end.

This amendment would not tell States how to address inequality. But it would require them to identify the disparities that exist and to create a plan to address them. That is why this amendment would be a good step in the right direction.

I know that others have argued that simply reporting the disparities between resources would be enough. But acknowledging the problem won't necessarily solve the problem. And on something as important as ensuring that students have equal opportunities to succeed, we need action. And that is why I believe it is so important that this amendment would help States act to address inequalities.

This isn't just important for student success in the classroom. It has long-term implications for our country. When some students don't have the chance to graduate from high school college-and-career ready, we lose out on the full potential of our Nation's future workforce, entrepreneurs, and leaders. In the years to come, our economy will rely on the students of today being able to take on and create the jobs of the 21st century economy. We can help States and school districts make sure all students have the resources that defines a quality education by supporting this bill and this amendment. These resources are fundamental to student success—in school and in the future. So I urge my colleagues to support this amendment to address resources equity.

AMENDMENT NO. 2247, AS MODIFIED

Ms. MIKULSKI. Mr. President, today I wish to talk about my reasons for voting against Senator BURR's amendment to change the title I formula and on cloture to cut off debate on the Every Child Achieves Act.

The bill before us is not perfect, but it is a step in the right direction towards giving all kids a shot at quality education and fixing the failures of No Child Left Behind. I support a number of the provisions in this bill, including raising academic standards for students, supporting teachers with additional development tools, and providing resources to the lowest performing schools.

However, the bill also includes an amendment offered by Senator BURR to change the title I formula, which would drastically and negatively affect Maryland. Every single school district in my State would have lost money.

I could not let that happen. So I rolled up my sleeves and got to work. I formed a coalition with other Senators whose students—like mine—would lose under this amendment. The amendment was eventually changed. Now it says that any funds Congress appropriates for title I above $17 billion will be subject to a new formula. Since title I is currently funded at $14.5 billion, the new formula will not kick in at any time soon and Maryland won't lose any of its funds.

I am happy that I saved Maryland from losing $40 million, but the language sets a terrible precedent. It penalizes States that do right by their students and their schools. As the Senator for Maryland, I can't support any formula that could cause Maryland to lose Federal dollars in the future—even one labeled a ''compromise.'' As vice chairwoman of the Senate Appropriations Committee, I cannot support any disincentive to fully fund title I when additional funds would harm Maryland.

As long as this amendment is included, I cannot vote to move this bill forward and will vote no on cloture.

Ms. CANTWELL. Mr. President, I rise today to voice my support for the Every Child Achieves Act. I would like to thank Senator ALEXANDER and Senator MURRAY for their hard work on this legislation. This bipartisan bill offers an opportunity for real progress in educating our children.

The Every Child Achieves Act takes an important step forward in updating the badly broken No Child Left Behind Act. This reauthorization is greatly needed to support Washington State's students, educators, and families. Currently in Washington, our schools must still comply with the original and most onerous requirements of No Child Left Behind since our flexibility waiver was

revoked in 2014. The Every Child Achieves Act would end the States' need for waivers and provide them with greater flexibility to come up with state-led education plans.

I have visited a number of schools in Washington and I have heard from so many of my constituents about the need to improve this law to better support our Nation's teachers and students. I am pleased that the Senate was able to have this important debate that is critical to our Nation's progress.

Today, we live in a global economy and our children are not only competing with other students in the United States but with students across the world. Therefore, I am particularly interested in science, technology, engineering, and math education to keep American students competitive in the 21st century. Washington State ranks first in the Nation in the concentration of STEM-related jobs, and it is essential that we invest in our future workforce.

The Every Child Achieves Act includes an important dedicated funding stream to support partnerships between schools, businesses, universities, and nonprofit organizations to support student achievement and teacher training in STEM subjects. I am a strong supporter of these partnerships and I am pleased that the bill also includes a provision with an emphasis on increasing access to STEM subjects for women, minorities, economically disadvantaged students, and other groups that are frequently underrepresented in STEM subjects.

Additionally, I am pleased that this bill includes a new competitive grant program championed by my colleague, Senator MURRAY, to enable States to improve early childhood learning. I long have supported early childhood learning due to its importance to developing young minds and intelligence. These grants would target resources for low- and moderate-income families.

There are few programs more important than early childhood education in preparing children to succeed. I am proud to be a cosponsor of Senator CASEY's Strong Start for America's Children amendment, which I regret did not receive enough votes for adoption. This would have established a partnership between the Federal Government and the States to fund high-quality kindergarten programs for low- and moderate-income families.

Washington State has been on the fore-front of early education and since 2006, the Department of Early Learning has ensured that Washington students have access to high-quality learning opportunities, so that they are prepared for kindergarten and a successful school career. According to the Washington State Department of Early Learning, there is clear and convincing science that early childhood is a critical time for mental development. Economists and social scientists have found that for every $1 invested in high-quality early learning, at least $3 are returned in reduced costs for remedial education, public safety, health care, and other social spending. I would call this a good return on investment.

In closing, I would like to commend my colleague Senator MURRAY for her leadership and for her steadfast commitment to ensure that STEM education and early childhood education were included in the Every Child Achieves Act. I was happy to partner with her on these efforts. I urge my colleagues to support these important investments in our Nation's education system.

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.

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. Is it time to vote?

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE VOTE

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 S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lisa Murkowski, Pat Roberts, Lamar Alexander, Cory Gardner, Steve Daines, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Orrin G. Hatch, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven, Bill Cassidy.

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 S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—79

Alexander	Fischer	Murkowski
Ayotte	Flake	Murray
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Grassley	Portman
Blumenthal	Hatch	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Scott
Carper	Isakson	Sessions
Casey	Johnson	Shaheen
Cassidy	Kaine	Stabenow
Coats	King	Sullivan
Cochran	Kirk	Tester
Collins	Klobuchar	Thune
Coons	Lankford	Tillis
Corker	Leahy	Toomey
Cornyn	Manchin	Udall
Cotton	Markey	Warner
Donnelly	McCain	Whitehouse
Durbin	McCaskill	Wicker
Enzi	McConnell	Wyden
Ernst	Menendez	
Feinstein	Merkley	

NAYS—18

Blunt	Gillibrand	Risch
Booker	Lee	Sasse
Cardin	Mikulski	Schumer
Crapo	Moran	Shelby
Cruz	Murphy	Vitter
Daines	Paul	Warren

NOT VOTING—3

Graham	Nelson	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, there is now 4 minutes of debate equally divided between Senators ALEXANDER and MURRAY.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I first want to thank Chairman ALEXANDER for working with me on the Every Child Achieves Act. He has been a great partner in getting us to this point with this bill. This process started when he and I agreed that No Child Left Behind is badly broken and needs to be fixed. Our bill, the Every Child Achieves Act, is an important step forward to do just that.

The current law overemphasized test scores. Our bill will give States flexibility to use multiple measures, not just test scores, to determine how well a school is performing. Our bill also eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows our communities, our parents, and our teachers to work together to improve schools and ensure that every child can get a well-rounded education.

Our bill maintains Federal protections to help students graduate from high school with the tools they need to compete and lead in the 21st century economy. This is a good bill. I will keep working, of course, to make it better—even after our vote today—in conference.

I hope we can continue to build on the Senate's strong bipartisan work. I will continue to push to strengthen the accountability measures in our bill and

address inequality in schools. But today I urge my colleagues to vote to pass the Every Child Achieves Act that will give all students the chance to learn and grow and thrive. Let's fix No Child Left Behind. Let's prove that Congress can break through gridlock and work together. Let's pass this bill for students, parents, teachers, and communities across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for an extra minute if I need it.

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

Mr. ALEXANDER. Mr. President, Senator MURRAY suggested we work on this in a bipartisan way. I took her advice. It was good advice. This is the result. We have had 100 amendments in committee and on the floor. We have had excellent process. I thank the majority leader. I thank Senator REID, the Democratic leader, for creating an environment to do that.

Now, let me say this about the vote we are about to have. This is a law that everybody wants fixed. We have a consensus on that. We have a consensus on how to fix it: keep the important measurements of academic achievement and turn the rest of it over to the States, to classroom teachers, and others who are closest to the children. That is what the Governors, that is what the superintendents, that is what the teachers organizations have said to us. They want us to fix it. They support the way we are proposing to fix it.

Now, in the last few years, we have created in this country, in effect, a national school board. It has made it harder to have better teaching, harder to set higher standards, harder to have real accountability in the States. So we changed that. We reversed the trend toward the national school board. We end the common core mandate. We end the waivers that the U.S. Department of Education is using to run public schools. We end DC evaluating teachers. We end adequate yearly progress.

Some are saying vote no because you should go further. Well, we had a chance to go further. We voted for the Daines amendment, the Scott amendment, and the Alexander amendment. That would have gotten us 90 percent of what we wanted. We got about 45 votes, so we didn't get anything. This gets us about 80 percent of what we want. A President named Reagan used to say: If you got 80 percent of what you wanted, you might take it and fight for the rest on another day. I am recommending we follow this advice.

If we vote no today, that means we leave the Common Core mandate right where it is. That means the waivers are still running your schools. That means adequate yearly progress is determined from Washington, DC, not in your hometown, and that means Washington, DC, is evaluating your teachers. Everybody wants this law fixed. If you vote no, we fix nothing. We fix nothing. So no means we haven't fixed anything. So vote yes. Do what the Governors, do what the superintendents, do what the teachers say we ought to do. They all agree on that. This is the most important step in that direction we have had in 25 years. Let's not miss the opportunity. Vote to restore to the people closest to the children the responsibility for their education. Vote yes for local control of public schools.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall it pass?

Mrs. MURRAY. Mr. President, 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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 81, nays 17, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—81

Alexander	Feinstein	Merkley
Ayotte	Fischer	Mikulski
Baldwin	Franken	Murkowski
Barrasso	Gardner	Murray
Bennet	Gillibrand	Perdue
Blumenthal	Grassley	Peters
Boozman	Hatch	Portman
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Roberts
Cantwell	Hirono	Rounds
Capito	Hoeven	Sanders
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johnson	Sessions
Cassidy	Kaine	Shaheen
Coats	King	Stabenow
Cochran	Kirk	Sullivan
Collins	Klobuchar	Tester
Coons	Lankford	Thune
Corker	Leahy	Tillis
Cornyn	Manchin	Toomey
Cotton	Markey	Udall
Donnelly	McCain	Warner
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Ernst	Menendez	Wyden

NAYS—17

Blunt	Lee	Sasse
Booker	Moran	Scott
Crapo	Murphy	Shelby
Cruz	Paul	Vitter
Daines	Risch	Warren
Flake	Rubio	

NOT VOTING—2

Graham	Nelson

The bill (S. 1177), as amended, was passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Tennessee.

MORNING BUSINESS

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Washington and I be permitted to speak for as much time as we require.

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

EVERY CHILD ACHIEVES ACT

Mr. ALEXANDER. Mr. President, the vote was 81 to 17. What that says to me and should say to the American people is that not only is there a consensus in this country that everybody wants to fix No Child Left Behind, that is the consensus we began with. Not only was there consensus in the Senate's education committee about how to fix it—which was unanimous in a 22-member committee that includes Members who are about as diverse as you could find in the Senate—the entire Senate has a consensus on how to fix it.

The Senator from Washington and I were just talking. This is a complicated piece of legislation. There are crocodiles in every corner, any of which could have made it difficult for this bill to succeed. For the Senate to take a look at the 100,000 schools in this country for the 50 million children and the 3.5 million teachers and say, ''We hear you. We know you want to end the confusion, the anxiety, and the feeling that you are not in charge of your own children. We hear you. We have listened to you, and we have come up with a solution with which you agree''—and that we voted by a vote of 81 to 17 is a remarkable event.

So we have a remarkable consensus that No Child Left Behind needed to be fixed. We had a remarkable consensus on how to fix it in the committee. There are not many times on a bill this difficult and this encompassing that we have a consensus this remarkable—81 to 17—in the Senate. I mentioned in my earlier remarks the importance of the Senate in this way.

Someone said the Senate is the one authentic piece of genius in the American political system. The only claim we would have to that exalted description would be that we are the only part of our government that is created for the express purpose of developing consensus. The House of Representatives is America's sounding board. The country moves suddenly, the House moves suddenly. Our job is to take all the different points of view and to consult with each other and to see whether we can create the kind of consensus so that when people look at the Senate and see a result, they may say: Well, I am not sure I agree with every single thing they did, but if 81 Senators of

both parties—out of 100—believe this is the right way to fix No Child Left Behind, I will accept it.

That is the way the civil rights bill was done in the 1960s and the 1970s. Large majorities—bipartisan groups—came to a complicated decision on a complex problem. The way you govern a complex country is by consensus, and the only agency in the government that is capable of creating that kind of consensus on a major piece of legislation is the United States Senate. It has done that today, and I am very proud of my colleagues for the way they have done this.

I especially thank the majority leader for creating the time to deal with it. We took a little more than a week. We came on the floor a week ago Tuesday, so we didn't really take that long. We got on and off the floor pretty quick. I also thank him for creating an environment where we could adopt a lot of amendments. Senators are here to have their say whether or not we agree. People of North Dakota expect that. People of Texas expect that. Senator MCCONNELL has created that environment.

Senator CORNYN, Senator THUNE, Senator BARRASSO, and the other leaders on the Republican side have been an enormous help.

I have during the week thanked the Democratic leader, Senator REID. Senator REID allowed this bill to come to the floor without delay. That helps a lot. During the week, he, Senator SCHUMER, Senator DURBIN, and the other members of the Democratic leadership, along with Senator MURRAY, created the environment where we could do what we have accomplished—especially Senator MURRAY. I have often said that the reason we are here is because she suggested to me a way to go forward, a way to do this together. She did that after both of us watched the last two Congresses where we just fell apart in the partisan differences. I took her advice—it was good advice—and that is why we are where we are today. I deeply respect the way she works toward a result. She is deeply passionate on the things she cares about, but she knows we are here to get a result, and that means in this case we need to work with the House of Representatives, which we will begin to do in the next few weeks. Then we will produce a bill and send it to the President in a form he is comfortable signing.

There are a number of Senators who, because we are able to offer amendments on the floor, withheld their amendment or stepped aside because what they were doing might have interfered with our result. I think of Senator FRANKEN on an amendment he feels powerfully about. He stepped aside and didn't offer it in committee but waited until the floor. Senator VITTER stepped aside on an amendment he felt strongly about because he could bring it up in the Judiciary Committee. Senator LEE, Senator TOOMEY, and Senator BURR all did that. They showed some restraint in pursuit of a result.

I thank those outside this Senate whose work was so important to us. There are a lot of remarkable things about this consensus, but none was more remarkable than what those outside of the Congress thought. It is rare that you see the National Governors Association, the Council of Chief State School Officers, the American Association of School Administrators, the National Education Association, and the American Federation of Teachers all agree that not only did No Child Left Behind need to be fixed but that this was the way to fix it, and that made it easier to get a vote of 81 to 17.

Finally, all of us in the Senate know how important staff work is. In this case, staffs have worked for days and days, and the trust Senator MURRAY and I have developed is the same kind of trust they have developed. So I especially thank David Cleary, who is the staff director of the education committee, our HELP Committee, Peter Oppenheim, Lindsay Fryer, Lindsey Seidman, Liz Wolgemuth, Jim Jeffries, Margaret Atkinson, Bill Knudsen, Jordan Hynes, Steve Townsend, Hillary Knudson, Jake Baker, Kayla McMurray, Bobby McMillin, Matthew Stern, Diane Tran, Haley Hudler, Patrick Murray, and Allison Martin.

On Senator MURRAY's exceptional staff, I thank Evan Schatz, Sarah Bolton, Mike Spahn, Amanda Beaumont, John Righter, Jake Cornet, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Aurora Steinle, Leslie Clithero, Sarah Cupp, Eli Zupnik, and Helen Hare.

On the floor, I thank those who have the oil cans, Laura Dove and Robert Duncan, who keep this side greased and working, Gary Myrick on Senator REID's side, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Tony Hanagan, Mike Smith, and Chloe Barz.

I would also like to thank the Senate Legislative Counsel's staff who worked long hours on the bill and then on the amendments, so I would like to especially thank Amy Gaynor, Kristin Romero, and Margaret Bomba.

We always rely on the experts at the Congressional Research Service to give us good information in a timely manner, so on behalf of the Committee I extend our thanks to Becky Skinner, Jeff Kuenzi, Jody Feder, and Gail McCallion.

On Senator MCCONNELL's staff, I would like to thank Sharon Soderstrom, Don Stewart, Jen Kuskowski, Katelyn Conner, Erica Suares, John Abegg, Neil Chatterjee, and Johnathan Burks.

On Senator CORNYN's staff, I thank Russ Thomasson, Monica Popp, Emily Kirlin, John Chapuis, and Michele Chin.

I would also like to thank the following staff who played critical roles to help pass this important legislation. Dana Barbieri with the Republican Policy Committee: Meghan Taira and Veronica Duron with Senator SCHUMER; Dena Morris and Brad Middleton with Senator DURBIN; Natasha Hickman and Chris Toppings with Senator BURR; Josh Yurek with Senator ROBERTS; Tara Shaw and Kristin Chapman with Senator ENZI; Natalie Burkhalter with Senator PAUL; Bret Layson with Senator ISAKSON; Katie Neil and Bill Castle with Senator HATCH; Katie Brown with Senator COLLINS; Karen McCarthy with Senator MURKOWSKI; Cade Clurman with Senator KIRK; Lizzy Simmons, Will Holloway, and Daniel Bunn with Senator SCOTT; Pam Davidson and Chris Gillott with Senator CASSIDY; Josh Delaney and Julie Morgan with Senator WARREN; David Cohen with Senator SANDERS; Brenna Barber, and Chris Stavish with Senator WHITEHOUSE; Michael DiNapoli and Brian Moulton with Senator BALDWIN; Brent Palmer with Senator MIKULSKI; Jared Solomon and Joe Hill with Senator CASEY; Boris Granovskiy and Gohar Sedighi with Senator FRANKEN; Juliana Hermann with Senator BENNET; Russell Armstrong with Senator MURPHY; Aisha Woodward with Senator KING; David Cole with Senator MCCAIN; Sharon Burd with Senator FISCHER; Dana Richter with Senator CAPITO; Jordan Hess with the Republican Steering Committee; Christy Knese with Senator LEE; Devon Brenner and Constance Payne with Senator COCHRAN; Jennifer Bowman with Senator INHOFE; Crystal Martinez with Senator FEINSTEIN; Nancy Richardson and Viraj Mirani with Senator COATS; Desiree Mowry with Senator BLUNT; Moira Lenehan with Senator REED; Mary Blanche Hankey with Senator SESSIONS; Jessica-Phillips Tyson with Senator GRAHAM; Jane Lucas and Jon Abdnor with Senator THUNE; Travis Johnson and Kate LaBorde with Senator VITTER; Daniel Auger with Senator AYOTTE; Jennifer Humphrey and Toni-Marie Higgins with Senator BOOZMAN; Mike Thomas with Senator CARDIN; Robert Murray with Senator WICKER; Brian Perkins with Senator MORAN; Shawn Affolter with Senator HOEVEN; Emily Bouck with Senator RUBIO; Sean Riley with Senator JOHNSON; James Mikolowsky and Ethan Saxon with Senator BLUMENTHAL; Rachel Green with Senator HELLER; Will Holloway and Daniel Bunn with Senator SCOTT; Sarah Towles with Senator FLAKE; Jonathan Elkin with Senator HIRONO; Elizabeth Hill with Senator HEINRICH; Jeff Murray, Andrew White, and Courtney Asbill with Senator CRUZ; Clint Bowers with Senator HEITKAMP; Chris Slevin and Ashley Eden with Senator BOOKER; Curtis Swager and Alison Toal with Senator GARDNER; Katherine Mayne with Senator LANKFORD; John Martin with Senator COTTON; Dan Gerig with Senator DAINES; John Eustice with Senator PERDUE; Joe Nolan with Senator TILLIS; Peter Eckrich with Senator ROUNDS; Tony Frye with Senator ERNST; Alyene Senger and Andy Reuss

with Senator SASSE, and Kate Wolgemuth with Senator SULLIVAN.

I also thank members of the education community for their persistent help with this bill, including Mary Kusler with the National Education Association; Tor Cowan with the American Federation of Teachers; Chris Minnich, Peter Zamora Carissa Moffat Miller, and Jessah Walker with the Council of Chief State School Officers. There are many others who have helped, but this is a day I am very proud of the Senate. For 50 million children, 3½ million teachers, and 100,000 public schools, it is a big step forward.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, the senior Senator from Tennessee, as he often does, has laid it out very well. I believe it is the case the U.S. Senate is the only legislative body in the world where a simple majority is not enough on almost everything.

This body was crafted in a way that would ensure, unless one side has a really big majority, that we work together, but it doesn't automatically work unless you have leaders like Senator ALEXANDER and Senator MURRAY who want to get a result.

So I want to commend both these outstanding Senators for an extraordinary accomplishment. This is a significant bill for the country, and to fold all of these disparate interest groups, with all their separate agendas, into a position of support was an extraordinary leadership contribution. So I say to both of you, both the Senator from Washington and the Senator from Tennessee, the Senate is proud of you for what you did here.

This is a good example for all the rest of us. On a little more contentious issue, Senator MURRAY and I had a chance to work together on trade promotion authority. We hope to do that on highways. We hope to do it on cyber security. The Senate is back to work. I think Members on both sides appreciate that, and we are going to continue to do this, but I thank both Senators for providing a wonderful example for all the rest of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I recently heard from a teacher in Seattle by the name of Lyon Terry. Over the course of his 17-year career, he has taught second, third, and fourth grade. What makes Mr. Terry a great teacher is the way he engages with his students. He starts the morning by playing songs on his guitar. He keeps his students laughing with jokes, and every day he tries to create an environment where kids want to come to school.

Last year, he was named Washington State Teacher of the Year for 2015. This week, Mr. Terry has been following our debate on the Senate floor, and he was truly hoping we would pass this bill because he says the current law doesn't reflect the work he and his fellow teachers at Lawton Elementary School are doing every day.

So let me echo the words of the chairman of our committee and the majority leader. I am proud today that the Senate passed a bill to fix No Child Left Behind for teachers like Mr. Terry, for parents, for communities, and most importantly for our students—a bill to continue our mission of delivering on the promise of providing every child with the best our Nation can provide.

I have been very proud to partner with Chairman ALEXANDER on the Every Child Achieves Act, and I want to thank him tremendously for the successful bipartisan process we have had. I want to thank all our colleagues on the Committee on Health, Education, Labor and Pensions for their work and dedication in moving this bill forward. And, of course, I want to thank the staff as well—both my staff and the staff of Senator ALEXANDER—for all of their hard work. They have worked many, many, many long days and late nights and weekends to get us to this point today.

I will submit a full list of names later, but there are some staffers in particular I want to recognize. On Senator ALEXANDER's staff, I want to acknowledge and thank his staff director David Cleary, as well as Lindsey Seidman, Peter Oppenheim, and Lindsay Fryer. They have done an excellent job. On my staff, I want to acknowledge and thank my staff director Evan Shatz, and my education policy director Sarah Bolton for their outstanding leadership, as well as Amanda Beaumont, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Jake Cornett, Leslie Clithero, Aurora Steinle, Helen Hare, and Mary Robbins. Thank you for all of your hard work on this important bill.

I, too, want to thank our floor staff on our side, Gary Myrick, Tim Mitchell, Tricia Engle, and all our floor staff—Republican and Democratic—for their help and guidance. We couldn't be here without them.

I want to take a step back for a moment to look at the work we have done so far and the work that remains even beyond the vote we had today.

Of course, nearly everyone agrees No Child Left Behind is badly broken. That goes almost without saying. I have heard it from so many parents, teachers, and administrators in Washington State—Democrats, Republicans, and Independents. They are sick and tired of the broken law in front of us. They want Congress to fix it, and they do not want us to wait any longer.

That is why I am so proud our bill, the Every Child Achieves Act, is a strong step in the right direction to finally fix the broken No Child Left Behind law and make sure all of our students have access to a high-quality public education.

For one, our bill addresses high-stakes testing. The current law overemphasizes test scores to measure how students are doing in school. Our bill will give flexibility to States to use multiple measures, not just test scores, to determine how well a school is performing. These steps will reduce the pressure on students, teachers, and parents so they can focus less on test prep and more on learning.

Our bill eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows communities and parents and teachers to work together to improve their schools and ensure that every child gets a well-rounded education. Our bill maintains Federal protections to help students graduate from high school college- and career-ready.

When the education committee debated the bill, I was very proud to work on a bipartisan amendment with Senator ISAKSON to expand and improve on early learning programs. As a former preschool teacher, I have seen the kind of transformation early learning can inspire in a child. So I am very glad this bill will help us expand access to high-quality early childhood education so more kids can start kindergarten ready to learn.

I have also seen fixing the current law as a multistage process. At the beginning of this year, as the chairman said, he released his discussion draft for reauthorizing ESEA. After that, the two of us had a conversation about a path as to how to move forward. Instead of going down a partisan path and letting politics become our guide, we agreed to work together to find common ground. We agreed to do everything we could to put our students first, to put the families and communities we represent first, to break through the gridlock and dysfunction that too often paralyzes this Congress, and to chart a path to fix a broken law.

I again want to commend my partner Chairman ALEXANDER for sticking to that approach. He is a role model for all of us, and I appreciate all he is doing. The result is our Every Child Achieves Act. It wasn't the bill I would have written on my own, I know it isn't the bill he would have written on his own, but it is what is called a compromise. It is a strong bill that all sides can be proud of.

After we negotiated our bipartisan compromise in April, we passed our bill out of committee with a unanimous vote—12 Republicans, 10 Democrats. So I want to thank all of our Health, Education, Labor and Pensions Committee members who worked to improve and strengthen this bill in committee and all the Members—Democrats and Republicans on our committee and off—who wrote the dozens of amendments we included in our substitute and managers' packages, and all those who brought their ideas to the floor and debated and voted on them over the past week on the Senate floor.

Today, I am very proud we have passed this bill with a strong bipartisan vote. As we know, our work is not

yet done. Now we begin the next phase. As Chairman ALEXANDER has said throughout our floor debate, ultimately we need a bill President Obama will sign into law, and though this bill has taken a number of steps in the right direction, there are still a few more we need to do before our work is done. We have important work to do in conference to reach an agreement on a final bill.

The President has made it very clear to us he can only sign a bill that strengthens the accountability measures in the Every Child Achieves Act and that addresses inequality, where some schools are unable to offer the same opportunities as others. I agree that is a must, and I know I will continue to work hard, alongside ranking member BOBBY SCOTT in the House and the administration, to make accountability and resource equity a priority in conference.

The only way forward is for the strong bipartisan work we have seen in the Senate to continue in that process. Now, I will say, unfortunately, so far, House Republicans chose a partisan approach to reauthorize this bill. Their bill doesn't represent one end and ours represents another, where we have to meet in the middle. Their bill really represents an unacceptable partisan approach and path and ours represents a carefully negotiated compromise with just a few important steps to go.

So I hope in conference our friends in the House, the House Republicans, will be ready to join House and Senate Democrats, Senate Republicans, and the administration as we work together to get this done in a way that works for all our students and families.

By working together, I am confident we can get this bill over the finish line and fix this broken law for our teachers in my home State and across the country and help make sure all our students have a quality education. Delivering on that promise of a good education for all students will pay off for generations to come. This is one of the best investments in our country we can make to ensure we have broad-based and long-term economic growth because, as we all know, when students have the chance to learn, we strengthen our future workforce. We know our country grows stronger and we empower the next generation of Americans to lead the world. We will help our economy grow from the middle out, not just the top down, and that is something we have known for a long time.

Fifty years ago, in what would be just months before signing the original Elementary and Secondary Education Act into law, President Johnson said, when it comes to education, ''nothing matters more for the future of our country.'' That is still true today. The future of our country hinges on our students' ability to one day lead the world.

So I am looking forward to our continued work on this Every Child Achieves Act for our students, for our parents, for our teachers, and for the future of our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is my understanding we are in morning business.

The PRESIDING OFFICER. The Senator is correct.

Mr. ALEXANDER. Mr. President, will the Senator from Indiana yield for 60 seconds?

Mr. COATS. I will be glad to yield.

Mr. ALEXANDER. Mr. President, I forgot to mention the number of amendments that were considered, and I would like to place that in the RECORD.

In the committee, we adopted 29 amendments. On the floor, 178 amendments were filed, 78 were considered, and 65 amendments were adopted—10 of those through rollcall votes, 28 through voice votes, and 27 by unanimous consent through two managers' packages.

Nearly 100 amendments were adopted to the bipartisan draft that Senator MURRAY and I presented to our education committee earlier this year. I think the fact so many Senators not only had a chance to have their say but had their ideas included in the bill—and I think especially of the Senator from Rhode Island who has worked for the last couple of years on a particular provision—was one important reason why we had a consensus that rose to 81 votes.

I thank the Senator from Indiana for his courtesy.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to speak but first want to acknowledge and thank my colleague Senator COLLINS for allowing me to step ahead of her in this process. I promise to be expeditious in terms of getting through this. It turns out her plane to Maine leaves later than my plane to Indiana, so she has very graciously allowed me to go forward.

WASTEFUL SPENDING

Mr. COATS. Mr. President, the last 6 months of this Senate I have been coming down here every week to talk about the ''Waste of the Week''—examples of waste, fraud, and abuse within the Federal Government. I can't believe this is No. 17. We are continuing to rack up significant savings to the taxpayer. We can eliminate these documented and certified wastes that have been determined through the various government agencies, inspectors general, and others.

Today we turn to a rather serious topic regarding the receipt of taxpayer dollars by criminals who are avoiding felony arrest but are still receiving benefits at taxpayers' expense.

Here is a little history. The Social Security Act currently prohibits those fleeing justice from receiving Social Security and other Federal benefits. Congress first addressed this issue in 1996, when it banned fugitive felons from receiving Social Security benefits. It then expanded this prohibition in 2004 to also apply this ban to Social Security disability insurance and World War II benefits.

Unfortunately this law has run into some conflicting opinions by court challenges, which have weakened the effects of the law and led to a lack of clarity in terms of what the original language and original intent by Congress was supposed to be. To address this problem—because it is a problem, and there is lack of clarity—I have this week introduced legislation to amend the Social Security Act to clearly state—to clarify—the intent of the law that prohibits fugitive felons from receiving Social Security retirement and disability benefits. My bill would clarify this law and return the implementation of the policy to its original intent.

Now, let me be clear. The government should not be providing benefits to those avoiding prosecution, custody or confinement for a crime or attempt to commit a crime that is considered a felony. But we are not talking about individuals who get speeding tickets or make a mistake on their taxes. This legislation applies only to those with an arrest order for felony charges.

The crime must be of enough serious magnitude to carry with it a minimum sentence of 1 or more years in prison.

So we want to be careful here that we are not imposing this restriction of receipt of benefits on someone who doesn't qualify under the law, and that is another clarification that we want to make.

Furthermore, the bill retains the ability of the Social Security Administration to continue or restore benefits if the individual can show good cause—such as that they were exonerated of the crime or perhaps were victim of an identity theft or other legitimate reasons to not lose benefits.

According to the Congressional Budget Office, this commonsense fix could save taxpayers $4.8 billion over the next 10 years alone.

So the bottom line is this: We pull out our chart with our ever-growing gauge of money that has been wasted through fraud and abuse within the Federal Government. We are climbing very quickly to $100 billion. I thought it would take a year to get there if I did one a week. We are going to have to make a major extension to this chart or redo this because we are closing in on $100 billion of wasted taxpayer money documented by Federal Government agencies in investigations. So passage of this bill would add $4.8 billion to our chart.

We have come across so many instances of bloat, waste, fraud, and abuse. I could be down here every day the Senate is in session. I could be down here every hour the Senate is in session—such is the staggering amount of dysfunction occurring through this

bloated bureaucracy called the Federal Government.

Here we are, trying to protect taxpayers of our States who are stretched to the gills in terms of what they have to pay not only in Federal but State or sales—you name it—or real estate taxes that roll up and consume so much of everybody's weekly pay.

The least we can do—while we need to make major fixes to our fiscal problems here—is take those that have been identified by legitimate neutral organizations—inspectors general of the United States, various agencies—bring those to light, and then do something about it and not just come down here and make a chart and add some red ink, but actually introduce legislation, which I am trying to do on some of these pieces so that we can remedy this problem.

So meanwhile we have an administration here that has refused over and over to sit down and work out a long-term fiscal debt reduction program, which this country desperately needs because the debt clock is still ticking away like crazy.

If you want to see it, go to my Web site at coats.senate.gov. We have the clock right there. We haven't talked about it much down here lately. We made a big push earlier. Too many people have thrown up their hands and said that under this administration it is not going to happen. That probably is right. But the least we can do then, until we get new management in the White House, is to find these issues of waste, fraud, and abuse, and do something about it now. So that is what we are trying to do.

I look forward to being back here next week with the latest edition of ''Waste of the Week.''

I thank my colleague from Maine for her patience.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Rhode Island.

OLDER AMERICANS ACT

Mr. WHITEHOUSE. Mr. President, the Senator from Maine is about to speak I believe on the Older Americans Act.

While she is here on the floor, I wish to take a moment to express my personal appreciation to her and to Chairman ALEXANDER for an issue that arose during the course of the Older Americans Act.

I have a very strong concern that older Americans, particularly as they approach the end of their lives, are not getting their wishes honored. In fact, very often nobody even knows what their wishes are about how they would like to be treated at the end of their lives. Do they want to be at home? Do they not particularly care about using all the medical apparatuses available to them? Do they want to be in the hospital and have everybody take every available measure? That should be their choice. It should be an informed choice and a choice that we should honor.

I sought language within the Older Americans Act to try to empower that. There were difficulties with it, and those difficulties were resolved by the willingness of Chairman ALEXANDER to ask Chairman COLLINS to hold a hearing on this subject in the Select Committee on Aging and for all of the chairmen and ranking members on the two committees to send a letter to the Government Accountability Office to lay out the case and put a factual brief before us for that hearing.

This would not have happened without the courtesy of Senator COLLINS. This is an aging committee thing that she has been willing to do to resolve an issue that actually started in the HELP Committee. It was very gracious of her. She has been a leader on these end-of-life issues for a long time. I didn't want to miss this chance to express my appreciation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before the Senator from Rhode Island leaves the floor, let me thank him for his kind comments. I have enjoyed working with him on issues such as hospice care and advanced planning. I know these issues are very important to him, as they are to me. I am happy we are able to collaborate on a GAO request and also on a hearing later this year.

So I thank him for his efforts in resolving this issue so that the reauthorization of the Older Americans Act could go forward.

EVERY CHILD ACHIEVES ACT

Ms. COLLINS. Mr. President, before I begin my comments on the Older Americans Act, I do want to add to the accolades that have been given today to the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, on which I am pleased to serve.

They have worked as a team, providing tremendous leadership that brought us to a tremendous accomplishment today, and that is the passage of the Every Child Achieves Act. It would not have happened without the extraordinary leadership of Chairman ALEXANDER and Senator MURRAY, the ranking minority member. I thank them for their hard work in this regard.

OLDER AMERICANS ACT

Ms. COLLINS. Mr. President, as the chairman of the Senate Special Committee on Aging and as the cosponsor of the reauthorization of the Older Americans Act, I also commend the chairman and the ranking member of the HELP Committee for their hard work over the past 2 years in developing a bipartisan consensus bill to reauthorize and strengthen the Older Americans Act. It is my hope that the Senate later today will unanimously pass this important legislation.

The programs authorized by the Older Americans Act are tremendously important in the State of Maine and across the country. Maine is the oldest State by median age in the entire country. Probably, if I asked most of my colleagues, they would guess it was Florida, but in fact it is the State of Maine.

Maine's network of five area agencies on aging provides invaluable supports and services to more than 100,000 seniors living in my State.

In just the past few months, I have received almost 700 letters from seniors across Maine urging that we pass the reauthorization bill. I look forward to letting my constituents know that the Senate soon will do just that.

While funding has been provided on a continuing basis through the appropriations process, the fact is that legislation reauthorizing the Older Americans Act is long overdue. The authorization expired in 2011.

It is particularly significant that the Senate pass this legislation this month, for July marks the 50th anniversary of the Older Americans Act.

This law funds critical services in communities across our Nation that help to keep our older adults healthy and independent. Its funding supports some of the most vital and successful Federal programs for our Nation's seniors.

Nearly 12 million older Americans receive services through this law, such services as Meals on Wheels, senior centers, transportation, legal services, and caregiver support.

Moreover, these programs are operated through a national network of area agencies on aging that stresses local decisionmaking regarding what services are most needed for older adults in a particular community. It is a flexible program that allows local needs to be met.

Older Americans Act programs also help to relieve the financial pressure on the Medicare and Medicaid Programs, because they help seniors to stay healthy, independent, and living right where they want to be—in the comfort, security, and privacy of their own homes.

AARP's surveys consistently reflect the fact that aging in place is the preferred option for seniors who want to continue to live independently and avoid expensive nursing home and other institutionalized care as long as possible.

This bill also includes important provisions to strengthen the Long-Term Care Ombudsman Program and to help protect our vulnerable seniors from financial exploitation and abuse. Financial exploitation of our seniors is a growing epidemic that cost them an estimated $2.9 billion in 2010. It is so disturbing that in 90 percent of these cases, the financial exploitation abuse is perpetrated by a family member, a trusted individual, a caregiver—someone whom the senior knows well. The

Aging Committee has held hearings to highlight this issue, and the bill that will be coming before the Senate later today will take steps to strengthen the Federal response to this growing problem.

Of course passage by the Senate, while an essential step, is not the final step in reauthorizing this significant law. I look forward to continuing to work with the chairman, the ranking member, and our colleagues here and in the House to make the reauthorization of the Older Americans Act a reality this year. And how wonderful would it be if it could be a reality this month, which marks the 50th anniversary of this significant law.

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

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

ABORTION

Mr. LANKFORD. Mr. President, I wish to take just a moment to speak about a subject that is very difficult for me to speak about and, quite frankly, difficult for a lot of Americans to speak about and hear about. It connects to all of us in extremely personal ways. Let me set some context.

Not long ago, a group of animal rights activists gathered around a research facility that was using animals for their testing. The activists gathered around the facility, chanted, and had signs they held up that said ''It is not science, it is violence'' and other signs that said ''Animal lives are their right; we have just begun to fight'' as they protested to protect the lives of the animals that were being used for research in that facility.

I understand their frustration, but let me put it in the context of some things that came out this week. We have learned that this week an organization called Planned Parenthood is using children who were aborted and sending the bodies of those aborted children to research facilities—sometimes for sale, different body parts—to be used in research. These are not mice. These are not lab rats. These are children—children who have gone through the process of a horrific abortion.

This morning, in an appropriations hearing the Presiding Officer and I both were in, we had an extensive conversation about the rights of orca whales. This protracted conversation went on and on—many people also were connected to this—about the rights of orca whales and about their care. Then we had a protracted conversation about horse slaughter and how horses would be humanely put down. But in the middle of all that conversation that happened today, there were children still being aborted with an instrument reaching into a mother and tearing apart a child but carefully protecting certain organs because those organs would be valuable to sell.

Now the challenge we have on this as a nation is the argument that that baby is not really a baby, that it is just a fetus, it is tissue. ''That is not a human baby'' is what everyone is told. ''That is just tissue, and it is up to the mom to determine what happens to that tissue.'' And then on the flip side of it, moments later, they take that tissue and then sell it because it is human organs that are needed for research. You can't say in one moment that it is not a human and then sell it in the next moment as a human organ and now suddenly say it is. It was a human all the way through. There was never a time that wasn't a child. There was never a time that wasn't a human.

It seems the ultimate irony to me that we spend time talking about the humane treatment of animals being put down, such as in horse slaughter, and we completely miss children being ripped apart in the womb and their body parts being sold.

Here is how it happens. A mom comes into a facility, gives consent to have an abortion, makes that request. After that request is made, to some moms—and we don't know exactly how they choose which moms—to some moms they then ask consent for their child, after it is aborted, to be used for research purposes.

From the video that was put out this week, they said that was actually comforting to some moms, that as they know how traumatic the abortion is, at least some good would come out of it, that those body parts would then be used for research to hopefully save other children—which again comes back to the ultimate irony that we literally tear one child apart in an abortion with the assumption that hopefully that would actually help some other child in the future, missing out on the significance of the child who is right there who could be helped by protecting their life.

Then the doctor in this particular video gives the details of how once they get that consent from the mom, they would be careful to reach in and actually crush the head of the child to kill the child in the womb so they could preserve the rest of the organs because the kidney has value, because the liver has value, because the lungs have value, and because the muscles in the legs have value.

I would tell you that child has value and that every single adult who can hear me right now was once 20 weeks old in the womb. We can look at each other and understand that the difference between that child in the womb and any of us now is time. That is a human being we are talking about, and it doesn't bring me comfort to know that one child is torn apart so that maybe they can do research on the child's organs so that at some future moment, it may help a different child.

Not every woman is being asked if her aborted child can be used for research, and we really don't know the why. Maybe they are looking for particularly healthy moms. Maybe they are looking for very mature, healthy babies. Maybe it is a situation where a particular mom couldn't afford to have the abortion procedure, and so they swap off and say: If you can't afford the abortion procedure, maybe we can cover the costs by then possibly selling some of these organs. We don't know.

But I think maybe the question needs to be asked why this Congress would spend time today debating horse slaughter and debating orca whales, and yet we have become so numb to children that the other debate doesn't seem to come up.

Maybe we need to start again as a nation asking a basic question: Is that a child? In our Declaration, we said every person, we believe, is endowed by our Creator to life, liberty, and the pursuit of Happiness. Maybe we need to ask again as a nation, do we really believe that?

Let's start with some basic things. How about a child of 20 weeks who we know scientifically can feel pain cannot have their limbs ripped apart in an abortion. There are only seven countries in the world that allow that. We are in a prime group—like North Korea and China—of nations which still allow abortions that late. We should ask that question again: Is that really who we are as America?

Maybe we need to ask the question again to Planned Parenthood, to which we give half a billion dollars in funding. Maybe this is not a good idea. Other organizations that serve people all over the country raise their funds separately and don't do it with Federal funds. Maybe that is a legitimate question we need to ask.

We have hard questions to deal with as a nation—budget, regulations, the future direction we are going. Why don't we add to the list? Do we really care about children or not? And on a day that we passed an education bill, before we pat ourselves on the back saying how much we care about children, let's make sure we are dealing with a compassion for children at every age, not just at certain ages. Have we really become this numb? And how do we turn it around?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call.

OECD BASE EROSION AND PROFIT SHIFTING PROJECT

Mr. HATCH. Mr. President, I rise today to express serious concern about an ongoing project at the Organization

for Economic Co-operation and Development, or OECD. It is called the Base Erosion and Profit Shifting—or BEPS—Project. BEPS is a program that is intended to address perceived flaws in international tax rules that have allowed multinational corporations to shift profits—but not necessarily corresponding economic activity—from high-tax to low-tax jurisdictions. These strategies, in some cases, had a negative impact on the tax basis of OECD countries, creating a need for solutions.

Unfortunately, it appears that the project has moved well beyond its original mandate, and many U.S. companies are rightly concerned that they may be facing significant negative consequences. This should concern all of us in government as well.

Let's talk for a minute about how we got to where we are today. In 2012, the G20 tasked the OECD with developing a comprehensive and coordinated approach to addressing certain aggressive tax-planning strategies. As we all know, the G20 is an international forum for governments and central bank officials from 20 major economies around the world which meets periodically behind closed doors to discuss financial matters and, even though it has no formal charter, arrive at agreements.

The G20's direction resulted, at least in part, because of the BEPS project. It was originally supposed to be limited in scope, with a focus on discrete actions to address inappropriate tax avoidance. The idea was to find ways to possibly arrive at consensus on how to prevent those strategies that result in very little or no taxation of profits or what some have come to call ''stateless income.''

The OECD released what it called its BEPS Action Plan in 2013. The plan identified 15 action items for changes in tax policy. Among those action items were recommendations to modify domestic laws to, one, strengthen controlled foreign corporation or CFC rules and limits on interest deductions; two, prevent tax treaty abuse; three, increase taxpayer reporting requirements and information sharing among governments; and, four, develop a multilateral instrument to implement certain BEPS actions.

Discussion drafts have been released on many of the action plan items and final reports are anticipated to be finalized and delivered to the G20 later this year.

The Obama administration's Treasury Department has been actively involved in the BEPS project. Last summer, Deputy Assistant Treasury Secretary for International Tax Affairs Robert Stack stated that ''failure in the BEPS project could well result in countries taking unilateral, inconsistent actions thereby increasing double taxation, the cost to the U.S. Treasury, and the number of tax disputes.''

Now, given this and other statements from Treasury officials, it appears Treasury believes its role in the BEPS project is to protect the U.S. tax base from erosion and to protect U.S. multinational companies from actions from other countries that could lead to double taxation and time-consuming disputes. In that regard, Treasury has been actively negotiating on behalf of the U.S. Government to reach consensus on the BEPS action items.

These are laudable goals. However, I do not believe these goals have been achieved. Indeed, just last month, Deputy Assistant Treasury Secretary Stack himself faulted the UK and Australia for taking unilateral actions targeting U.S. multinationals, possibly contrary to the commitments those countries have made in their treaties with the United States.

More importantly, I am very concerned there are bigger issues at play and that the BEPS project has far exceeded its original mandate. Once again, BEPS was meant to be limited in scope, focusing on the prevention of tax strategies that yield inappropriate results. Instead, it appears to have become a mechanism for rewriting global tax strategies—potentially including those commonly used by U.S. companies—behind closed doors without the input or consent of Congress itself.

As we all know, only Congress can make changes to U.S. tax law. Yet no representatives from Congress have been offered a seat at the table in any of the BEPS negotiations. Sure, the OECD has been quite forthcoming in meeting with Members and congressional staff, but in the actual BEPS deliberations, all the decisions are being made by unelected bureaucrats in Paris and not by anyone from the Senate or House of Representatives.

The Senate Committee on Finance, which I chair, is currently engaged in an effort that we hope will eventually lead to comprehensive tax reform. This has been a long-term effort and Members of both parties and both Chambers of Congress have been engaged in this endeavor for quite some time. Yet while Congress continues to work toward this long-term goal, the Treasury Department is negotiating the BEPS action items, which may attempt to commit the United States to make changes to our domestic tax laws, without any substantive input from Congress or Congress's tax-writing committees.

We know this is a problem. Indeed, certain positions already agreed to by the Treasury Department as part of the BEPS project could materially damage U.S. tax reform efforts. Congress and the administration need to work together on these issues. When I say ''work together,'' I do not mean that Treasury officials should only periodically come to the Hill in order to brief congressional staff on decisions that have already been made. I mean administration officials should not make any commitments that could impact U.S. tax policy without adequate consultation and explicit agreement from Congress.

We all remember when, years ago, then-Treasury Secretary Geithner decided to reach an agreement with other officials in the G20 regarding funding for the International Monetary Fund or IMF. After reaching this agreement, without any significant input or consent from Congress, the Obama administration presented, and continues to present, the issue of altered IMF funding as an ''international commitment'' the administration made and Congress must honor.

Put simply, that is not an appropriate model for pursuing and achieving changes to U.S. law. And if the administration intends to use a similar model for the changes recommended by the BEPS project, that is, as the saying goes, a dog that just won't hunt.

I am going to put this as simply as I can. Congress is the steward of the American taxpayer resources. Those resources are not bargaining chips for international agreements that may or may not advance our Nation's interests. Make no mistake, international cooperation and consensus are important. I don't object to unified actions toward common goals and shared objectives, but when the resources of U.S. taxpayers are on the line—as they appear to be with the BEPS project—Congress must play a significant role.

Once again, some of the BEPS action items would commit the resources of U.S. taxpayers either in the form of alterations to tax rules governing the taxation of U.S. multinationals or in the form of resources American taxpayers will have to expend in order to abide by the terms of the BEPS action items.

Last month, the OECD held a conference on the BEPS project here in Washington, DC. Prior to the conference, the House Ways and Means Committee chairman, PAUL RYAN, and I sent a letter to Treasury Secretary Lew outlining our concerns with several of the actions proposed under the BEPS project, including country-by-country reporting, ''master file'' documentation, potential limits on interest deductibility, and others. Those specific proposals could have far-reaching negative consequences for U.S. multinationals and the U.S. Government.

For example, consider the master file documentation scheme envisioned in the BEPS project. Under this proposal, companies would have to provide additional detailed and intricate information about their tax plan and business models to foreign tax authorities. If we impose this requirement on U.S. businesses, what assurances do we have that these foreign governments would keep the information confidential? I don't know, and no one from Treasury has told me.

What about countries with prevalent state-owned enterprises that would greatly benefit from this type of information? Wouldn't the BEPS proposal force U.S. companies to reveal sensitive information to foreign governments that either own or substantially

back competing enterprises? I don't know, and no one at Treasury has told me.

I could go on for quite a while about these proposals, especially given the broad scope of the BEPS project, the breadth of possible tax effects, and the potential negative impact these proposals could have on our companies and our economy. Needless to say, as the chairman of the Senate's tax-writing committee, I have many concerns.

Before any additional steps are taken, and before we can even consider moving on any of the BEPS action items, we need more information. In fact, the President's lead negotiator on BEPS, Deputy Assistant Secretary Stack, stated we need to slow down the pace of the BEPS work substantially.

We need to know more about the costs relative to the benefits of the BEPS proposals. We also need to know whether the IRS is capable of sharing sensitive tax information with foreign tax authorities without violating the confidentiality of American businesses. After all, the IRS does not have the best track record. Between the fraud and overpayment rates on various refundable tax credits and other breaches of trust at that agency, we have more than enough reasons to be concerned about whether the IRS can effectively and appropriately implement a plan for global information sharing.

To address these questions, I sent a letter today to the Comptroller General asking that the Government Accountability Office engage with me and my staff to begin an indepth analysis of these issues, so we can at least get a sense as to how the OECD's proposals might impact the U.S. economy, including employment, investment, and revenues. In the coming months, I will be reaching out to other experts as well.

It is difficult to imagine the analysis and discussions that would have to accompany consideration and adoption of BEPS-related rules and schemes can be completed by September, when the OECD has stated it hopes to render final action plans by the time of the next G20 meeting. But as I stated, even if final reports from the BEPS project are released on schedule, many, if not all, of the action plan items would need congressional action in order to be implemented in the United States.

So, again, I urge Treasury to work very closely with Congress on this and not tie our hands as we move toward tax reform by consenting to bad outcomes. I urge them to consider the interests of U.S. taxpayers and not make any commitments that would impose unnecessary burdens on American companies and put them at a competitive disadvantage.

The United States has always recognized the right of other countries to tax income earned within their borders, to the extent such taxation is consistent with treaty obligations. However, regardless of what some in other countries may think, the U.S. tax base should not be up for grabs in an international free-for-all, and I expect officials at the U.S. Department of Treasury to remember that. In fact, I demand they remember that.

Mr. President, I will have much more to say on these matters in the coming weeks and months.

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

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

EPA REGULATIONS

Mr. ENZI. Mr. President, I rise today to speak about the economic effect of regulations coming out of the Environmental Protection Agency on the energy sector and particularly on fossil fuels and coal.

The State of Wyoming is the largest coal-producing State in the Nation. Coal represents almost 40 percent of our share of electricity generation across the United States. It is abundant, it is affordable, it is stockpileable, it can be clean, and it shouldn't be replaced through regulatory actions. But this administration continues to try to regulate coal out of existence.

In 2012, the EPA finalized a standard that requires a strict reduction in air emissions from electric-generating utilities. It is known as the mercury and air toxic standards rule. Like many of the rules coming from the EPA, the costs of this regulation are great and the benefits are very limited.

EPA estimates the rule will create between $500,000 and $6 million in benefits. That sounds like a lot of money. But related to the mercury reductions, the cost is $10 billion annually—$10 billion annually—for a return of $500,000 to $6 million. That is a pretty big range. It indicates there probably isn't a lot of calculation into how that came into being or much transparency so we can see how that came about.

The $10 billion annual cost will be to consumers of electricity. Those are costs that aren't allowed to be recouped. Now, many of those have already been put in place. They become part of the rate base, and, under most of the laws dealing with utilities, they are allowed to make a return on that. So there wouldn't be a huge protest for it. It is a lot of upfront cost for them, but they get to recoup that over a period of time. We have to be sure that when we are making regulations, we don't flood a whole bunch of them in there that have huge costs and very little benefit.

We just had a hearing on this a short time ago on the homeland subcommittee on regulations, talking about how all of those costs come about. Well, the actual cost of doing it is pretty easily calculable. There are things that have to be bought and put in place and construction done in order to get it done. The benefits? It is a little hard to find out where those come from, and a lot of the things aren't clearly cut so that the problem comes from a single spot. Often there are a lot of things involved, but there is a tendency to pick on one place.

Three years after the rule was finalized, the Supreme Court has ruled that the EPA should have considered costs before determining to regulate mercury from fossil-fired powerplants. The cost-benefit ratio, assuming the EPA's best case scenario, is approximately 1,600 to 1. The Court's majority opinion called this an overreach and stated: ''The Agency gave cost no thought at all, because it considered cost irrelevant to its initial decision to regulate.''

Since these standards began to take effect in April, utilities have already retired or plan to retire coal-fired plants to comply with cuts in emissions. Sometimes it is cheaper to shut them down than it is to make the changes. The courts did not issue a stay on implementation, so companies began installing the mandated controls to meet the deadline for compliance. These costs will be passed on to consumers and will result in higher electricity prices. On average, a household could see their electricity bill go up by $400 a year—a cost that will disproportionately impact those with lower, fixed incomes, such as many older Americans.

In 2012, Congress had a chance to use the Congressional Review Act to stop this devastating rule from moving forward. The Congressional Review Act gives Congress the ability to disapprove rules that go beyond what Congress intended. It requires a simple majority for passage and was a legislative vehicle available to stop the MATS rule from moving forward. Unfortunately, it was rejected by the Senate majority at the time.

With the process, you have to get a petition with a lot of signatures on it, and then you are guaranteed 8 hours of debate and an up-or-down vote. Of course, after it goes to the Senate, it also has to go to the House. And after it goes to the House, it then has to go to the President for his signature. The rules and regulations are done by Congress, not by the President. The President is the enforcer of the rules that we supposedly put in place. So it should not take a Presidential signature to stop the action if the House and Senate agree. In this case, it was rejected by the Senate majority. It wasn't until this lawsuit filed by State Governors was finally decided that the Agency was called out for charging ahead with this disastrous rule without considering the consequences.

Ratepayers shouldn't have to wait this long for the correct decision. Congress has to stand up to this runaway

agency, but we need to expand on our tools to fight governing by rulemaking. We need to increase accountability for and transparency in the Federal regulatory process by requiring that Congress approve all new major regulations. The Regulations From the Executive in Need of Scrutiny, or REINS, Act would make sure the people's representatives get a say in regulatory action affecting our Nation's economy. The presumption should not be deference to a Federal agency attempting to implement a regulation but to Congress and to the States.

If enacted, the REINS Act would require an up-or-down vote by both Houses of Congress before any executive branch rule or regulation with an annual economic impact of $100 million or more could be enacted. In the case of the Clean Power Plan, the costs are in the billions. So it would ensure Congress gets a say to stop the EPA from regulating coal out of business.

Additionally, the Environment and Public Works Committee has moved legislation—that is, the Affordable Reliable Energy Now Act—which would extend the proposed rule's compliance dates pending further judicial review. That way we don't see premature plant closures that harm our grid reliability and make energy more expensive before even knowing whether the rule is on good legal standing and whether the numbers are good.

Both of these bills would give Congress additional tools to fight Executive overreach, and the House has already passed legislation similar to the Affordable Reliable Energy Now Act. We must do what we can because there is no doubt that MATS regulations will continue to be challenged for its requirement of outside-of-the-fence-line changes, its coordination with existing source performance standards, the implementation of Federal standards should States not submit plans or on the scientific basis if the status quo contributes to the endangerment of public health. In fact, the White House has requested over $50 million to defend the rule in court. That is your tax money. They have already lost once.

And while the EPA ignores the costs, outside groups have projected four to seven times the costs of the regulation. The National Economics Research Association found an annual compliance cost for MATS $41 to $73 billion. That is the annual compliance costs. So that would be up to $73,000 million, as I like to put it, because I think talking about millions instead of billions makes it a little more understandable. So that is the policy that is going to affect consumer prices.

It also shows States like Wyoming seeing double-digit increases in electrical prices. Congress must ensure the EPA does not continue to act unreasonably by not considering the costs of compliance before drafting carbon regulations. By requiring States to implement their own plans, the EPA is trying to skirt their responsibility to determine the true costs. The EPA has not adequately considered the costs of the Clean Power Plan. So what they did was shift that over and said: States, this is what each of you has to do to make the Federal plan work, but since this is a State plan, we don't have to do all of this analysis to see what the costs are going to be. Of course, we need more transparency in the calculations.

As I mentioned, costs are easy to come up with, but benefits are pretty hard to determine, and they are kind of in the eye of the beholder or eye of the calculator. Usually, the costs happen upfront in just a few years—5 years, maybe 10 years at the most—but they are allowed to calculate benefits over 50 years, 100 years. How long can they do that? The company has to pay it upfront, but the consumers have to pay it over a regular short period of time.

Fifteen percent of U.S. coal-generating capacity is already planned for retirement. Wyoming would be forced to prematurely close four additional coal-fired plants under this rule. Incidentally, that is about the amount of electricity that we export to California. The EPA asserts that since States determine compliance, the remaining useful life of coal-powered units prematurely shut down need not be considered.

Governors have already begun telling the EPA that they will not be able to submit plans to meet the proposed standards, so Administrator MCCARTHY has threatened a Federal implementation plan if States do not comply. Now, a Federal implementation plan is a Federal regulatory action, and so they need to consider the costs of premature plant shutdowns and the consumer energy prices that will cause prior to being finalized. You cannot bypass these considerations by placing the onus on the States first.

Congress also needs to empower States to oppose Federal regulations that hurt their constituencies, again with little benefit. As Wyoming's Governor Matt Meads commented on MATS: ''The EPA does not have the legal authority to propose, finalize or enforce this proposal.'' The EPA has introduced a proposal that functionally and structurally hamstrings energy and electricity sectors, thereby driving up the electrical prices. It would burden our Nation's economic security and prosperity with almost no environmental or health benefits. The State of Wyoming is considering its legal options once the rule is finalized. They can't do anything until it is finalized.

I have proposed an amendment to the Constitution which would give States the ability to repeal Federal laws and regulations when ratified by two-thirds of the legislators. That is almost like calling a constitutional convention under article V of the Constitution. This amendment stands up for States' rights and gives them another option other than the court system to find solutions to regulatory problems. Ultimately, the States know what is best for them, and it is time to shift the power back into their hands. Even when Federal regulations may have good intentions, they can create situations in which they cause more harm than good.

Unfortunately, the regulatory process is skewed in favor of the administration. We need to find a way to empower Congress and to empower the States—those most accountable to the voters—to keep runaway agencies in check or we will continue to see regulations that impede our economy by directly hurting the energy industry, which hurts individuals, costs jobs, and hits the ratepayers—the price ultimately paid by the consumers.

I thank the Presiding Officer.

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.

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

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

OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 12, S. 192; that the bill be read for the third time; and that the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 192) to reauthorize the Older Americans Act of 1965, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Hearing no further debate, the question is, Shall the bill pass?

The bill (S. 192) was passed, as follows:

S. 192

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 ''Older Americans Act Reauthorization Act of 2015''.

SEC. 2. DEFINITIONS.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) The term 'abuse' means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm.'';

(2) by striking paragraph (3) and inserting the following:

''(3) The term 'adult protective services' means such services provided to adults as

the Secretary may specify and includes services such as—

''(A) receiving reports of adult abuse, neglect, or exploitation;

''(B) investigating the reports described in subparagraph (A);

''(C) case planning, monitoring, evaluation, and other casework and services; and

''(D) providing, arranging for, or facilitating the provision of medical, social service, economic, legal, housing, law enforcement, or other protective, emergency, or support services.'';

(3) by striking paragraph (4) and inserting the following:

''(4) The term 'Aging and Disability Resource Center' means an entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older individuals and individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), and the caregivers of older individuals and individuals with disabilities, that provides—

''(A) comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs that provide long-term care services and supports through home and community-based service programs;

''(B) person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and developing and implementing a person-centered plan for long-term care that is consistent with the desires of such an individual and designed to meet the individual's specific needs, goals, and circumstances;

''(C) access for individuals to the full range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and

''(D) in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.'';

(4) in paragraph (14)(B), by inserting ''oral health,'' after ''bone density,'';

(5) by striking paragraph (17) and inserting the following:

''(17) The term 'elder justice' means—

''(A) from a societal perspective, efforts to—

''(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

''(ii) protect older individuals with diminished capacity while maximizing their autonomy; and

''(B) from an individual perspective, the recognition of an older individual's rights, including the right to be free of abuse, neglect, and exploitation.''; and

(6) in paragraph (18)(A), by striking ''term 'exploitation' means'' and inserting ''terms 'exploitation' and 'financial exploitation' mean''.

SEC. 3. ADMINISTRATION ON AGING.

(a) BEST PRACTICES.—Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (H), by striking ''202(a)(21)'' and inserting ''202(a)(18)'';

(B) in subparagraph (K), by striking ''and'' at the end;

(C) in subparagraph (L)—

(i) by striking ''Older Americans Act Amendments of 1992'' and inserting ''Older Americans Act Reauthorization Act of 2015''; and

(ii) by striking ''712(h)(4).'' and inserting ''712(h)(5); and''; and

(D) by adding at the end the following:

''(M) collect and analyze best practices related to responding to elder abuse, neglect, and exploitation in long-term care facilities, and publish a report of such best practices.''; and

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by inserting '', and in coordination with the heads of State adult protective services programs and the Director of the Office of Long-Term Care Ombudsman Programs'' after ''and services''.

(b) TRAINING.—Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by inserting ''health and economic'' before ''needs of older individuals'';

(B) in paragraph (7), by inserting ''health and economic'' before ''welfare'';

(C) in paragraph (14), by inserting ''(including the Health Resources and Services Administration)'' after ''other agencies'';

(D) in paragraph (27), by striking ''and'' at the end;

(E) in paragraph (28), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

''(29) provide information and technical assistance to States, area agencies on aging, and service providers, in collaboration with relevant Federal agencies, on providing efficient, person-centered transportation services, including across geographic boundaries;

''(30) identify model programs and provide information and technical assistance to States, area agencies on aging, and service providers (including providers operating multipurpose senior centers), to support the modernization of multipurpose senior centers; and

''(31) provide technical assistance to and share best practices with States, area agencies on aging, and Aging and Disability Resource Centers, on how to collaborate and coordinate services with health care entities, such as Federally-qualified health centers, as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B)), in order to improve care coordination for individuals with multiple chronic illnesses.'';

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (B), by striking ''and'' after the semicolon;

(ii) in subparagraph (C), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(D) when feasible, developing, in consultation with States and national organizations, a consumer-friendly tool to assist older individuals and their families in choosing home and community-based services, with a particular focus on ways for consumers to assess how providers protect the health, safety, welfare, and rights, including the rights provided under section 314, of older individuals;'';

(B) in paragraph (8)—

(i) in subparagraph (B), by inserting ''to identify and articulate goals of care and'' after ''individuals'';

(ii) in subparagraph (D)—

(I) by inserting ''respond to or'' before ''plan''; and

(II) by striking ''future long-term care needs; and'' and inserting ''long-term care needs;'';

(iii) in subparagraph (E), by adding ''and'' at the end; and

(iv) by adding at the end the following:

''(F) to provide information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community;''; and

(3) by adding at the end the following:

''(g) The Assistant Secretary shall, as appropriate, ensure that programs authorized under this Act include appropriate training in the prevention of abuse, neglect, and exploitation and provision of services that address elder justice and the exploitation of older individuals.''.

(c) REPORTS.—Section 207(a) of the Older Americans Act of 1965 (42 U.S.C. 3018(a)) is amended—

(1) in paragraph (2), by striking ''202(a)(19)'' and inserting ''202(a)(16)''; and

(2) in paragraph (4), by striking ''202(a)(17)'' and inserting ''202(a)(14)''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 216 of the Older Americans Act of 1965 (42 U.S.C. 3020f) is amended—

(1) in subsection (a), by striking ''2007, 2008, 2009, 2010, and 2011'' and inserting ''2016, 2017, and 2018'';

(2) in subsection (b)—

(A) by striking ''202(a)(24)'' and inserting ''202(a)(21)''; and

(B) by striking ''2007, 2008, 2009, 2010, and 2011'' and inserting ''2016, 2017, and 2018''; and

(3) in subsection (c), by striking ''2007, 2008, 2009, 2010, and 2011'' and inserting ''2016, 2017, and 2018''.

SEC. 4. STATE AND COMMUNITY PROGRAMS ON AGING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended—

(1) in subsection (a)(1), by striking ''fiscal years 2007'' and all that follows and inserting ''each of fiscal years 2016 through 2018.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''fiscal years 2007'' and all that follows and inserting ''each of fiscal years 2016 through 2018.''; and

(B) in paragraph (2), by striking ''fiscal years 2007'' and all that follows and inserting ''each of fiscal years 2016 through 2018.'';

(3) in subsection (d), by striking ''fiscal years 2007'' and all that follows and inserting ''each of fiscal years 2016 through 2018.''; and

(4) in subsection (e)(2), by striking ''2011'' and inserting ''2011 and each of fiscal years 2016 through 2018''.

(b) ALLOTMENT.—Section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended—

(1) in subsection (a)(3), by striking subparagraph (D) and inserting the following:

''(D)(i) For each of fiscal years 2016 through 2018, no State shall be allotted an amount that is less than 99 percent of the amount allotted to such State for the previous fiscal year.

''(ii) For fiscal year 2019 and each subsequent fiscal year, no State shall be allotted an amount that is less than 100 percent of the amount allotted to such State for fiscal year 2018.''; and

(2) in subsection (b), by striking ''subpart 1 of''.

(c) PLANNING AND SERVICE AREAS.—Section 305(b)(5)(C)(i)(III) of the Older Americans Act of 1965 (42 U.S.C. 3025(b)(5)(C)(i)(III)) is amended by striking ''planning and services areas'' and inserting ''planning and service areas''.

(d) AREA PLANS.—Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''establishment, maintenance, or construction of multipurpose senior centers,'' and inserting ''establishment, maintenance, modernization, or construction of multipurpose senior centers (including a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational and older individual to older individual work),''; and

(B) in paragraph (6)—

(i) in subparagraph (G), by adding ''and'' at the end; and

(ii) by adding at the end the following:

''(H) in coordination with the State agency and with the State agency responsible for elder abuse prevention services, increase public awareness of elder abuse, neglect, and exploitation, and remove barriers to education, prevention, investigation, and treatment of elder abuse, neglect, and exploitation, as appropriate;''; and

(2) in subsection (b)(3)—

(A) in subparagraph (J), by striking ''and'' at the end;

(B) by redesignating subparagraph (K) as subparagraph (L); and

(C) by inserting after subparagraph (J) the following:

''(K) protection from elder abuse, neglect, and exploitation; and''.

(e) STATE PLANS.—Section 307(a)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(2)(A)) is amended by striking ''202(a)(29)'' and inserting ''202(a)(26)''.

(f) NUTRITION SERVICES INCENTIVE PROGRAM.—Section 311(e) of the Older Americans Act of 1965 (42 U.S.C. 3030a(e)) is amended by striking ''fiscal year 2007'' and all that follows and inserting ''each of fiscal years 2016 through 2018.''.

(g) SUPPORTIVE SERVICES.—Section 321 of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''or referral services'' and inserting ''referral, chronic condition self-care management, or falls prevention services'';

(B) in paragraph (8), by striking ''(including'' and all that follows and inserting the following: ''(including mental and behavioral health screening and falls prevention services screening) to detect or prevent (or both) illnesses and injuries that occur most frequently in older individuals;'' and

(C) in paragraph (15), by inserting before the semicolon the following: '', and screening for elder abuse, neglect, and exploitation'';

(2) in subsection (b)(1), by inserting ''or modernization'' after ''construction'';

(3) in subsection (c), by inserting before the period the following: '', and pursue opportunities for the development of intergenerational shared site models for programs or projects, consistent with the purposes of this Act''; and

(4) by adding at the end the following:

''(e) In this section, the term 'adult child with a disability' means a child who—

''(1) is age 18 or older;

''(2) is financially dependent on an older individual who is a parent of the child; and

''(3) has a disability.''.

(h) HOME DELIVERED NUTRITION SERVICES PROGRAM.—Section 336(1) of the Older Americans Act of 1965 (42 U.S.C. 3030f(1)) is amended by striking ''canned'' and all that follows through ''meals'' and inserting ''canned, or fresh foods and, as appropriate, supplemental foods, and any additional meals''.

(i) NUTRITION SERVICES.—Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g–21) is amended

(1) in paragraph (1), by striking ''solicit'' and inserting ''utilize''; and

(2) in paragraph (2)—

(A) in subparagraph (J), by striking ''and'' at the end;

(B) in subparagraph (K), by striking the period and inserting '', and''; and

(C) by adding at the end the following:

''(L) where feasible, encourages the use of locally grown foods in meal programs and identifies potential partnerships and contracts with local producers and providers of locally grown foods.''.

(j) EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION SERVICES PROGRAM.—Part D of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m et seq.) is amended—

(1) in the part heading, by inserting ''EVIDENCE-BASED'' before ''DISEASE''; and

(2) in section 361(a), by inserting ''evidence-based'' after ''to provide''.

(k) OLDER RELATIVE CAREGIVERS.—

(1) TECHNICAL AMENDMENT.—Part E of title III of the Older Americans Act of 1965 (42 U.S.C. 3030s et seq.) is amended by striking the subpart heading for subpart 1.

(2) DEFINITIONS.—Section 372 of such Act (42 U.S.C. 3030s) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''or who is an individual with a disability''; and

(ii) by striking paragraph (2) and inserting the following:

''(2) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), who is not less than age 18 and not more than age 59.

''(3) OLDER RELATIVE CAREGIVER.—The term 'older relative caregiver' means a caregiver who—

''(A)(i) is age 55 or older; and

''(ii) lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability;

''(B) in the case of a caregiver for a child—

''(i) is the grandparent, stepgrandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;

''(ii) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and

''(iii) has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally; and

''(C) in the case of a caregiver for an individual with a disability, is the parent, grandparent, or other relative by blood, marriage, or adoption, of the individual with a disability.''; and

(B) in subsection (b)—

(i) by striking ''subpart'' and all that follows through ''family caregivers'' and inserting ''part, for family caregivers'';

(ii) by striking ''; and'' and inserting a period; and

(iii) by striking paragraph (2).

(l) NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM.—Section 373 of the Older Americans Act of 1965 (42 U.S.C. 3030s–1) is amended—

(1) in subsection (a)(2), by striking ''grandparents or older individuals who are relative caregivers.'' and inserting ''older relative caregivers.'';

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''grandparents and older individuals who are relative caregivers, and who'' and inserting ''older relative caregivers, who''; and

(B) in paragraph (2)(B), by striking ''to older individuals providing care to individuals with severe disabilities, including children with severe disabilities'' and inserting ''to older relative caregivers of children with severe disabilities, or individuals with disabilities who have severe disabilities'';

(3) in subsection (e)(3), by striking ''grandparents or older individuals who are relative caregivers'' and inserting ''older relative caregivers'';

(4) in subsection (f)(1)(A), by striking ''for fiscal years 2007, 2008, 2009, 2010, and 2011'' and inserting ''for a fiscal year''; and

(5) in subsection (g)(2)(C), by striking ''grandparents and older individuals who are relative caregivers of a child who is not more than 18 years of age'' and inserting ''older relative caregivers''.

(m) CONFORMING AMENDMENT.—Part E of title III is amended by striking ''this subpart'' each place it appears and inserting ''this part''.

SEC. 5. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY.

(a) GRANT PROGRAMS.—Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended—

(1) in subsection (a)—

(A) in paragraph (12), by striking ''and'' at the end;

(B) by redesignating paragraph (13) as paragraph (14); and

(C) by inserting after paragraph (12) the following:

''(13) continuing support for program integrity initiatives concerning the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) that train senior volunteers to prevent and identify health care fraud and abuse; and'';

(2) in subsection (b), by striking ''for fiscal years 2007'' and all that follows through ''2011'' and inserting ''for each of fiscal years 2016 through 2018''.

(b) NATIVE AMERICAN PROGRAMS.—Section 418(b) of the Older Americans Act of 1965 (42 U.S.C. 3032g(b)) is amended by striking ''a national meeting to train'' and inserting ''national trainings for''.

(c) LEGAL ASSISTANCE FOR OLDER AMERICANS.—Section 420(c) of the Older Americans Act of 1965 (42 U.S.C. 3032i(c)) is amended by striking ''national''.

(d) REPEALS.—Sections 415, 419, and 421 of the Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h, 3032j) are repealed.

(e) CONFORMING AMENDMENT.—Section 417(a)(1)(A) of the Older Americans Act of 1965 (42 U.S.C. 3032f(a)(1)(A)) is amended by striking ''grandparents and other older individuals who are relative caregivers'' and inserting ''older relative caregivers (as defined in section 372)''.

SEC. 6. COMMUNITY SERVICE SENIOR OPPORTUNITIES.

Section 517(a) of the Older Americans Act of 1965 (42 U.S.C. 3056o(a)) is amended by striking ''fiscal years 2007, 2008, 2009, 2010, and 2011'' and inserting ''each of fiscal years 2016 through 2018''.

SEC. 7. GRANTS FOR NATIVE AMERICANS.

Section 643(2) of the Older Americans Act of 1965 (42 U.S.C. 3057n(2)) is amended by striking ''fiscal year 2011'' and inserting ''each of fiscal years 2016 through 2018''.

SEC. 8. VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.

(a) OMBUDSMAN DEFINITIONS.—Section 711(6) of the Older Americans Act of 1965 (42 U.S.C. 3058f(6)) is amended by striking ''older''.

(b) OMBUDSMAN PROGRAMS.—Section 712 of the Older Americans Act of 1965 (42 U.S.C. 3058g) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following: ''The Ombudsman shall be responsible for the management, including the fiscal management, of the Office.'';

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

''(i) are made by, or on behalf of, residents, including residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident's health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and'';

(ii) in subparagraph (D), by striking ''regular and timely'' and inserting ''regular, timely, private, and unimpeded'';

(iii) in subparagraph (H)(iii)—

(I) by inserting '', actively encourage, and assist in'' after ''provide technical support for''; and

(II) by striking ''and'' after the semicolon;

(iv) by redesignating subparagraph (I) as subparagraph (J); and

(v) by inserting after subparagraph (H) the following:

''(I) when feasible, continue to carry out the functions described in this section on behalf of residents transitioning from a long-term care facility to a home care setting; and'';

(C) in paragraph (5)(B)—

(i) in clause (vi)—

(I) by inserting '', actively encourage, and assist in'' after ''support''; and

(II) by striking ''and'' after the semicolon;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) identify, investigate, and resolve complaints described in clause (iii) that are made by or on behalf of residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident's health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''access'' and inserting ''private and unimpeded access''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by striking ''the medical and social records of a'' and inserting ''all files, records, and other information concerning a''; and

(bb) in subclause (II), by striking ''to consent'' and inserting ''to communicate consent''; and

(II) in clause (ii), in the matter before subclause (I), by striking ''the records'' and inserting ''the files, records, and information''; and

(B) by adding at the end the following:

''(3) HEALTH OVERSIGHT AGENCY.—For purposes of section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (including regulations issued under that section) (42 U.S.C. 1320d–2 note), the Ombudsman and a representative of the Office shall be considered a 'health oversight agency,' so that release of residents' individually identifiable health information to the Ombudsman or representative is not precluded in cases in which the requirements of clause (i) or (ii) of paragraph (1)(B), or the requirements of paragraph (1)(D), are otherwise met.'';

(3) in subsection (c)(2)(D), by striking ''202(a)(21)'' and inserting ''202(a)(18)'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''files'' and inserting ''files, records, and other information''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''files and records'' each place such term appears and inserting ''files, records, and other information''; and

(II) by striking ''and'' after the semicolon;

(ii) in subparagraph (B)—

(I) by striking ''files or records'' and inserting ''files, records, or other information''; and

(II) in clause (iii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) notwithstanding subparagraph (B), ensure that the Ombudsman may disclose information as needed in order to best serve residents with limited or no decisionmaking capacity who have no known legal representative and are unable to communicate consent, in order for the Ombudsman to carry out the functions and duties described in paragraphs (3)(A) and (5)(B) of subsection (a).''; and

(5) by striking subsection (f) and inserting the following:

''(f) CONFLICT OF INTEREST.—

''(1) INDIVIDUAL CONFLICT OF INTEREST.—The State agency shall—

''(A) ensure that no individual, or member of the immediate family of an individual, involved in the designation of the Ombudsman (whether by appointment or otherwise) or the designation of an entity designated under subsection (a)(5), is subject to a conflict of interest;

''(B) ensure that no officer or employee of the Office, representative of a local Ombudsman entity, or member of the immediate family of the officer, employee, or representative, is subject to a conflict of interest; and

''(C) ensure that the Ombudsman—

''(i) does not have a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

''(ii) does not have an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

''(iii) is not employed by, or participating in the management of, a long-term care facility or a related organization, and has not been employed by such a facility or organization within 1 year before the date of the determination involved;

''(iv) does not receive, or have the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility;

''(v) does not have management responsibility for, or operate under the supervision of an individual with management responsibility for, adult protective services; and

''(vi) does not serve as a guardian or in another fiduciary capacity for residents of long-term care facilities in an official capacity (as opposed to serving as a guardian or fiduciary for a family member, in a personal capacity).

''(2) ORGANIZATIONAL CONFLICT OF INTEREST.—

''(A) IN GENERAL.—The State agency shall comply with subparagraph (B)(i) in a case in which the Office poses an organizational conflict of interest, including a situation in which the Office is placed in an organization that—

''(i) is responsible for licensing, certifying, or surveying long-term care services in the State;

''(ii) is an association (or an affiliate of such an association) of long-term care facilities, or of any other residential facilities for older individuals;

''(iii) provides long-term care services, including programs carried out under a Medicaid waiver approved under section 1115 of the Social Security Act (42 U.S.C. 1315) or under subsection (b) or (c) of section 1915 of the Social Security Act (42 U.S.C. 1396n), or under a Medicaid State plan amendment under subsection (i), (j), or (k) of section 1915 of the Social Security Act (42 U.S.C. 1396n);

''(iv) provides long-term care case management;

''(v) sets rates for long-term care services;

''(vi) provides adult protective services;

''(vii) is responsible for eligibility determinations for the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(viii) conducts preadmission screening for placements in facilities described in clause (ii); or

''(ix) makes decisions regarding admission or discharge of individuals to or from such facilities.

''(B) IDENTIFYING, REMOVING, AND REMEDYING ORGANIZATIONAL CONFLICT.—

''(i) IN GENERAL.—The State agency may not operate the Office or carry out the program, directly, or by contract or other arrangement with any public agency or nonprofit private organization, in a case in which there is an organizational conflict of interest (within the meaning of subparagraph (A)) unless such conflict of interest has been—

''(I) identified by the State agency;

''(II) disclosed by the State agency to the Assistant Secretary in writing; and

''(III) remedied in accordance with this subparagraph.

''(ii) ACTION BY ASSISTANT SECRETARY.—In a case in which a potential or actual organizational conflict of interest (within the meaning of subparagraph (A)) involving the Office is disclosed or reported to the Assistant Secretary by any person or entity, the Assistant Secretary shall require that the State agency, in accordance with the policies and procedures established by the State agency under subsection (a)(5)(D)(iii)—

''(I) remove the conflict; or

''(II) submit, and obtain the approval of the Assistant Secretary for, an adequate remedial plan that indicates how the Ombudsman will be unencumbered in fulfilling all of the functions specified in subsection (a)(3).''; and

(6) in subsection (h)—

(A) in paragraph (3)(A)(i), by striking ''older'';

(B) in paragraph (4), by striking all that precedes ''procedures'' and inserting the following:

''(4) strengthen and update'';

(C) by redesignating paragraphs (4) through (9) as paragraphs (5) through (10), respectively;

(D) by inserting after paragraph (3) the following:

''(4) ensure that the Ombudsman or a designee participates in training provided by the National Ombudsman Resource Center established in section 202(a)(18);'';

(E) in paragraph (6)(A), as redesignated by subparagraph (C) of this paragraph, by striking ''paragraph (4)'' and inserting ''paragraph (5)'';

(F) in paragraph (7)(A), as redesignated by subparagraph (C) of this paragraph, by striking ''subtitle C of the'' and inserting ''subtitle C of title I of the''; and

(G) in paragraph (10), as redesignated by subparagraph (C) of this paragraph, by striking ''(6), or (7)'' and inserting ''(7), or (8)''.

(c) OMBUDSMAN REGULATIONS.—Section 713 of the Older Americans Act of 1965 (42 U.S.C. 3058h) is amended—

(1) in paragraph (1), by striking ''paragraphs (1) and (2) of section 712(f)'' and inserting ''subparagraphs (A) and (B) of section 712(f)(1)''; and

(2) in paragraph (2), by striking ''subparagraphs (A) through (D) of section 712(f)(3)'' and inserting ''clauses (i) through (vi) of section 712(f)(1)(C)''.

(d) PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.—Section 721 of the Older Americans Act of 1965 (42 U.S.C. 3058i) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''(including financial exploitation)'';

(B) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively;

(C) by inserting after paragraph (4) the following:

''(5) promoting the submission of data on elder abuse, neglect, and exploitation for the appropriate database of the Administration or another database specified by the Assistant Secretary;'';

(D) in paragraph (10)(C), as redesignated by subparagraph (B) of this paragraph—

(i) in clause (ii), by inserting '', such as forensic specialists,'' after ''such personnel''; and

(ii) in clause (v), by inserting before the comma the following: '', including programs and arrangements that protect against financial exploitation''; and

(E) in paragraph (12), as redesignated by subparagraph (B) of this paragraph—

(i) in subparagraph (D), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(F) supporting and studying innovative practices in communities to develop partnerships across disciplines for the prevention, investigation, and prosecution of abuse, neglect, and exploitation; and''; and

(2) in subsection (e)(2), in the matter preceding subparagraph (A)—

(A) by striking ''subsection (b)(9)(B)(i)'' and inserting ''subsection (b)(10)(B)(i)''; and

(B) by striking ''subsection (b)(9)(B)(ii)'' and inserting ''subsection (b)(10)(B)(ii)''.

SEC. 9. BEHAVIORAL HEALTH.

The Older Americans Act of 1965 is amended—

(1) in section 102 (42 U.S.C. 3002)—

(A) in paragraph (14)(G), by inserting ''and behavioral'' after ''mental'';

(B) in paragraph (36), by inserting ''and behavioral'' after ''mental''; and

(C) in paragraph (47)(B), by inserting ''and behavioral'' after ''mental'';

(2) in section 201(f)(1) (42 U.S.C. 3011(f)(1)), by inserting ''and behavioral'' after ''mental'';

(3) in section 202(a)(5) (42 U.S.C. 3012(a)(5)), by inserting ''and behavioral'' after ''mental'';

(4) in section 306(a) (42 U.S.C. 3026(a))—

(A) in paragraph (2)(A), by inserting ''and behavioral'' after ''mental''; and

(B) in paragraph (6)(F), by striking ''mental health services'' each place such term appears and inserting ''mental and behavioral health services''; and

(5) in section 321(a) (42 U.S.C. 3030d)—

(A) in paragraph (1), as amended by section 4(g), by inserting ''and behavioral'' after ''mental'';

(B) in paragraph (14)(B), by inserting ''and behavioral'' after ''mental''; and

(C) in paragraph (23), by inserting ''and behavioral'' after ''mental''.

SEC. 10. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.

(a) IN GENERAL.—Because the services under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) are critical to meeting the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life, the Assistant Secretary for Aging shall issue guidance to States, that shall be applicable to States, area agencies on aging, and providers of services for older individuals, with respect to serving Holocaust survivors, including guidance on promising practices for conducting outreach to that population. In developing the guidance, the Assistant Secretary for Aging shall consult with experts and organizations serving Holocaust survivors, and shall take into account the possibility that the needs of Holocaust survivors may differ based on geography.

(b) CONTENTS.—The guidance shall include the following:

(1) How nutrition service providers may meet the special health-related or other dietary needs of participants in programs under the Older Americans Act of 1965, including needs based on religious, cultural, or ethnic requirements.

(2) How transportation service providers may address the urgent transportation needs of Holocaust survivors.

(3) How State long-term care ombudsmen may address the unique needs of residents of long-term care facilities for whom institutional settings may produce sights, sounds, smells, emotions, and routines, that can induce panic, anxiety, and retraumatization as a result of experiences from the Holocaust.

(4) How supportive services providers may consider the unique needs of Holocaust survivors.

(5) How other services provided under that Act, as determined by the Assistant Secretary for Aging, may serve Holocaust survivors.

(c) DATE OF ISSUANCE.—The guidance described in subsection (a) shall be issued not later than 180 days after the date of enactment of this Act.

Ms. COLLINS. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

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

Ms. COLLINS. Mr. President, the Senate has now passed the reauthorization of the Older Americans Act by voice vote.

As the chairman of the Senate Committee on Aging and as a Senator who represents a State with the highest median age, I am well aware of how important the programs authorized by this law are to our Nation's seniors. They include, for example, Meals on Wheels, which is a wonderful program that allows so many of our seniors to stay in their own homes and yet have their nutritional needs met. I also know how much the seniors in my State look forward to the visits from those who are delivering Meals on Wheels. It is a way that their health and well-being can be checked on. In some cases, it may be the only social interaction they have on a given day.

In my State, the five area agencies on aging are very active in delivering the services needed for the seniors in that particular community or region in my State, particularly in rural Maine, where there may be an absence of services, such as caregiving services. The area agency on aging plays an absolutely critical role. In some other areas of the State, under the Older Americans Act programs, transportation services are provided to our seniors, legal services, whatever is needed.

One of the provisions of this bill in which I have a particular interest is the strengthening of the role of the ombudsman for long-term care. That is important for the quality of care our seniors are receiving in nursing homes and other institutionalized settings. But the great thing about the Older Americans Act is that it helps many of our seniors avoid nursing homes and instead remain in the comfort, security, and privacy of their own homes—just where they want to be.

This bill also takes steps to help safeguard older Americans from abuse and financial exploitation. I know from the hearings we have held before the Aging Committee that this is a growing problem. In fact, in the year 2011, it is estimated that older Americans lost some $2.9 billion due to schemes that were foisted on them. That probably is a greatly understated number because, sadly, 90 percent of this exploitation comes from people the senior knows well—either a relative, a trusted adviser, or a caregiver. Oftentimes, seniors are very hesitant to report these crimes because they don't want to get a loved one in trouble or they are simply too embarrassed to go to the police.

We have held hearings on how technology has made the Do Not Call list virtually useless these days because unfortunately technology allows people from call centers in India, for example, to call into this country pretending to be a member of the Internal Revenue Service or the local police department. Well, when a senior sees on the caller ID that the Department of Treasury from Washington, DC, is calling, they are going to pick up the phone, and thus the exploitation begins.

We are making a real effort on the Aging Committee to educate seniors about these con artists and the techniques they use to try to rip off people of all ages but with a particular focus on our senior citizens. So I am pleased that the Older Americans Act is focused on financial exploitation and trying to stop that kind of abuse.

In short, the reauthorization of these important programs under the Older Americans Act is long overdue. While we have continued to fund them, the reauthorization expired years ago, and I am very pleased that the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, of which the Presiding Officer is such a valuable member, have worked together to produce the bipartisan bill we just passed. This shows what the Senate can do when we work together to meet the needs of our citizens.

It is an honor to be on the floor to manage this bill. I hope, since it was 50 years ago this month when the Older

Americans Act first passed, that we can move rapidly to see it approved by the House of Representatives as well and signed into law by the President.

Thank you, Mr. President.

I yield the floor.

Mrs. MURRAY. Mr. President, 50 years ago this week, President Lyndon Johnson signed the Older Americans Act, which enshrined into law our responsibility for helping seniors live healthier, fuller, and more independent lives. Fifty years later, I am pleased Congress has worked to reauthorize the Older Americans Act to once again uphold that promise of our Nation. And I am pleased we came together in a bipartisan way to provide important support for seniors in my home State of Washington and those across the country.

I especially thank Senators ALEXANDER, SANDERS, and BURR for all of their hard work on this bill. I believe we should be doing everything we can to support seniors so they can lead healthy, independent lives. Improving opportunities for seniors is part of how we can restore some much-needed economic security for them. And it is how we can help ensure our country is working for all Americans, not just the wealthiest few.

But today, far too many seniors find themselves skipping meals or going hungry, instead of getting the nutrition they need. In fact, 9.3 million seniors in our country face the threat of hunger, according to a 2012 report. And in my home State of Washington, 13.5 percent of seniors struggle with hunger.

As if that isn't enough, many seniors face other serious challenges, like elder abuse. That can include mistreatment in a nursing home or financial exploitation. This bill to reauthorize the Older Americans Act supports crucial social services and nutrition programs for seniors.

As one example, this bill sustains our investment in Meals on Wheels. In my home State of Washington, more than 460,000 seniors enroll in that program. Meals on Wheels is a critical lifeline for them. It is an important investment for our country. For every dollar we invest in Meals on Wheels, we can save up to $50 in Medicaid spending, according to a study from the Center for Effective Government. Among other important provisions, the bill also strengthens programs to combat elder abuse.

This bill focuses on the critical importance of both abuse screenings and prevention efforts, and it would improve the response to abuse, neglect, and exploitation in long-term care facilities. It also puts a key emphasis on evidence-based public health programs.

It bolsters transportation programs, and it ensures that OAA programs include a focus on seniors' behavioral health needs. I am proud that this bill is the result of strong bipartisan work. It proves yet again that when Republicans and Democrats work together, we can get results, so I hope we can build on this progress.

I want to continue to work with Republicans to find common ground and get results for families and communities in Washington State and across the country. And I hope to continue to work on ways to restore economic stability and security to more seniors.

In 1965, at the original signing of the Older Americans Act, President Johnson said the true significance of this bill would be in its results. He said he hoped the bill would, quote, ''help us to expand our opportunities for enriching the lives of all of our citizens in our country, now and in the years to come.''

Reauthorizing this law will carry out that mission and expand opportunities so more seniors can lead healthy, independent lives. It is an important part of our work to help the economy grow from the middle out, not the top down. It will be another step toward making sure our government is working for all families, not just the wealthiest few.

Today, I call on all my colleagues to support this bill. Let's reauthorize the Older Americans Act and live up to our Nation's responsibility to seniors across the country.

Mr. LEAHY. Mr. President, I am glad the Senate has turned today to the reauthorization of the programs under the Older Americans Act. For decades, this law has provided community assistance to seniors in underserved and rural areas across the country, but unfortunately, these programs have gone unauthorized since 2011. As our population ages, seniors face an increased need for community resources, which is what makes this bill so important.

The Older Americans Reauthorization Act of 2015 will prioritize funding for crucial community and in-home services that offer the protection and reassurance for seniors requiring specialized care. The bill will reauthorize transportation assistance and home-delivered nutrition programs. It will also strengthen State grants for in-home caregiver support. Through the coordination of community and health care providers, the bill will improve disease promotion services and increase mental health awareness among elderly populations. Furthermore, the legislation will strengthen programs that prevent senior abuse, neglect, and exploitation by holding health facilities and adult care homes accountable for promoting excellent patient care.

These programs have given seniors in Vermont and across the country the chance for independence and wellbeing long after retirement. This is not a partisan issue, but one we can all agree requires our dedication and support. I am pleased to cosponsor this legislation and wish to thank Senators MURRAY, ALEXANDER, SANDERS, and BURR for making this issue a priority this Congress. I am pleased the Senate has passed this legislation, which will help to improve the livelihood of our Nation's seniors.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, once again I see my good friend Senator COLLINS fighting for all of the good people of her State and all of our States and raising important issues—issues that I dealt with, quite honestly, quite a bit when I was attorney general of my State. Exploitation is a horrible practice that takes away the dignity and the opportunity for a healthy life of an elderly American citizen. So I congratulate the Senator from Maine on her fine work, and I pledge my full support as she moves forward with this bill.

I thank the Senator from Maine.

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, today, as I do most Thursdays in this Senate, I rise to speak about the young men from my State of North Dakota who went to Vietnam and certainly those who died while serving in the Vietnam war. As I have said before, the families of each of these 198 fallen North Dakotans deserve to have America pause to honor and remember each of them.

Before I speak about some of the North Dakotans who are missing or who died during the Vietnam war, I wish to thank Author ''Tom'' Mandan, a Vietnam veteran from New Town, ND, who is an inspiration to our State and to our country.

In 1966, Tom chose to enlist in the Army. He was stationed in Vietnam as a medic. He volunteered to extend his time in Vietnam twice and spent a total of 3 years there. The Army awarded him with a Purple Heart and Bronze Star with the V device to denote his heroism involving conflict with the armed enemy.

Tom comes from a family who is also an example of service to our country. Tom and his four brothers all served in Vietnam, each one after the other. Previously, their father, Victor Mandan, served our country in World War II.

When Tom returned to the United States from Vietnam, he raised his family and became a teacher. He enjoyed teaching fourth graders in Mandari and teaching the Hidatsa language to elementary and middle school students. Tom retired from teaching and now serves the Mandan Hidatsa Arikara Nation, working full time as tribal liaison for elders and veterans.

Tom is a proud father and proud grandfather, but he is humbled about his important contributions to his tribe, to his State, and to his country.

Tom's first cousin, Myron Johnson, who was like a brother to Tom, also served in Vietnam and was killed in action there. I now would like to talk about Myron and four other young men who didn't come home from the war.

MYRON ''CHIEF'S HIGH'' JOHNSON

Myron ''Chief's High'' Johnson was born September 26, 1948. He was from Mandaree and was an enrolled member of the Mandan Hidatsa Arikara Nation. He served in the Army's 1st Battalion, 46th Infantry, Americal Division. Myron died March 28, 1971. He was 22 years old.

He was the sixth of nine children born to Melvin Johnson and Eloise Mandan Johnson. His siblings said that Myron had a magnetic personality and was kind and sincere to everyone who met him. When people reminisce about Myron, they always talk about how much they loved him.

Myron enjoyed riding bucking horses and was a top contender in the American Indian Rodeo Association. He was also a good hunter and a great shot.

In Vietnam, Myron's best friend Richard Boehm and 32 other American soldiers were killed in action when Firebase Mary Ann was attacked. Myron received many medals for his honorable and distinguished service in Vietnam.

Diane Johnson is Myron's sister and my great friend. Diane said that after Myron's death, he was escorted by his first cousin, John Morsette, who, in the Indian way, was Myron's brother. John Morsette served two tours in Vietnam and also was highly decorated. John told Diane that taking Myron home was the hardest thing he ever did. The trail of cars accompanying Myron from the Minot Airport back to his home in Mandaree was miles long.

In addition to his parents and siblings, Myron left his wife Sharol and daughter Melanie. Myron's family said that his death left a permanent scarred hole that can never be filled. They will continue to honor veterans and honor Myron for giving his life for his country.

The Mandaree American Legion Post 271 is named after Myron and Myron's nephew, Nathan Good Iron, who was killed in Afghanistan in 2006.

The Mandaree American Legion Post honors me consistently by allowing me to enter with their shawl at American pow-wows and honors me by allowing me to walk with Nathan's mother Harriet as we honor her as a Gold Star Mother.

For over 30 years, Myron's mother, despite her limited resources, honored Myron by giving away star quilts and shawls she made in Myron's name. These giveaways were held throughout the years at various flag raisings, various pow-wows, and Memorial Day and Veterans Day services.

On Myron's mother's death bed, she looked up and smiled and said in her native language, ''Oh my son, you're here. You've finally come to see me.''

FRANCIS DOWLING

Francis Dowling was from Cooperstown, and he was born July 13, 1929. He served as a sergeant major in the Army's First Infantry Division. Francis was 38 years old when he died on October 17, 1967.

Francis was one of eight children. His two brothers also served in the Vietnam war—George in the Air Force and Forrest in the Marines. We were unable to reach any of Francis's family members, but according to a remembrance written by Jim Shelton, who served with him, Francis was a brave and a loyal soldier. Jim described Francis as ''tall, handsome, and professional,'' with a strong sense of humor.

Michael Meyers also served with Francis, and he recalls that Francis was easily 6 feet 6 inches tall and was very muscular. Michael said, ''He was so big people thought he was mean, but 97 percent of the time he had a big smile on his face.''

Francis died during an ambush when he was trying to shield his wounded commanding officer from further fire. Francis is buried in Arlington National Cemetery.

GLENN MAIER

Glenn Maier was from Bismarck and was born December 31, 1949. He served in the Navy and was trained as a fireman. Glenn died July 11, 1970, when he was 20 years old.

This Senator has the pleasure of knowing Glenn's family. His parents, Vi and Chuck Tracy, lived just two doors down from my house where I raised my family in Mandan.

Glenn's father, Ervin Maier, served our country in the military and died when Glenn was very young. Vi later married Chuck Tracy, and they raised Glenn together. Vi and Chuck also gave Glenn a brother, Bob, and a sister, Sue. Bob and Sue said that Glenn was a happy-go-lucky guy. They remember him riding his Vespa scooter and enjoying time with his friends and especially playing a lot of pinochle.

Glenn's sister Sue chuckles when she thinks about growing up and Glenn not knowing how to swim. Even though Sue was younger by 6 years, she tried to teach him how to swim in the small swimming holes on the sandbars of the Missouri River. When Glenn decided to enlist in the Navy, she joked with him that he was foolish, but he assured her that the Navy would make sure he could swim.

Glenn's brother Bob is grateful for meeting other men who served with Glenn in the Navy. They told Bob stories about Glenn's service, like how despite being trained in the Navy as a firefighter, Glenn served on a swift boat in brown waters running machine guns. They said they always requested Glenn for missions because he was so good with .50-caliber machine guns. The month he was killed, he was scheduled to leave Vietnam to train in the United States as a Navy SEAL.

JOHN TAGUE

John Tague was from Burlington. He was born December 2, 1945. John served in the Army's 1st Infantry Division. He was 22 years old when he died on June 16, 1968.

He was the oldest child in his family, and he had three sisters: Alice, Georgia, and Jody. Alice and Georgia said that John loved to hunt and fish and did so at every opportunity. His golden retriever followed him everywhere, especially when he went hunting.

After high school, John joined the Job Corps, where he helped teach others about life and taking care of themselves. The Wahpeton Job Corps honored John for his outstanding work by naming a building after him. When that facility closed, Jobs Corps gave John's family the building sign with John's name.

John's sisters appreciate that their former Des Lacs Burlington High School classmates are planning to honor John in a parade float this summer.

In Vietnam, John served as a field communications electronics equipment mechanic. John was about 6 months into his tour of duty when he was severely burned. Shortly thereafter, he was flown to Japan, where he died of his injuries. He was laid to rest in Rose Hill Memorial Park in Minot.

LOWELL EINARSON

Lowell Einarson was from Bantry and was born March 18, 1938. He served in the Navy as a shipfitter. Lowell was 28 years old when he died on September 1, 1966.

Lowell and his sister Marilyn were the children of immigrants from Iceland, Joe and Sophie Einarson. They grew up on a small farm outside of Bantry.

Lowell's niece Vonda remembers hearing her mother Marilyn telling stories about how she and Lowell traveled to school in the winter by cross-country skiing. Marilyn told Vonda that Lowell was a strong young man who watched over her and took care of her, taking care of the many chores, especially after Marilyn was diagnosed with polio at age 7.

Shortly after completing high school, Lowell enlisted in the Navy. He served for 10 years until he died of a heart attack during the early part of the Vietnam war.

Marilyn cherished the three sets of china Lowell brought home for her, their mother, and for himself. Sadly, Marilyn lost her belongings, including Lowell's china, when her home burned down in the 1970s.

Lowell's niece Sue keeps a rubbing of Lowell's name etched on the Vietnam Memorial Wall, and shared that several family members have said that Lowell's nephew Mitch resembles Lowell.

I continue to speak here on the floor of the U.S. Senate about the lives and deaths of North Dakotans who died while serving in the war because these men remain in our hearts, and they certainly remain in the hearts of the wonderful families we have had an opportunity to get to know during our work on this project.

The 2012 Presidential Proclamation on the Commemoration of the 50th Anniversary of the Vietnam War states:

In the reflection of The Wall, we see the military family members and veterans who

carry a pain that may never fade. May they find peace in knowing their loved ones endure, not only in medals and memories, but in the hearts of all Americans, who are forever grateful for their service, valor, and sacrifice.

It is so important that we never forget the sacrifice of those who served in Vietnam or the sacrifice of those who serve today, and that is why I consider it such a privilege to tell the stories of those who did not make it home and listen to the stories of those who did.

I want to share with you a song that was sung at the recent Vietnam Memorial Exhibit at the Fargo Air Museum in May. I was really moved by a local poet and local performing artist, Shaun Schipper, who was able to sing this song to honor those who served, and I would like to read the lyrics of his song, which is called ''Nineteen Years Old.'' I am not going to sing it, and all of you should be very excited that I am not singing it. I couldn't do justice to the words he wrote.

He wrote:

nineteen years old six months from prom
out in a jungle in Vietnam
so scared don't wanna die
thinking bout home, tears in my eyes

what are we fighting for, I'm so sick of war
I bet the guys on the other side
wanna go home like I do
miss your mom and dad, the life I had
I pray to God I'll get back home again
to be with you

search and destroy, kill or be killed
mayhem out here in the battlefield
adrenaline flowing another sleepless night
holding my M16, ready for a fight

here in the trenches fear everywhere
death and destruction smoke in the air
mortars grenades deafening sounds
shrapnel and bullets flying all around
praying to God calling for mom's
another buddy dies in Vietnam
another buddy dies in Vietnam
and it goes on and on and on and on

what are we fighting for, I am so sick of war
I bet the guys on the other side
Wanna go home like I do

I want to thank him, and I know he was greatly moved by and inspired to write this song by encountering a Vietnam vet. I think all of us who have had those experiences meeting veterans and people who serve can't help but be moved by the quality of their continued devotion to their brothers-in-arms but also the quality of their service.

CONNECT WITH VETERANS ACT

So I was moved to doing something for veterans, making sure that our veterans have an opportunity when they return home to basically reconnect with their families. So while each week I come to the Senate floor to honor the persons who gave their lives in the Vietnam war, to truly honor them and our current servicemembers and veterans, we have to make real changes to better support them.

Today I am proud to reintroduce a bipartisan bill with Senators MORAN, KING, and BOOZMAN that would better connect our Nation's new veterans with the services, resources, and benefits that are available right at home in their communities. My Connect With Veterans Act, S. 1797, aims to help servicemembers transitioning to civilian life after they separate from the military and begin to settle into their communities.

Organizations, such as the Association of Defense Communities, have stated that the most important part of the transition from servicemember to civilian comes in the short period of time after that servicemember leaves the military. We need to make sure it is effective and successful, and there is more we could do to accomplish that goal.

Too often, these veterans do not have access to the basic information on local services, and many communities have few ways to connect with them. I have traveled across North Dakota and listened to our veterans. I hear time and time again about the need for veterans to have more information on services and opportunities available to them at the local level.

My Connect With Veterans Act would provide these veterans with better access to that information by making it easier for cities, counties, and tribes to interact directly with them. It is a simple but commonsense bill. Participation, No. 1, is completely voluntary. Transitioning servicemembers will be given the option to share their contact information with communities in which they intend to live after completing military service.

Interested cities, counties, and tribes will be able to request that contact information from a secure directory maintained by the Department of Veterans Affairs so they can provide the information. Integrating back into civilian life may be particularly difficult for those living in rural communities, like so many of the communities in my home State of North Dakota, as they often have fewer resources and access to less services.

As a study from 2014 shows, half of the veterans polled from the wars in Iraq and Afghanistan said they are having difficulty adjusting to civilian life. This reasonable solution would help change that by allowing local communities to connect with new veterans at the earliest possible point in the transition process. With 550 servicemembers transitioning daily—I want to repeat that—550 servicemembers transitioning daily nationwide out of the military and with nearly 250,000 service men and women expected to leave military service over the next 5 years, we have to prepare.

We have to say thank you by making sure they get the services they have earned and that we can connect them with communities where they can continue to participate and serve their country and their communities. I know from talking to North Dakotans that this bill will especially benefit communities in my State that have unmet employment needs.

As you can imagine, over 20,000 jobs go unfilled, and we have all of these trained servicemembers who are coming out of the military who would be just excellent additions to our North Dakota community. So whether it is employment or health care or family support services, we have to do better. I appreciate the opportunity to talk about this. We have to have a plan for our servicemembers. I think connecting them with their community is a great plan.

EXPORT-IMPORT BANK

Ms. HEITKAMP. Finally, Mr. President, I would just like to give a little update on what has been happening since we have basically allowed the charter of the Ex-Im Bank to expire. Just as we predicted, that unilateral disarmament in our trade financing opportunities would open the door for opportunities in other countries. We are seeing more and more this delay in basically having a fully functioning Ex-Im Bank is already costing jobs and opportunities in our State.

So I want to reinforce that, not by just my words but talk about what is being said about the U.S. Export-Import Bank being shut down as what is good for China and bad for our competitiveness. Today, the Business Standard printed an interview with the head of the Export-Import Bank of India, who said that with U.S. Ex-Im Bank closing down, we would now have more markets because Indian products are going to compete with U.S. products, and now that competition will go away.

In a recent Reuters article, the chief risk analyst of the China Export-Import Bank said that the end of the American Export-Import Bank would help China be more competitive. He said, ''With respect to competition in strategy and policies between the U.S. and China, this is a good thing'' for China.

Another recent article said China's central bank is injecting $32 billion into the China Development Bank and $30 billion into the Export-Import Bank of China. We are seeing very similar growth in the Export-Import Bank of India.

So I would suggest, if we truly want to remain a global competitor, if we truly want to access an international market where we have—in fact, 95 percent of all consumers live outside our country. If we don't have access to those markets and if we are not competing on a level playing field, it is going to cost American business, including American small business, opportunities—opportunities for exports, opportunities for profitability. But equally important, it is going to cost American jobs. So sooner rather than later we expect we will have a vote on reauthorizing the Ex-Im Bank.

I know we continue to see challenges to having that vote. We continue to see challenges to this institution. But I will tell you that many small businesses in my State are contacting us, wondering why in the world we would

do this. Why in the world would we shut down the Ex-Im Bank that is a critical part of that trade infrastructure? So why in the world, indeed. Why would we ever make this decision? It is a decision that needs to be reversed. We need to get the Ex-Im Bank fully functioning and back in business.

So we are going to be doing everything we can in this next month and into future months, if we expect that we are going to eliminate the possibility of unilateral disarmament in trade financing.

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

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

TRAGEDY IN CHATTANOOGA

Mr. MCCONNELL. Mr. President, this is a sad day in Chattanooga and a sad day across our country—another terrible tragedy—a mass shooting, apparently. A thorough investigation is underway.

The Senate's thoughts are with the families of the marines and our entire military community. Our thanks, as usual in these situations, goes out to the first responders and the community that mobilized so quickly.

We have two great Senators from Tennessee, who I know are mourning the events of today, and the American people will be interested in knowing as soon as possible as many facts about this horrible shooting as possible.

TRIBUTE TO PIKEVILLE INDEPENDENT SCHOOLS

Mr. MCCONNELL. Mr. President, I rise to recognize and congratulate the Pikeville Independent Schools system in Pikeville, KY, on the occasion of its 100th anniversary. Under the leadership of Superintendent Jerry Green, it is one of the best public school systems in the Commonwealth.

Before the founding of Pikeville Independent Schools, in the early 20th century, the region contained only a scattering of small, one-room schoolhouses. In 1915, the first public high school in Pike County opened under the system's first superintendent, Tobias J. Kendrick. There were approximately 150 students and 9 teachers and administrators. Courses taught included geometry, advanced algebra, physics, German, rhetoric, and 4 years of Latin. The first senior class contained only one graduate, a man named Vernon Stump.

Today, Pikeville Independent Schools includes Pikeville Elementary and Pikeville Junior High/High School. The district boasts some 1,280 students from preschool to the 12th grade, and all go by the nickname ''Pikeville Panthers.'' Both Pikeville Elementary and Pikeville High are accredited by the Southern Association of Colleges and Schools, and the school district has been chosen as one of only 17 Kentucky school districts to receive the What Parents Want Award.

Pikeville Independent Schools is constantly evaluating and creating programs to serve the needs of the students in the district. Pikeville Elementary, which serves preschool through grade 6, features full-time humanities teachers for art, music, and band. It has transition programs for both new students entering preschool and exiting students graduating into the seventh grade. It has many volunteer programs, and Pikeville Elementary volunteers log an average of 3,000 volunteer hours per year. It features a fully equipped science lab, an active and supportive parent-teacher organization, small class sizes, and individual instruction and tutoring.

Pikeville High School, which serves grades 7 through 12, offers its students 8 honors courses and 10 advanced placement courses, as well as unlimited opportunities for students to earn dual credit at the University of Pikeville. Currently, 45 percent of Pikeville High juniors and seniors are taking one or more dual credit courses through the university.

Pikeville High offers five vocational school programs and four career majors—business management, business technology, web development and administration, and information support services. A wide variety of extracurricular activities are available, including Key Club, Pep Club, Future Business Leaders of America, and the National Honor Society, just to name a few.

Pikeville Independent Schools ranks second in the State for college and career readiness. The district's juniors place sixth in the State on the ACT test composite score. And the high school placed in the 97th percentile this past year among all schools in the State. The district's graduation rate for the 2012–2013 school year was over 96 percent. Athletics and artistic achievement are also highly valued in the district, and Pikeville Independent Schools have a long tradition of outstanding music groups, basketball, and football teams.

For 100 years, Pikeville Independent Schools has excelled at its mission to prepare students to become productive, contributing, valuable members of society who have pride in their school and their community. Kentucky is proud of the Pikeville Independent Schools system, and I congratulate the many men and women who work there for their service. I wish them the very best as they embark on a new century of representing the very best of Kentucky public education.

STORMS IN QUINCY, ILLINOIS

Mr. DURBIN. Mr. President, I have represented Quincy, IL, and Adams County since coming to Congress in 1983 as a Member of the House of Representatives. I have found that there is something special about the Gem City—its people, its strong sense of community, and the fighting spirit to tackle any crisis from floods to storms.

That spirit was tested this week.

I am relieved and thankful that there were no serious injuries or fatalities after a major storm tore through Quincy on Monday night. Torrential rain and winds up to 74 miles per hour felled trees, broke dozens of utility poles, and tore roofs off several homes and businesses during the event. The Quincy mayor declared a citywide state of emergency Monday evening and Adams County followed with a state of disaster declaration. Several people say the battered city looked like a warzone.

More than 21,000 people were without power on Monday night and Tuesday. Crews have worked around the clock to restore electricity to most. Due to the loss of power, many stoplights were out throughout the city. Between the outages, flooded streets, and streets made impassable by fallen trees, navigating Quincy has been a challenge.

The Quincy Park District estimates that the ''jaw dropping'' damage to the city's 29 parks—especially Madison and South Parks—far exceeds the devastation from severe storms in 2011 that costs the District more than $400,000. Caretakers at Woodland Cemetery discovered after the worst of the storm had passed that a 20-foot piece of a Civil War monument was toppled by the high winds and at least 35 trees were uprooted in the cemetery, many of which were more than a century old.

Dozens of Quincy residents checked into motels to escape the heat as they started the cleanup of their homes and properties without power. John Wood Community College and the Quincy Senior and Family Resources Center set up cooling centers to give people a place to take a break. The Red Cross, Salvation Army, and other local agencies have been on site to lend a helping hand.

I am grateful that Quincy fire chief Joe Henning, Adams County emergency management agency director John Simon, Quincy police chief Rob Copley, and many other elected officials and community leaders are leading cleanup and recovery efforts. Getting the city back on its feet and helping the people whose homes and businesses were damaged is a big job.

In today's Quincy Herald-Whig columnist Steve Eighinger said it best, ''It's going to be quite a while before things are back to what we consider normal, but we'll get there. We're Quincy. We pay it forward.''

Mr. President, I ask unanimous consent that the column be printed in the RECORD.

In closing, I would like to commend the Quincy and Adams County community for pulling together to get through this storm and the aftermath. The cleanup is daunting, but the spirit endures. From the people of Hannibal and Macomb who have sent crews, trucks, and supplies to area residents who opened their homes and businesses to the displaced to the local businesses—grocery stores and gas stations—that have supplied free ice, water, and recharging stations, and done their best to restock basic supplies so residents can feed and care for their families to the Kroc Center and its supporters who have fed Quincyans. This has been a team effort.

I stand ready to support the local clean up and recovery efforts in Quincy and Adams County and will continue to keep community residents in my thoughts as they get the Gem City back up and running.

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

[From the Quincy Herald-Whig, July 16, 2015]

'NORMAL' STILL A WAYS AWAY, BUT WE WILL GET THERE

(By Steve Eighinger)

There is no use trying to sugar coat what has happened. It has been a brutal week in and around Quincy, thanks to the monstrous storm that swept through Monday night.

It was the first time in my life that I was legitimately scared of what might happen at the height of that blowing downpour and accompanying 74 mph winds.

My wife, Kathy, was screaming at me to get in the basement with her and Ashes, the family dog. For some reason, I refused. I vowed to stay upstairs, running from one window to another, from one door to the next, to make sure they didn't blow open.

Massive limbs and entire trees were falling all around our home. I saw them. I heard them. It was like nothing I had ever experienced.

If our home was going down, I had vowed to go with it.

Obviously, that was not the smartest thing I ever chose to do. If I had to relive those frightening 30 minutes or so, I would have joined Kathy and Ashes in the basement.

It's what happened after the storm had finally passed that was equally—if not more so—incredible.

On street after street, block after block, neighbors were assisting friends and helping people they did not even know. While only initial, limited assistance could be offered Monday night because of the lack of light, but the true heart of Quincy emerged Tuesday, as it always does.

One of the most heartwarming stories I encountered this week involved a family of five—a husband, wife and three kids—seeking out homeowners, particularly older adults, in need of help. The anonymous family cleaned yards, did not ask for anything in return and quietly moved on to the next person in need.

They did not seek and would not accept publicity. I admired that more than anything.

''We're doing it because we should,'' they answered.

That is the ultimate pay it forward.

Another offering of help was provided by at least one Hannibal inn handling an influx of displaced Quincyans on Monday night who needed a place to stay, including one family with a special-needs child who needed air conditioning. The lodge in question not only found the Quincyans rooms, but also provided them at a discount.

Hannibal has a big heart, too.

How about the cooperation of the drivers working their way through the maze of downed trees and no stoplights? Most major Quincy intersections became a little more than four-way stops, which could have become incredibly dangerous at major sites like 36th and Broadway. Instead, there was an esprit de corps among Quincyans, who politely made it all work.

Hats off to the local supermarkets for providing items like free bags of ice and places to recharge cellphones.

If you follow any social media, you have been impressed with the salutes, praises and admiration of Ameren and other workers trying to restore power to city residents. More than 1,000 Ameren workers alone have been working around the clock.

It's going to be quite awhile before things are back to what we consider ''normal,'' but we'll get there.

We're Quincy. We pay it forward.

EVERY CHILD ACHIEVES ACT

Mr. LEAHY. Mr. President, today, the Senate has approved landmark legislation to reauthorize the Elementary and Secondary Education Act of 1965. Since 2001, the failed policies of No Child Left Behind have unfairly burdened educators and administrators by holding students accountable for snapshot academic progress. The Senate's bipartisan action today—an overwhelming vote of approval—is one step forward in the reversal of these troubling measures. The Every Child Achieves Act further highlights the Federal Government's crucial responsibility to ensure that students everywhere, across the country, have access to the resources they need for lasting academic success.

Since 2001, I have heard from parents, teachers, students, policymakers, and administrators about the negative impact of No Child Left Behind. I voted against the legislation, as I did not agree, and still do not agree, with a one-size-fits-all approach to education. I was also disappointed with the bill's rigid Federal accountability measures, as I truly believe States and local education agencies deserve flexibility when it comes to how schools operate.

The Every Child Achieves Act restores educational flexibility to the States, while safeguarding student access to resources, regardless of race, gender, financial status, and learning level. I am pleased that the bill takes into account the greater needs of students in rural areas, increases funding for early childhood education programs, and improves school safety measures. I am especially pleased with the bill's innovative assessment and accountability demonstration authority provision, which will allow Vermont to adopt competency and performance-based assessments that prove far more than how well a student can perform on a test on one given day.

Of course, no bill is perfect, and this one is no different. I am disappointed that several amendments that would have improved the bill were not adopted. The Student Non-Discrimination Act, authored and filed as an amendment by Senator FRANKEN, would have taken the important step of ensuring protections for students who face harassment and bullying simply because of their actual or perceived gender identity or sexual orientation. I was proud to cosponsor the amendment, and remain committed to revisiting this important discussion to ensure all children are protected against bullying and discrimination in our schools. It garnered a majority of support in the Senate; it should have been adopted.

In a strong statement of support, the Senate came together in opposition against amendments on portability and private school vouchers, which would have unfairly redistributed title I funding from our Nation's highest need schools. I commend Chairman ALEXANDER and Ranking Member MURRAY for their leadership throughout the debates, and for their tireless dedication to promoting educational reform that serves the needs of all students.

We have come together, members on both sides of the aisle, to support the Every Child Achieves Act. Amid the partisan rancor, bipartisanship won the day, and the winners in this debate will be students in Vermont and across the country. As the House and Senate move to conference, I hope Congress will use this opportunity to promote the many measures included in the Senate's bill, which reflect the true needs of all students, educators, parents, and administrators.

TRUCK SAFETY ACT

Mr. BOOKER. Mr. President, trucking is critical to the movement of goods to consumers across the country. The trucking industry is a vital part of our economy. But we must also strive to ensure that goods are moved as safely as possible.

Each year, nearly 4,000 lives are lost due to truck crashes on our Nation's highways. Research by the National Transportation Safety Board has shown that many of these crashes could have been prevented. We owe it to the individuals and families affected by these tragedies to take every step possible to reduce the risks and prevent needless crashes.

That is why I have introduced the Truck Safety Act of 2015, legislation that will modernize our truck safety standards and embrace new technologies that can help reduce crashes across the country.

This legislation includes a provision to require collision-avoidance technologies in commercial vehicles involved in interstate commerce. Many of the fatalities that occur today are the result of rear-end collisions that could have been prevented with current technology. The technology can detect an impending collision or unsafe lane departure and automatically apply corrective action if a human operator is

unable to do so. The U.S. Department of Transportation has been working on this issue for several years and many companies have adopted these technologies. It is far past time that these lifesaving devices were required in all new trucks.

This legislation also updates the minimum liability insurance for trucking companies in order to ensure victims of crashes are able to fully recover the cost of their damages. In a report to Congress, the Department of Transportation found compelling evidence to reevaluate the current minimums. In some crashes, the costs to the victims far exceed the current minimum of $750,000. This can leave the victim uncompensated for damages. Minimum insurance levels have not been raised since the 1980s, so my legislation requires an immediate increase to the trucking minimum insurance level, requires annual adjustment for inflation, and requires the Department of Transportation to evaluate whether minimum insurance levels need to be increased further.

Another provision in this legislation would allow the Secretary to require trucking employers to compensate drivers for time spent on duty but not driving. Currently, drivers are compensated for miles driven, not hours worked. This sets up an unsafe incentive structure in which drivers are penalized for taking the rest they need in order to drive safely. Drivers in this country play a critical role in ensuring Americans get the products they rely on for everyday life. They should not be forced to choose between resting to ensure their safety and feeding their families at home.

The Truck Safety Act is an important step to protect our truck drivers, individuals, and families traveling on our Nation's highways. I urge my colleagues to support this legislation that will improve the lives of New Jerseyans and individuals across the country.

ADDITIONAL STATEMENTS

TRIBUTE TO SHAYNE PIERRE

• Mr. DAINES. Mr. President, I wish to recognize Shayne Pierre of Polson, MT as Montanan of the Week. This week, Mr. Pierre was given the rare honor of receiving the Colonel's Meritorious Service Award from the Lake County Sheriff's Office and the Montana Highway Patrol for his selfless acts to assist all victims of a drunk driving accident that occurred this past May.

Shayne was riding the school bus home when the accident occurred. A speeding drunk driver caused a collision with the school bus, injuring both Shayne and his fellow students on the bus. Upon noticing a gas leak on the pavement, Shayne quickly instructed all students to exit the bus. He also acted heroically when he ran to help the driver who caused the accident, despite the injuries Shayne himself had sustained.

Shayne's quick actions and selflessness deserve many thanks and for that, I want to recognize him. Through this incident, Shayne acted as a role model not only to the students on the bus, but to his classmates, peers and community. I am proud that he is a citizen of the great State of Montana and an example to all.•

REMEMBERING ROY KIDDER

• Mr. HELLER. Mr. President, today, we honor the life and legacy of an upstanding Nevadan, Roy Kidder, whose passing signifies a great loss to the State. I send my condolences and prayers to his wife Cookie and all of Mr. Kidder's family in this time of mourning. He was a man truly committed to his family and his community. Although he will be sorely missed, his great influence in Nevada will be felt for years to come.

Mr. Kidder was born on July 31, 1937, in Tonopah. His first 3 months were spent in Manhattan, NV, where his father worked on the dredge. His family then moved to Honey Lake for 5 months and later to Hawthorne, where he was raised. Throughout his youth, Mr. Kidder was recognized for his incredible athletic ability, excelling in baseball, basketball, and track at Mineral County High School. He also contributed to the school's football team as a manager. Along with sports, he exceeded expectations in the academic world. Mr. Kidder participated in Mineral County High School's Honor Society and Block H, as well as attending American Legion Boys State, which is a highly respected educational program. After graduating high school, he attended the University of Nevada, Reno, UNR, where his drive in sports continued. From 1957 to 1959, Mr. Kidder played on the university's baseball team for Wolf Pack Coach Jake Lawlor. He graduated from UNR in 1959.

Shortly after, Mr. Kidder was recruited by Al Seeliger to teach and coach in Carson City. Throughout his tenure, he taught physical education, social studies, and Nevada history, and he served as department head for six different departments. He also coached golf, softball, basketball, and baseball and helped with the track team. His excellent teaching and coaching skills touched the lives of generations of Nevada students, including me. He was truly a role model as my physical education teacher. His tremendous involvement in Carson City will never be forgotten.

Mr. Kidder maintained only the highest level of excellence for himself and for the local community throughout his career. Carson City remains better because of his outstanding contributions. Today, I join citizens across the Silver State in celebrating the life of a truly dedicated and inspirational Nevadan, Roy Kidder.•

TRIBUTE TO CAPTAIN CHRISTY WISE

• Mr. HELLER. Mr. President, today, I wish to recognize Capt. Christy Wise for her unwavering dedication to both the U.S. Air Force and to overcoming great adversity. It gives me great pleasure to recognize this young woman's incredible strength. She embodies the true Battle Born spirit of determination, fearlessness, confidence, and resilience.

Captain Wise was raised in Reno with her twin sister and younger brother. She was accepted into the Air Force Academy, where she discovered her passion for flying. Shortly after, she was accepted into flight school. Captain Wise flies HC–130 search and rescue planes supporting pararescue jumpers and helicopters at her squadron base in Valdosta, GA. She flew in six rescue missions in Afghanistan in 2012 and is scheduled to redeploy this December. I extend my deepest gratitude to her for her service and wish her a safe deployment.

Recently, Captain Wise competed in the 2015 Department of Defense Wounded Warrior Games after sustaining serious injuries in a boating accident. Immediately after recovering from her injuries, which included the loss of her right leg above the knee, Captain Wise began her rehabilitation. She had heard about the Department of Defense Wounded Warrior Games though a fellow amputee patient at the gym and decided to compete. Less than 3 months after the accident, Captain Wise competed in track and field, swimming, and cycling events, earning 11 medals total. It was only 2 days before the games that she was cleared to participate in the swimming events, leaving her little time to practice for the five events in which she would compete. She received silver medals in both hand cycling and field competitions and received a bronze medal in the 100-meter wheelchair race. Her insatiable drive to excel is truly inspirational.

Captain Wise has demonstrated unwavering commitment and dedication to the highest standards of the U.S. Air Force. I am proud to call her a fellow Nevadan, and today, I ask my colleagues to join me in recognizing Captain Wise and her great achievements. I wish her well in all of her future endeavors and in her time in the U.S. Air Force for years to come.•

RECOGNIZING LIEUTENANT GENERAL JOHN D. JOHNSON

• Mr. INHOFE. Mr. President, I wish to recognize the service of LTG John D. Johnson, the director of the Department of Defense's newest combat support agency, the Joint Improvised-Threat Defeat Agency, JIDA, who will retire on September 1, 2015, after 38 years of active service.

Lieutenant General Johnson honorably served his country for more than

three decades. After graduating from the Virginia Military Institute in 1977 as an infantry officer, he commanded troops at every level and is a veteran of multiple deployments to Iraq. As a young officer, he served in Germany, Georgia, California, and the Pentagon. He attained the rank of brigadier general in 2006 and was assigned as the assistant division commander for maneuver of the 2nd Infantry Division in Korea. Upon returning, he was assigned to the U.S. Army Installation Management Command. From there, he became the deputy commanding general, operations, for I Corps and Fort Lewis, WA. He deployed to Iraq serving in that role to the Headquarters for Multi-National Corps—Iraq, where he learned first-hand the atrocities inflicted by improvised explosive devices, foreshadowing his rise to his final position. In his penultimate position, he was the commanding general, Eighth U.S. Army; and Chief of Staff for United Nations Command, Combined Forces Command, and U.S. Forces Korea, preserving readiness for coalition forces across the Korean Peninsula.

As the director of JIDA, Lieutenant General Johnson set the conditions for the Joint Improvised Explosive Device Defeat Organization, JIEDDO, to become JIDA, a permanent defense agency that will enhance our Nation's capabilities to fight improvised weapons and those who employ them. He has fostered countless cooperative relationships with government agencies, coalition partners, academia, and industry supporters in an effort to find innovative solutions to these pervasive improvised threats. During this challenging transition period for JIEDDO, he led an extensive effort to right-size the workforce and streamline processes while still bestowing a high level of support to the warfighter.

I had the pleasure of personally working with Lieutenant General Johnson during his tenure at JIEDDO. He is an inspiring leader, an admirable mentor, and a fine example for his fellow servicemembers. I am proud to share in the celebration of Lieutenant General Johnson's career, his extraordinary leadership, his distinguished military service and his unwavering dedication to this great Nation. I wish him, his wife Cheryl, and their daughter Elizabeth all the best in their future endeavors.●

RECOGNIZING REACTWELL

● Mr. VITTER. Mr. President, every business starts out with an entrepreneur willing to put in the hard work and take risks in order to turn an idea into reality. I am delighted to name ReactWell of New Orleans, LA, as Small Business of the Week. ReactWell is on the forefront of developing cutting edge technological advancements with the potential to revolutionize the energy, chemical, and petrochemical industries.

In 2010 after seeing the devastation from the British Petroleum, BP, oil-spill in the Gulf of Mexico, Baton Rouge native Brandon Iglesias founded ReactWell—a company that focuses on recycling existing carbon dioxide into useful oils and chemicals. Primarily, ReactWell develops technology that creates cleaner synthetic crude oil by using underground geothermal reactors and algae. Iglesias' technological invention relies on the natural forces and gravitational pressure to convert algae and chemicals into usable crude oil, while also reusing the waste produced from the reaction to feed the algae strains back into the system.

After years of hands-on research in the oil field, Brandon Iglesias took his research to a local entrepreneurial start-up competition, ultimately receiving crucial start-up capital and attention from interested investors across the country. Today, ReactWell continues to grow both its synthetic synthesizing programs, while additionally expanding their reach into a robust catalog of service and product applications spanning technoeconomic modeling, carbon sequestration, green chemistry, water treatment, and thermochemical conversions. Additionally, ReactWell maintains a laboratory with capabilities that include air sampling, cryogenic milling, and distillation, and process simulation capabilities in bio-physical modeling SIM Finite Element Analysis, FEA, 3D studio animation, and fusion and alias design.

Congratulations again to ReactWell for being selected as Small Business of the Week. I look forward to seeing the long-term impact ReactWell's innovative technologies will have in aiding Louisiana and the Nation.●

MESSAGES 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 and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 9:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

MEASURES REFERRED

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

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Appropriations, without amendment:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–82).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 1705, An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 114–83).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1140. A bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes (Rept. No. 114–84).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1599. A bill to provide anti-retaliation protections for antitrust whistleblowers.

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. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RUBIO, Mr. MCCAIN, Mr. PERDUE, Mr. CRUZ, Mr. JOHNSON, Mr. COTTON, Mr. CORNYN, Mr. ALEXANDER, and Mr. SCOTT):

S. 1785. A bill to repeal the wage rate requirements of the Davis-Bacon Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. MANCHIN):

S. 1787. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. BLUMENTHAL):

S. 1788. A bill to require operators that provide online and similar services to educational agencies, institutions, or programs to protect the privacy and security of personally identifiable information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 1789. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 1790. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable prescription drugs from approved pharmacies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself and Mr. CASSIDY):

S. 1791. A bill to amend the Delta Development Act to include Vernon and Sabine parishes in the definition of the term ''Lower Mississippi''; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. CARDIN, Mr. CASEY, Mr. CARPER, Mr. MENENDEZ, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1792. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself and Mr. WICKER):

S. 1793. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. HEINRICH, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. FRANKEN):

S. 1794. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Mr. SCHUMER, Mr. CASSIDY, Mr. MANCHIN, Mrs. CAPITO, Mr. BENNET, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MENENDEZ):

S. 1795. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SANDERS, Ms. MIKULSKI, Ms. WARREN, and Mrs. MURRAY):

S. 1796. A bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children and to allow States to certify infants for participation in that program for a period of 2 years, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HEITKAMP (for herself, Mr. MORAN, Mr. KING, and Mr. BOOZMAN):

S. 1797. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs .

By Mr. RUBIO:

S. 1798. A bill to reauthorize the United States Commission on International Religious Freedom, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. KLOBUCHAR (for herself and Mr. SCHUMER):

S. 1801. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. CRAPO, and Mr. MENENDEZ):

S. 1802. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1803. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 210

At the request of Ms. MURKOWSKI, her name 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. 226

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 226, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 471

At the request of Mr. HELLER, the name of the Senator from Washington (Ms. CANTWELL) 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 names of the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. COONS), the Senator from West Virginia (Mrs. CAPITO), the Senator from North Carolina (Mr. TILLIS), the Senator from Idaho (Mr. RISCH), the Senator from Louisiana (Mr. CASSIDY), the Senator from Alabama (Mr. SHELBY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON), the Senator from Arkansas (Mr. COTTON) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors 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. 627

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 637

At the request of Mr. CRAPO, the names of the Senator from Maine (Ms.

COLLINS), the Senator from Maine (Mr. KING) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 697

At the request of Mr. UDALL, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mr. TILLIS) 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 Ms. MURKOWSKI, her name 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. 799

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 890

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

S. 979

At the request of Ms. MURKOWSKI, her name 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. 1082

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1148

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1424

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1424, a bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Idaho (Mr. RISCH) 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. 1498

At the request of Mr. WYDEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1498, a bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes.

S. 1547

At the request of Mr. ISAKSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1547, a bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes.

S. 1598

At the request of Mr. LEE, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from South Carolina (Mr. SCOTT) 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. 1603

At the request of Mr. FLAKE, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1664

At the request of Mr. CARPER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1664, a bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes.

S. 1676

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1676, a bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

S. 1692

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1692, a bill to amend title 49, United States Code, to clarify the use of a towaway trailer transportation combination, and for other purposes.

S. 1709

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 1709, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Idaho (Mr. RISCH) 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. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.

Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 197

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 197, a resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. 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. 1784

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 ''Federal Prisons Accountability Act of 2015''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeds $6,900,000,000 for fiscal year 2015.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons has the largest operating budget of any unit within the Department of Justice.

(3) The Director of the Bureau of Prisons oversees 122 facilities and is responsible for the welfare of more than 208,000 Federal inmates.

(4) The Director of the Bureau of Prisons supervises more than 39,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) The Director of the Bureau of Prisons also serves as the chief operating officer for Federal Prisons Industries, a wholly owned government enterprise of 78 prison factories that directly competes against the private sector, including small businesses, for Government contracts.

(6) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the Community Relations Service, the Director of the Federal Bureau of Investigation, the Director of the National Institute of Justice, the Director of the Office for Victims of Crime, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(7) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking ''appointed by and serving directly under the Attorney General.'' and inserting the following: ''who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General.''.

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of the Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. 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. 1786

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 ''Centennial Monetary Commission Act of 2015''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Constitution endows Congress with the power ''to coin money, regulate the value thereof''.

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain state-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Congress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the ''Centennial Monetary Commission'' (in this Act referred to as the ''Commission'').

SEC. 4. DUTIES.

(a) STUDY OF MONETARY POLICY.—The Commission shall—

(1) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(2) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(A) discretion in determining monetary policy without an operational regime;

(B) price level targeting;

(C) inflation rate targeting;

(D) nominal gross domestic product targeting (both level and growth rate);

(E) the use of monetary policy rules; and

(F) the gold standard;

(3) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(4) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(5) recommend a course for United States monetary policy going forward, including—

(A) the legislative mandate;

(B) the operational regime;

(C) the securities used in open market operations; and

(D) transparency issues.

(b) REPORT ON MONETARY POLICY.—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under subsection (a), together with the recommendations the Commission considers appropriate.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) APPOINTED VOTING MEMBERS.—The Commission shall contain 12 voting members as follows:

(A) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party; and

(B) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(2) CHAIRMAN.—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(3) NON-VOTING MEMBERS.—The Commission shall contain 2 non-voting members as follows:

(A) One member appointed by the Secretary of the Treasury.

(B) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(b) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(c) TIMING OF APPOINTMENT.—All members of the Commission shall be appointed not before January 5, 2015, and not later than 30 days after the date of the enactment of this Act.

(d) VACANCIES.—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(e) MEETINGS.—

(1) INITIAL MEETING.—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(2) FURTHER MEETINGS.—The Commission shall meet upon the call of the Chair or a majority of its members.

(f) QUORUM.—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(g) MEMBER OF CONGRESS DEFINED.—In this section, the term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

SEC. 6. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(b) CONTRACT AUTHORITY.—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this Act, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(c) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this Act.

(2) REQUESTING OFFICIAL DATA.—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

(A) the Chair;

(B) the Chair of any subcommittee created by a majority of the Commission; or

(C) any member of the Commission designated by a majority of the commission to request such information.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(e) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 7. COMMISSION PERSONNEL.

(a) APPOINTMENT AND COMPENSATION OF STAFF.—

(1) IN GENERAL.—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(2) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(b) CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(c) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this Act.

SEC. 8. TERMINATION.

(a) IN GENERAL.—The Commission shall terminate on June 1, 2017.

(b) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to committee of Congress concerning its report.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act and such sums shall remain available until the date on which the Commission terminates.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, I rise to introduce the Community Bank Sensible Regulation Act of 2015, a bill which would allow financial regulators to exempt community banks from unnecessary and unduly burdensome requirements, if doing so is in the public interest. My bill would provide this authority to the FDIC, the Office of the Comptroller of the Currency, and the Federal Reserve, and would apply to financial institutions with less than $10 billion in assets.

The aim of my legislation is to allow the financial regulators to exempt community banks from highly complex regulations designed to protect our financial system from systemic risks that would arise from the failure of larger banks. All banks, large and small, should be well-capitalized and properly regulated, but that does not mean that our financial regulators must impose a ''one size fits all'' regulatory regime across the board without regard to the risks posed to the financial system by banks with fundamentally different business models and of vastly different sizes.

Some regulations that are appropriate or essential for larger banks may make no sense when applied to community banks. For example, current law requires community banks to demonstrate that they are in compliance with the Volcker Rule—which restricts proprietary trading and hedge fund investments by banks—even though community banks rarely engage in such trading. Even so, community banks must shoulder the burden of complying with this complex regulation. My bill would allow the regulators to exempt community banks from the Volcker Rule.

As the GAO has noted, smaller banks are ''disproportionately affected by increased regulation, because they are less able to absorb additional costs.'' These costs are significant. According

to industry representatives, the cost of complying with regulations absorbs 12 percent of total bank operating expenses, and is two-and-a-half times greater for small banks than for large banks.

The cost of regulation puts community banks at a competitive disadvantage vis-à-vis larger banks. Over the past 2 decades, the share of the U.S. banking industry represented by community banks has declined from 40 percent to just 18 percent. Over the same period, the share of the market represented by the five largest banks has grown from roughly 18 percent to 46 percent. I am concerned that unnecessary regulation will accelerate these trends, and ironically, contribute to the further consolidation of the banking industry into a handful of ''too big to fail'' banks.

Community banks play an essential role in meeting the credit needs of their customers, particularly small businesses, homeowners, and farmers. Although community banks represent just 18 percent of total banking assets, they are responsible for half of our nation's small business loans. With small business formation at generational lows, it is essential that we preserve and protect their access to credit, as they are the major driver of job creation in our country. In addition, community banks provide ¾ of our Nation's agricultural loans, a line of finance that requires highly specialized knowledge of farming and a long-term perspective suited to agricultural cycles.

Regulators should be able to tailor their regulations to take the distinctive nature of community banks into account. My bill would allow regulators to exempt community banks from unnecessary and burdensome regulations where it is in the public interest to do so. I urge my colleagues to support it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2257. Mr. McCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2257. Mr. McCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVIEW AND NOTIFICATIONS OF CATEGORICAL EXCLUSIONS GRANTED FOR NEXT GENERATION FLIGHT PROCEDURES.

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

''(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 30 days before granting a categorical exclusion under this subsection for a new procedure, the Administrator shall notify and consult with the affected public and the operator of the airport at which the procedure would be implemented.

''(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

''(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

''(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

''(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

''(ii) in conducting such consultations, consider the use of alternative flight paths.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''Legislative Hearing to Review Pending Forest Service and Forestry Related Bills.''

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2:30 p.m., to conduct a hearing entitled ''The Semiannual Monetary Policy Report to the Congress.''

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

COMMITTEE ON FINANCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Reviewing HealthCare.gov Controls.''

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 16, 2015, at 10 a.m., to conduct a hearing entitled ''Corruption, Global Magnitsky, and Modern Slavery—Review of Human Rights Around the World.''

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 16, 2015, at 11 a.m., in room SD-216 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 16, 2015, at 2:30 p.m.

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

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Africa and Global Health be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled ''Wildlife Poaching.''

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

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on July 16, 2015, at 2:45 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled, ''Reviewing the Office of Information and Regulatory Affairs' Role in the Regulatory Process.''

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

ENSURING ACCESS TO CLINICAL TRIALS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 139 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 139) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further 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 with no intervening action or debate.

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

The bill (S. 139) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 139

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 ''Ensuring Access to Clinical Trials Act of 2015''.

SEC. 2. ELIMINATION OF SUNSET PROVISION.

Effective as if included in the enactment of the Improving Access to Clinical Trials Act of 2009 (Public Law 111–255, 124 Stat. 2640), section 3 of that Act is amended by striking subsection (e).

MEASURE READ THE FIRST TIME—H.R. 3038

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. MCCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR FRIDAY, JULY 17, 2015, AND TUESDAY, JULY 21, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:40 a.m., Friday, July 17, for a pro forma session only, with no business being conducted; further, that following the pro forma session, the Senate adjourn until Tuesday, July 21, at 10 a.m.; 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, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m., with the time equally divided in the usual form; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10:40 A.M. TOMORROW

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 6:04 p.m., adjourned until Friday, July 17, 2015, at 10:40 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NUCLEAR REGULATORY COMMISSION

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2020, VICE JEFFERY MARTIN BARAN, RESIGNED.

DEPARTMENT OF STATE

SUSAN COPPEDGE AMATO, OF GEORGIA, TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE, VICE LUIS C. DE BACA, RESIGNED.

MARC JONATHAN SIEVERS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

KENNETH DAMIAN WARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

THE JUDICIARY

MARK A. YOUNG, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE AUDREY B. COLLINS, RETIRED .

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 16, 2015 withdrawing from further Senate consideration the following nomination:

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2018, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON FEBRUARY 5, 2015.

EXTENSIONS OF REMARKS

CONGRESSIONAL BLACK CAUCUS

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 13, 2015

Ms. LEE. Mr. Speaker, first, let me thank Congresswoman ROBIN KELLY and Congressman DONALD PAYNE for hosting this important Special Order. I appreciate your leadership in organizing this important discussion.

I would also like to thank Chairman BUTTERFIELD and Assistant Leader CLYBURN for their continued leadership and dedication to fighting racism and racial bias.

Tonight's special order is particularly important because of recent high profile events that have forced our nation to reflect on race.

Our nation continues to grieve those lost in the terrible tragedy at Mother Emmanuel A.M.E. Church in Charleston, S.C. and my thoughts and prayer remain with their families.

In the wake of this senseless tragedy, Americans all over the country are asking: why do we still celebrate the Confederate battle flag? The confederate battle flag is a true symbol of hate and discrimination.

Late Wednesday night, as the South Carolina legislature debated bringing down the Confederate battle flag that had flown over its statehouse, Congressman KEN CALVERT, a Republican from California, introduced an amendment—in the dark of night—to allow for the sale and display of this symbol of hate in our national parks and federal cemeteries.

That's simply outrageous—this symbol of hate has no place at these federal landmarks. It's past time that we put away these symbols of hate and division.

It's past time that we confront America's long and dark history of racism and work to address the legacy of slavery, Jim Crow and institutional racism that continue to disadvantage too many African American families.

Now I grew up in El Paso, TX and I remember vividly Jim Crow. I remember the segregated schools and separate drinking fountains. I wasn't able to go to the Plaza Theatre with my white and Latino friends—because I was black.

Thankfully, those days of legal segregation have ended but in many ways, we know that segregation and the wounds of racism still persist.

And the Confederate battle flag is a symbol of that hate and racism. It is a symbol that only serves to divide us and that never should have existed.

From its conception, the confederate battle flag has represented white supremacy, and oppression.

In the words of William Thompson, the designer of the confederate battle flag, ''As a people we are fighting to maintain the Heaven-ordained supremacy of the white man over the inferior or colored race. A white flag would stand fourth our southern cross, preserving in beautiful contrast the red white and blue''

He continues by saying ''. . . it would soon take rank among the proudest ensigns of the nations, and be hailed by the civilized world as the White Man's Flag.''

Mr. Speaker—I could not have put it more plainly.

This flag means hate—it always has and always will.

The intent for the confederate battle flag was to create a symbol that will remind the whole world of white supremacy, discrimination, and opposition to America.

It was also the banner under which millions fought against the preservation of our great union.

Under this flag, the Ku Klux Klan; a terrorist organization solely devoted to promoting hate and white supremacy, would unlawfully lynch blacks and burn churches to the ground.

Under this banner, lawmakers instituted laws that established and preserved segregation for generations.

And Dylann Roof looked to the flag as his guiding symbol that legitimized his actions: the murder of 9 peaceful parishioners looking to develop a deeper connection with God and their community.

Mr. Speaker—enough is enough. This symbol of hate has no place in our society—it's past time to take it down.

However, it is not enough to simply take it down. We must get serious about deconstructing the system that the Confederate battle flag represents—a system designed to close off economic opportunity for African Americans. It's past time that we get serious about ensuring liberty and justice for all.

To start, we must pass Congressman BENNIE THOMPSON's resolution to bring down the Confederate battle flag from our nation's Capital. This is a common sense step and I urge the House Administration Committee to quickly move on his legislation.

We can and must do more to put away hate and ensure justice for all.

We must start by creating good-paying jobs that are open to all Americans.

In my role as co-chair of the CBC Task Force on Poverty and the Economy and Chair of the Democratic Whip's Task Force on Poverty, Income Inequality, and Opportunity, I am proud to be working with more than 100 of my colleagues, to advance policies that give all Americans—a fair shot.

This work includes working to pass the Pathways out of Poverty Act (H.R. 2721), which I am proud to have introduced this Congress. This legislation is a comprehensive approach to address poverty in America that starts by creating good-paying jobs that empower families to build pathways out of poverty.

We also need to raise the minimum wage—and fight for a living wage because no one working full time should live in poverty.

To that end, I am proud to be a cosponsor of Congressman AL GREEN'S The Original Living Wage Act (H.R. 122) and Congressman SCOTT'S Raise the Wage Act (H.R. 2150) to increase paychecks for families living on the edge.

We also need to fight against the disparities that persist in our health care system. The Affordable Care Act was a good start but more is needed.

For years, the Congressional tri-caucus has championed this effort by introducing The Health Equity and Accountability Act (HEAA). Congresswoman ROBIN KELLY will have the honor of introducing this important legislation this Congress and I am proud to co-lead this effort as co-chair of the CAPAC Health Task Force. This legislation builds on the Affordable Care Act and puts us on track to eliminate health disparities in our country.

Lastly, we need criminal justice reform. For too long we have ignored the systemic racial bias that's endemic in our criminal justice institutions and which has created an entire ''missing generation'' of black men.

That is why Congress should pass the bipartisan Stop Militarizing Law Enforcement Act (H.R. 1232), which I am a proud cosponsor of, to stop the militarization of our nation's police forces.

We need to pass the Police Accountability Act (H.R. 1102) and the Grand Jury Reform Act (H.R. 429) so we can ensure that deadly force cases are heard by a judge and there is more accountability among police officers.

Mr. Speaker—we have the legislation before us to start ending systemic poverty and injustice in America—let's call a vote and pass these bills.

It's time that we get serious about deconstructing the institutions that have oppressed millions and denied them and their families' opportunity to live the American dream.

But first, we must take down the Confederate battle flag—a symbol of those biased institutions.

A symbol of hate—
Of racism and
Of treason.

Mr. Speaker—it's past time to take it down.

RECOGNIZING THE TYLER JUNIOR COLLEGE APACHES' 2015 NJCAA DIVISION III WORLD SERIES CHAMPIONSHIP

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. GOHMERT. Mr. Speaker, it is an extraordinary privilege of extending recognition to a team winning, not merely a state or conference championship, but a national title, not for the first time, but for the second year in a row. Once again, the Tyler Junior College Apaches Baseball Team has achieved national prominence by winning the 2015 NJCAA Division III World Series baseball tournament.

This back to back national title is the third national baseball championship title for Tyler

Junior College, and marks the fifty-second national championship for TJC since athletics was first organized at the school back in the 1940s.

The TJC Apaches traveled to Kinston, North Carolina along with a host of devoted Apache fans, where the doggedly tenacious team defeated Joliet (Illinois) Junior College with a final score of 10–9. They never lost sight of their unified goal of capturing another national title for TJC. The TJC Apaches pushed onward with unmitigated perseverance and determination, despite a season wrought with weather related delays and cancellations.

A tremendously skilled coaching and administrative staff helped lead the Apaches to another consecutive victory. Those individuals include Head Baseball Coach Doug Wren (NJCAA Div. III Baseball Coach of the Year); Assistant Coaches Chad Sherman, Taylor White, and Trent Buchhorn.

The exceptionally talented, resolute, relentless national championship team is comprised of Zane Ancell, Austin Ballew, Cody Brown (Tournament MVP), Landon Brune, Jace Campbell, Derek Clemons (Tournament Elite Hitter & All-Tournament Team), Aaron Clemons (All-Tournament Team), Michael Crews, Manny Galvan, Jonathan Groff, Jacob Hickman, Chantz Holland, Tim Hunter, Jimmy Johnson, Garrett Johnston, Alex Masotto (All-Tournament Team), AJ Merkel, Chandler Muckleroy, Brady O'Borski, Zane Otten, Jared Pauley, Gunnar Quick, Reese Read, Taylor Rich, Drew Robertson, Adan Ross, Reid Russell, Sam Sitton, Weston Smart, Travis Smith, Brady Usherwood, Jace Vines, and Brandon Webb (All-Tournament Team). Of course, every great team needs assistance to round out and hold them together as a team and keep them physically on the field playing, and that help came in the very able assistance of Training Staff Eddy McGuire, Jeff Derrick, Spenser Deeken, Lynsee Jistel, and Nathan Tanaka; and Student Support Staff consisting of Chad Cunningham and Justin Doelitsch.

Without question, there is a long legacy of academic and athletic achievement at Tyler Junior College, even as it continues to reach new levels of prestige under the meticulous leadership of TJC President Dr. L. Michael Metke; Athletic Director Dr. Tim Drain; Assistant Athletic Director Chuck Smith; Athletic Department Coordinator M. Angela Clemons; and Provost and Vice President for Academic and Student Affairs Dr. Juan Mejia.

One must also recognize the unwavering support of the players' families, Tyler Junior College alumni, faculty, staff members, and the entire East Texas community. Without this remarkably loyal support system, the Apaches' road to back-to-back national championships would have been a much more difficult journey.

It is with great pride that I join the constituents of the First District of Texas in congratulating the players and athletic staff of the 2015 NJCAA Division III World Series National Champions, the TJC Apaches Baseball Team, whose legacy is now recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

RECOGNIZING GOTEMBA, JAPAN ON ITS 55TH ANNIVERSARY AS CHAMBERSBURG, PENNSYLVANIA'S SISTER CITY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize the city of Gotemba, Japan on the occasion of its 55th year as Chambersburg, Pennsylvania's Sister City.

In 1958 the Gotemba City Assembly took the first step in creating an exciting international bond when it voted to establish a Sister City relationship with Chambersburg, PA. With a vibrant population of nearly 89,000 people and a picturesque location near the base of Mt. Fuji, Gotemba has been an extraordinary partner and gracious host.

Originally presented as an opportunity for building friendships and exchanging ideas and cultural interests, this arrangement has created long-lasting connections and spurred experiences that any international city would be lucky to have.

Long after the first personal contact by citizens of Chambersburg visiting Gotemba occurred in April, 1960, our friendship remains strong. It is my honor to help welcome the Gotemba citizens and highlight their 2015 visit to Chambersburg, as it is not only the first of its kind in a decade but also marks the 55th year of our unique relationship. Additionally, I would like to recognize those who have built and maintained the Sister City status, for they have made this milestone and all of its positive impacts on both of our communities possible.

Today I am proud to celebrate the 55 years Chambersburg and Gotemba have shared as Sister Cities and wish this international union endless success in the future.

RECOGNIZING THE 30TH ANNIVERSARY OF THE BREVARD SMALL BUSINESS ASSISTANCE COUNCIL

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. POSEY. Mr. Speaker, small businesses are the backbone of our economy and have historically created the bulk of new jobs in America. Wherever and whenever efforts are undertaken to encourage small business development and entrepreneurship, we make our economy stronger and provide new opportunities to hard working Americans and their families. One such organization dedicated to this cause is the Brevard Small Business Assistance Council (BSBAC).

Founded in 1985, BSBAC is a not-for-profit organization dedicated to promoting the growth of small businesses in Brevard County, Florida, by providing networking opportunities, learning and coordinating advocacy on issues that influence businesses in Brevard County. Some of its members include Brevard County's local governments and chambers of commerce, banks, legal offices, the federal government and many prime contractors for the Air Force and NASA.

On August 1, 2015 the Brevard Small Business Assistance Council will achieve a great milestone in its life and celebrate its 30th Anniversary.

I urge my colleagues to join me in congratulating BSBAC for their successful efforts over the past 30 years to support local business development, and salute their continued commitment to enhancing commercial and government procurement opportunities for Brevard County and Florida's small businesses.

RECOGNIZING KEN ''KENNY'' STABLER OAKLAND RAIDER LEGEND ON HIS PASSING

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise with Congressman JIM COSTA of California, and Congressman BRADLEY BYRNE of Alabama to recognize Oakland Raider legend Kenny Stabler on the occasion of his passing away from colon cancer on July 9, 2015 at the age of 69.

After playing football at the University of Alabama, Stabler joined the Oakland Raiders and was their quarterback during the franchise's glory years from 1970–1979.

In his time as the Raiders' starting quarterback, Stabler compiled a record of 69–26–1, was named to the Pro Bowl four times, earned NFL MVP honors in 1974, and won a Super Bowl in 1977. He was one of the most accurate passers in football and revolutionized the quarterback position with his mobility in an illustrious career that also included stops with the Houston Oilers (1980–1981) and New Orleans Saints (1982–1984).

More than any statistics or records, (which were impressive enough in their own right), Stabler was a clutch performer who was cool under pressure. Nicknamed ''the Snake,'' he embodied the toughness, grit, yet fun-loving spirit that epitomized the Silver and Black during a storied era.

Stabler was at the helm for some of the NFL's most iconic moments including the ''Sea of Hands'' completion to Clarence Davis to defeat the Miami Dolphins in the 1974 playoffs, the ''Ghost to the Post'' to Dave Casper leading to a victory against the Baltimore Colts in the 1977 playoffs, and the ''Holy Roller'' fumble he initiated to secure a victory over their AFC West rival San Diego Chargers in 1978.

In fact, NFL Hall of Fame Coach and Commentator John Madden said that if he could only have one quarterback in all of NFL history to lead a final game-winning drive, it would undoubtedly be Kenny Stabler.

Kenny's Commitment to Excellence with Pride and Poise was truly extraordinary. Along with Congressman COSTA and Congressman BYRNE, I want to acknowledge him for his stellar career and pass along my condolences to his family, friends, and the Oakland Raiders franchise.

RECOGNIZING NIKI KENNEDY'S FULBRIGHT SCHOLAR ACHIEVEMENT

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Niki Kennedy on receiving a renowned Fulbright English Teaching Assistant Award for the 2014–2015 academic year.

Niki, a Marionville, Missouri, native, was awarded a Fulbright U.S. Student Program grant to serve as an English Teaching Assistant in Germany. The award has allowed Niki to continue learning the German language and culture after graduating from Missouri State University, while at the same time serving the people of Germany.

A Fulbright English Teaching Assistantship allows individuals to teach English and serve as a cultural ambassador for the U.S. by being placed in a classroom abroad. Niki's work through her scholarship has helped strengthen American ties with the German people and improve American relations with the country.

I am extremely proud that talented, hard-working, and dedicated individuals such as Niki represent the Seventh District of Missouri. I urge my colleagues to join me in congratulating Niki Kennedy for her service and for receiving this esteemed award.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF ST. JOHN MISSIONARY BAPTIST CHURCH

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Ms. MATSUI. Mr. Speaker, I rise today to recognize St. John Missionary Baptist Church and its parishioners as they celebrate the church's 70th anniversary. As its congregation gathers to celebrate this wonderful occasion, I ask all of my colleagues to join me in recognizing and honoring St. John Missionary Baptist Church for their contributions to the Sacramento community.

St. John Missionary Baptist Church was formed on August 24, 1945, under the leadership of Reverend Benjamin F. Davis. Their first location was known as ''the little storefront church'' and was located downtown on Capitol Avenue between Third and Fifth Streets. The church has been at their current location at 2130 4th Street for the last 53 years and it has thrived under the pastoral leadership of the Rev. J. D. Griffin, Dr. William E. Hights, and their current pastor, Rev. Darryl B. Heath.

St. John Missionary Baptist Church is committed to building stronger and synergistic relationships with its neighboring families and businesses. Their motto is ''Small Enough to Care, Large Enough to Serve!'' They do this by providing much needed social services to the underserved. An example of their exemplary work includes the Repairing the Breach Neighborhood Project which was established in 2008 and the Resource Referral Center opened in 2010, which is staffed by volunteers to assist in home ownership and financial counseling.

Mr. Speaker, as the congregation gathers for their 70th anniversary celebration, I am pleased to honor and recognize St. John Missionary Baptist Church for its important role in enhancing Sacramento's community. I ask my colleagues to join me in wishing them continued success and thanking them for their service to the Sacramento region.

TRIBUTE TO ADMIRAL JOHN GROSSENBACHER

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SIMPSON. Mr. Speaker, I rise today to recognize John Grossenbacher for an exceptional career dedicated to public service. After a distinguished 33-year career in the United States Navy, John became Laboratory Director of the Idaho National Laboratory in 2005. Since becoming Lab Director, John has dedicated himself to making INL a world-class nuclear energy research and development institution. John's tenure as Lab Director will soon come to an end, and while his legacy of leadership will endure for some time, I want to take this moment to say thank you and best wishes for the future.

When John Grossenbacher assumed command of the Idaho National Laboratory, he navigated the separation of cleanup work from research activities and the merger of two distinctly different research institutions. Since that time, John has brought a focus and purpose to INL's nuclear energy programs and he has worked with various leaders at the Department of Energy to strengthen our nation's nuclear energy programs and the important facilities in Idaho. Part of John's charge was to bring in the best and brightest to lead INL and the talent that he has brought to Idaho from other labs, industry and universities has strengthened our institution and its impact. John also spearheaded an effort to revitalize INL's facilities. Today what once was a field in Idaho Falls is now a gleaming boulevard with modern and efficient laboratories and offices. Idaho National Laboratory is now a strong, vibrant and respected institution and John Grossenbacher, the Battelle Energy Alliance, the Department of Energy, and the State of Idaho deserve credit for this enormously successful partnership.

While John pushed hard for the modernization of INL's nuclear capabilities, he also recognized that INL's unique physical and intellectual infrastructure provided opportunities to greatly expand the lab's work in national and homeland security programs, clean energy initiatives and regional partnerships. Today these INL programs are having a significant impact in their own unique areas and more and more people are looking to work with INL to solve their pressing challenges and get results.

As Laboratory Director, John Grossenbacher has steered the lab through numerous challenges and hurdles. In each of these instances, John assesses the situation, he tells you what he thinks, and he does what he thinks is necessary to solve the problem. John's candor, his unmatched integrity and his dedication to his job have ruffled feathers at times but have also brought him scores of supporters and advocates—and respect. Count me among his supporters.

John Grossenbacher has given INL a legacy of leadership and world class capabilities. John still has lots of energy and a desire to serve his country; and I am confident we will see him soon in some other significant capacity after his tenure at INL comes to an end.

Speaking for many, many others let me say, Admiral, thank you for a job well done.

CONGRATULATING VALDESE WEAVERS ON 100 YEARS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Ms. FOXX. Mr. Speaker, this year Valdese Weavers, a creative design studio and state-of-the-art manufacturer located in North Carolina, celebrates its 100th anniversary.

The company is the largest decorative jacquard textile mill in North America and a leader in the design and manufacturing of jacquard fabrics for residential and commercial markets.

Valdese Weavers began in 1915 as the Waldensian Swiss Embroidery Company, a lace and embroidery manufacturer developed by Italian immigrants. Twenty years later, Harley Shuford purchased the company and changed its name to Valdese Weavers Inc., introducing jacquard woven fabrics to the company's product line.

Today its six branded companies—Valdese Weavers, Valdese Weavers Contract, Circa 1801, Home Fabrics, Valdese International Products (VIP) and Dicey Fabrics—develop fabrics from value to high-end price points and cover the residential, contract, hospitality, health care and specialty markets.

Congratulations to everyone at Valdese Weavers as you celebrate this significant milestone.

IN RECOGNITION OF THE RETIREMENT OF CHERYL CUNNINGHAM

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the retirement of Cheryl Cunningham from my staff.

Cheryl was born on August 5th, 1945 in Akron, Ohio to parents Dorothy Newhouse Smith and Charles Coker Smith. She had an older brother named Charles Huntley Smith.

Her family moved to Union Springs, Alabama when Cheryl was two years old and she grew up in this small town and farming community and graduated from Union Springs High School. Cheryl attended Troy State College and Huntingdon College following graduation from high school.

Cheryl started her career working for the State of Alabama in the tax division. She married James C. Cunningham Jr., and had three children, James (Todd) Carter Cunningham III (deceased), Leigh-Ellen and Heather Farrish Cunningham. She is the proud grandmother of six grandchildren including: James C. Ellison (Casey), Charles Tyler Ellison, Earl W. Reed (Trey), Anne Carter Reed, Michael M. Hodges Jr. and Hunter James Hodges.

Cheryl later worked at General Motors in Montgomery before buying their first farm and moving to Macon County, Alabama in 1972. Cheryl became involved in the community of Franklin and was part of the successful effort to incorporate the Town of Franklin in 1977. She served as the first town clerk under Mayor Robert Perry.

Later, Cheryl was hired by Alice Hendon, Tax Assessor of Macon County and by her successor, Ed Corbitt, Revenue Commissioner to serve in their offices as well as serving as Executive Secretary to Macon County Commission Clerk, George Austin in Tuskegee, Alabama.

Cheryl became very active in the Macon County Republican Club and served as County Chairman for several years. She also served as County Coordinator in Macon County for an unsuccessful run by Emory Folmar for Governor of Alabama. She was appointed by Governor Guy Hunt to serve as Chairman of the Macon County Board of Registrars and served many years under Gov. Hunt and Gov. Fob James. She also served as President of the State Board of Registrars for two terms.

In 2000, Cheryl was hired as a Field Representative for Congressman Bob Riley working for him until he was elected Governor of Alabama in 2002. She continued to work for the Third District in my office and will retire on July 31st.

Cheryl served as a member of the Alabama Federation of Republican Women and was later elected as District 3 Director. During her tenure, the first women's Republican club in District 3 was established, the Republican Women of East Alabama.

The Cunningham family loves farming and caring for animals. At present, they have two dogs, three horses, two cats and a pet goat, Bentley. In the past, they have had bob cats, deer, skunks, raccoons, an opossum, flying squirrels and a 650 pound pig named Blossom.

Cheryl attends First United Methodist Church in Auburn, Alabama, is a member of the Macon County Farmer's Federation, Alabama Forestry Association and serves on the Board of Directors for Sunset Point I Condominium Association at Lake Martin.

Cheryl and her husband continue to give back in Macon County. One of their biggest joys is running the Todd Cunningham Christmas Memorial Fund in honor of their late son. Last year they served over 38 families in Macon County that would have not had gifts for their children at Christmas.

Mr. Speaker, please join me in recognizing a great lady and thanking her for her public service, philanthropic spirit and the great work she did for the Third District. Cheryl, we will miss you, but congratulations on your retirement.

RECOGNIZING LIEUTENANT COLONEL LEO BRUNING ON HIS 100TH BIRTHDAY

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Lieutenant Colonel Leo Bruning on the occasion of his 100th birthday, which will be celebrated on August 15, 2015.

After graduating from San Jose State in 1937 and working as a teacher and coach at Hayward High School until 1940, Lieutenant Colonel Bruning began his military service by joining the Army with the 7th Quartermaster Battalion stationed at Ford Ord in Monterey, California. After the Pearl Harbor attack on December 7, 1941, he immediately took up training to become a pilot and served in that capacity on the homefront throughout World War II.

Once the need for Army pilots subsided and Lieutenant Colonel Bruning was discharged, he wanted to continue his military service to his country so he joined the Air Force. He was stationed in Vienna, Austria to provide support to U.S. embassies in Budapest and Bucharest in the years immediately after World War II, working under constant tension as his airbase was inside of the Soviet sector of the city.

In 1952 Lieutenant Colonel Bruning returned home and left active duty, but he enlisted in an Air Force Reserve program for troop transport. During the next five years Lieutenant Colonel Bruning led his squadron in compiling a total of 2,600 hours of flying on 23 different types of military aircraft. He remained in the Reserves until his 60th birthday with 35 years of military service.

In addition to his military service, Lieutenant Colonel Bruning has been an active member of the Dublin community for 52 years and was a successful business executive for a local ladder company.

I want to acknowledge Lieutenant Colonel Bruning and extend my sincere appreciation for his stellar career of service to our nation and wish him well as he celebrates this significant milestone of reaching his 100th birthday.

IN RECOGNITION OF PATROLMAN JOHN J. WILDING FOR SERVING AND PROTECTING THE CITY OF SCRANTON

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrolman John Wilding, whose faithful watch ended this past Sunday morning, July 12, due to injuries sustained while on duty, and those injuries tragically ended Patrolman Wilding's life the next day.

A native son of Scranton, Pennsylvania, John Wilding joined the Scranton Police Department in April 2014, after working for years to earn his place on the force. John's passion to serve and protect his city was exhibited in his work. A fixture in his community, John would regularly check in with local businesses and talk to West Scranton High School students on their way home from class as part of his policing duties.

Early this past Saturday morning, John responded to reports of a stolen vehicle in Scranton. During a pursuit, suspects exited this vehicle near the 300 block of North Main Avenue. Several officers, including Patrolman Wilding, pursued the perpetrators on foot. During the chase, John leapt over a wall not realizing that a fifteen-foot descent was on the other side. He suffered a serious head injury as a result of the fall. John succumbed to his injuries the next day at Geisinger Community Medical Center.

Patrolman Wilding is survived by his wife, Kristen Tansits Wilding, his daughter, Lola Mae, his son, Sidney Wolfgang. He was a dedicated provider for his family, but, beyond that, he was a loving husband and a playful, devoted, and protective father to his children.

It is a great tragedy to lose such a highly regarded officer of the law and an honest, well-respected man. I am grateful for John Wilding's bravery, his public service, and his dedication to our community. His watch has now ended; may he rest in peace.

RECOGNIZING MS. MADISON KING

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to recognize one of my constituents, Ms. Madison King of Orlando, Florida, for her acceptance to the People to People World Leadership Forum in Washington, D.C. Ms. King was selected for her academic excellence, leadership potential and exemplary citizenship.

The mission of People to People Leadership Ambassador Programs is to bridge cultural and political borders through education and exchange. To this end, People to People offers domestic and international educational programs that promote cooperation, cross-cultural understanding and leadership. It is my hope that Ms. King benefitted greatly from her participation in the World Leadership Forum, and I wish her all the best in her future endeavors.

HONORING JUAN FELIPE HERRERA

HON. PETE AGUILAR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. AGUILAR. Mr. Speaker, today I rise to honor Juan Felipe Herrera, the United States' newest poet laureate and the first Latino poet laureate. As the son of migrant farmworkers and as a Chicano civil rights movement activist, Mr. Herrera serves as an inspiration to Latino Americans everywhere. His poetry sheds light on the Mexican-American experience and allows people of all generations and backgrounds to appreciate his artistry and history.

Mr. Herrera was most recently the California poet laureate from 2012 to 2014. He retired in March from the University of California, Riverside where he worked as a professor. Mr. Herrera was a Redlands resident and we are so honored and proud to have had him play a role in the Inland Empire community. He brought our community into his world, engaging Redlands residents in his state project "The Most Incredible & Biggest Poem on Unity in the World." The 170-page poem included submissions from hundreds of people across the state, including those in the Inland Empire.

Today we thank Mr. Herrera for sharing his gift with all of us and for giving Latino Americans a voice in the world of poetry. We are so proud of what he has accomplished and commend him on the distinguished honor of being

the poet laureate of the United States, and the first Latino poet laureate in American history.

CONGRATULATING YADKIN VALLEY MOTOR COMPANY ON 100 YEARS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Ms. FOXX. Mr. Speaker, today I rise to recognize Yadkin Valley Motor Company in North Wilkesboro, North Carolina, which recently celebrated its 100th anniversary.

It is the oldest Ford dealership in the Carolinas and 20th oldest out of about 3,100 Ford dealerships nationwide.

A.F. Kilby was the first of four generations of Kilbys to sell Fords at Yadkin Valley. His son, Andrew ''Bud'' Kilby, and grandson, John Kilby Sr., now own the dealership. At 89 years old, Bud still works at the dealership six days a week. John serves as general manager, and his son, John Kilby Jr., is a salesman and Internet manager.

In May more than 1,500 people turned out for a special car show marking the 100th anniversary. Several hundred vehicles, including a number of antique Fords, participated.

Congratulations to the Kilby family and everyone at Yadkin Valley Motor Company on this significant milestone.

CONGRATULATING MARY ELLEN KLINCK

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to congratulate a friend and stalwart in the town of East Haddam, Connecticut, Mary Ellen Klinck. This week she will be honored with the Frank Davis Award from the East Haddam Democratic Town Committee for her lifelong commitment to fairness and justice. I ask my colleagues to join me in thanking Mary Ellen for her lifetime of service.

Mary Ellen's involvement in local government, state government and Democratic politics spans decades and has left a huge footprint of people she has helped and public officials she has helped elect. She has served as the Commissioner of the State Department on Aging, on the Connecticut State Environmental Committee, as an East Haddam Selectwoman, a member of the East Haddam Economic Revitalization Committee, the East Haddam DTC Chair and executive board member, as a member of the Democratic Women's Club, as a volunteer for countless Democratic campaigns, and of course, as a candidate herself.

The first time I met Mary Ellen she was a freshman state representative in 1987, when she worked with the new Democratic majority to permanently enact a state prescription drug program for seniors—known as the CONNPACE program. At the time, Medicare provided no coverage for outpatient prescription drugs and under Governor William O'Neill, and Commissioner Klinck, Connecticut became one of a handful of states to step up and provide affordable lifesaving medications. It took over 15 long years before Congress created Medicare Part D and followed Mary Ellen's vision for strengthening the health care of America's elderly.

After her historic term as Commissioner of the State Department on Aging, Mary Ellen continued to be a force of nature in public life, advocating for small business, the environment, and helping aspiring candidates for public office, such as yours truly who will be eternally grateful for all her help in my election to Congress in 2006 by the slender margin of 83 votes.

A tireless advocate for seniors, the environment, local small businesses and the history and culture of East Haddam, Mary Ellen's energy and dedication is unmatched. The East Haddam community is fortunate to have her experience and enthusiasm as a constant force for good. Few know East Haddam as well as Mary Ellen, and even fewer have devoted as many hours of their time working tirelessly to improve community life for its residents. I once again ask my colleagues to join me in congratulating Mary Ellen for this well-deserved honor.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 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 $18,151,879,901,274.20. We've added $7,525,002,852,361.12 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.

Daily Digest

HIGHLIGHTS

Senate passed S. 1177, Every Child Achieves Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S5133–S5175

Measures Introduced: Twenty bills were introduced, as follows: S. 1784–1803. **Page S5170**

Measures Reported:

S. 1800, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016. (S. Rept. No. 114–82)

Report to accompany S. 1705, to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. (S. Rept. No. 114–83)

S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', with an amendment in the nature of a substitute. (S. Rept. No. 114–84)

S. 1599, to provide anti-retaliation protections for antitrust whistleblowers, with an amendment in the nature of a substitute. **Page S5169**

Measures Passed:

Every Child Achieves Act: By 81 yeas to 17 nays (Vote No. 249), Senate passed S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, after taking action on the following amendments proposed thereto: **Pages S5134–50**

Adopted:

By 68 yeas to 30 nays (Vote No. 244), Murray (for Coons/Rubio) Amendment No. 2243 (to Amendment No. 2089), to authorize the establishment of American Dream Accounts. (Pursuant to the order of Wednesday, July 15, 2015, the amendment having achieved 60 affirmative votes, was agreed to.) **Pages S5134, S5140**

By 59 yeas to 39 nays (Vote No. 245), Alexander (for Burr/Bennet) Modified Amendment No. 2247 (to Amendment No. 2089), to amend the allocation of funds under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965. **Pages S5135, S5140–42, S5148–49**

By 53 yeas to 44 nays (Vote No. 246), Murray (for Brown/Manchin) Amendment No. 2100 (to Amendment No. 2089), to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program. **Pages S5135, S5142**

Alexander (for Hatch/Bennet) Amendment No. 2082 (to Amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 relating to early learning. **Pages S5135, S5143**

Murray (for Warren) Amendment No. 2106 (to Amendment No. 2089), to amend title II of the Elementary and Secondary Education Act of 1965 to include specialized instructional support personnel in the literacy development of children. **Pages S5135, S5143**

Murray (for Schatz) Amendment No. 2130 (to Amendment No. 2089), to amend title I to support assessments of school facilities. **Pages S5135, S5143**

Murray (for Murphy) Amendment No. 2186 (to Amendment No. 2089), to establish the Promise Neighborhoods program. **Pages S5135, S5143**

Murray (for Nelson) Modified Amendment No. 2215 (to Amendment No. 2089), to include partnering with current and recently retired STEM professionals and tailoring educational resources to engage students and teachers in STEM. **Pages S5135, S5143**

Murray (for Manchin/Ayotte) Amendment No. 2222 (to Amendment No. 2089), to amend the State plan requirements of section 1111 of the Elementary and Secondary Education Act of 1965 in order to support children facing substance abuse in the home. **Pages S5135, S5143, S5145–46**

Alexander (for Boozman/Gillibrand) Amendment No. 2231 (to Amendment No. 2089), to support

professional development to help students prepare for postsecondary education and the workforce.

Pages S5135, S5143

Murray (for Baldwin/Whitehouse) Amendment No. 2188 (to Amendment No. 2089), to ensure States will ensure the unique needs of students at all levels of schooling. **Pages S5135, S5144**

Alexander (for Capito/Durbin) Amendment No. 2156 (to Amendment No. 2089), to amend the State report card under section 1111 of the Elementary and Secondary Education Act of 1965 to include the rates of enrollment in postsecondary education, and remediation rates, for high schools.

Pages S5135, S5144

Alexander (for Thune) Amendment No. 2232 (to Amendment No. 2089), to allow extended services Project SERV grants under part A of title IV of the Elementary and Secondary Education Act of 1965 to be available for violence prevention activities.

Pages S5135, S5143–44

Murray (for King/Capito) Amendment No. 2256 (to Amendment No. 2089), to amend the definitions of eligible technology and technology readiness survey and to provide a restriction on funds.

Pages S5135, S5144

Murray (for Schatz) Amendment No. 2240 (to Amendment No. 2089), to provide resources needed to study and review Native American language medium schools and programs. **Pages S5135, S5144**

Murray (for Warren/Gardner) Amendment No. 2249 (to Amendment No. 2089), to amend section 1111(c) of the ESEA to require States to provide an assurance regarding cross-tabulation of student data.

Pages S5135, S5144–45

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. **Pages S5134, S5144**

Alexander/Murray Amendment No. 2089, in the nature of a substitute. **Pages S5134, S5144**

Rejected:

By 40 yeas to 58 nays (Vote No. 242), Alexander (for Cruz/Lee) Amendment No. 2180 (to Amendment No. 2089), to provide for State-determined assessment and accountability systems.

Pages S5134, S5139

By 43 yeas to 55 nays (Vote No. 243), Murray (for Sanders) Amendment No. 2177 (to Amendment No. 2089), to provide for youth jobs. (Pursuant to the order of Wednesday, July 15, 2015, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5135, S5140**

By 45 yeas to 52 nays (Vote No. 247), Murray (for Casey) Amendment No. 2242 (to Amendment No. 2089), to establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success. (Pursuant to the order of Wednesday, July 15, 2015, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

Pages S5135, S5142–43

During consideration of this measure today, Senate also took the following action:

By 79 yeas to 18 nays (Vote No. 248), 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 bill. **Page S5149**

Older Americans Act Reauthorization Act: Senate passed S. 192, to reauthorize the Older Americans Act of 1965. **Pages S5158–63**

Ensuring Access to Clinical Trials Act: Committee on Finance was discharged from further consideration of S. 139, 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, and the bill was then passed. **Page S5175**

Hire More Heroes Act—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, occur at 2:15 p.m., on Tuesday, July 21, 2015. **Page S5133**

Pro Forma Session—Agreement: A unanimous-consent agreement was reached providing that Senate adjourn until 10:40 a.m., on Friday, July 17, 2015, for pro forma session only, with no business conducted; and that following the pro forma session, Senate adjourn until 10 a.m., on Tuesday, July 21, 2015. **Page S5175**

Nominations Received: Senate received the following nominations:

Jessie Hill Roberson, of Alabama, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2020.

Susan Coppedge Amato, of Georgia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large.

Marc Jonathan Sievers, of Maryland, to be Ambassador to the Sultanate of Oman.

Kenneth Damian Ward, of Virginia, a Career Member of the Senior Executive Service, for the rank

of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons.

Mark A. Young, of California, to be United States District Judge for the Central District of California. **Page S5175**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Jessie Hill Roberson, of Alabama, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2018, which was sent to the Senate on February 5, 2015. **Page S5175**

Messages from the House: **Page S5169**

Measures Referred: **Page S5169**

Measures Read the First Time: **Pages S5169, S5175**

Additional Cosponsors: **Pages S5170–72**

Statements on Introduced Bills/Resolutions: **Page S5172**

Additional Statements: **Pages S5168–69**

Amendments Submitted: **Page S5174**

Authorities for Committees to Meet: **Page S5174**

Record Votes: Eight record votes were taken today. (Total—249) **Pages S5139–47, S5149–50**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:04 p.m., until 10:40 a.m. on Friday, July 17, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5175.)

Committee Meetings

(Committees not listed did not meet)

FORESTRY LEGISLATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine pending Forest Service and forestry related bills, including S. 61, to provide for the conveyance of certain National Forest System land in the State of Louisiana, S. 755, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, S. 1100, to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger, S. 1110, to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, S. 1671, to reauthorize the National Forest Foundation Act, S. 1712, to amend the Small Tract Act of 1983 to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, resolve minor encroachments, and S. 1733, 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 S. 1744, to authorize the sale of certain National Forest System land in the State of Georgia, after receiving testimony from Robert Bonnie, Under Secretary of Agriculture for Natural Resources and Environment.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported an original bill entitled, ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2016''.

SEMIANNUAL MONETARY POLICY REPORT TO CONGRESS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the semiannual monetary policy report to Congress, including S. 1484, a bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, after receiving testimony from Janet L. Yellen, Chair, Board of Governors of the Federal Reserve System.

ENERGY AND NATURAL RESOURCES LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 132, to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, S. 326, to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and S. 1691, to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, after receiving testimony from Tom Tidwell, Chief, Forest Service, Department of Agriculture; Steven A. Ellis, Deputy Director for Operations, Bureau of Land Management, Department of the Interior; Mike Matz, The Pew Charitable Trusts, Durango, Colorado; Jim D. Neiman, Neiman Enterprises, Inc., Hulett, Wyoming, on behalf of the Federal Forest Resource Coalition; and Steve Swanson, Swanson Group, Inc., Glendale, Oregon.

HEALTHCARE.GOV CONTROLS

Committee on Finance: Committee concluded a hearing to examine HealthCare.gov controls, focusing on observations on 18 undercover tests of enrollment controls for health-care coverage and consumer subsidies provided under the Patient Protection and Affordable Care Act, after receiving testimony from Seto J.

Bagdoyan, Director, Forensic Audits and Investigative Service, Government Accountability Office.

HUMAN RIGHTS

Committee on Foreign Relations: Committee concluded a hearing to examine human rights around the world, focusing on corruption, Global Magnitsky, and modern slavery, after receiving testimony from Tom Malinowski, Assistant Secretary of State, Bureau of Democracy, Human Rights and Labor; and Mark P. Lagon, Freedom House, and Sarah Margon, Human Rights Watch, both of Washington, D.C.

WILDLIFE POACHING

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy concluded a hearing to examine wildlife poaching, after receiving testimony from Jean Marc Froment, African Parks, Johannesburg, South Africa; George Wittemyer, Colorado State University Department of Fish, Wildlife and Conservation Biology, Fort Collins, on behalf of Save the Elephants; and Ian Saunders, The Tsavo Trust, and Ginette Hemley, World Wildlife Fund, both of Washington, D.C.

OIRA'S ROLE IN THE REGULATORY PROCESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management concluded a hearing to examine the Office of Information and Regulatory Affairs' role in the regulatory process, after receiving testimony from Howard Shelanski, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, Executive Office of the President.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 1599, to provide anti-retaliation protections for antitrust whistleblowers, with an amendment in the nature of a substitute.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 3084–3113; and 3 resolutions, and H. Res. 366–368 were introduced. **Pages H5289–92**

Additional Cosponsors: **Pages H5292–93**

Reports Filed: Reports were filed today as follows:

H.R. 675, to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes, with amendments (H. Rept. 114–206);

H.R. 1607, to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes, with an amendment (H. Rept. 114–207);

H.R. 1599, to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, with an amendment (H. Rept. 114–208, Part 1);

H.R. 1777, to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes, with an amendment (H. Rept. 114–209);

H.R. 2395, to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes (H. Rept. 114–210); and

H.R. 1831, to establish the Commission on Evidence-Based Policymaking, and for other purposes, with an amendment (H. Rept. 114–211). **Page H5289**

Western Water and American Food Security Act of 2015: The House passed H.R. 2898, to provide drought relief in the State of California, by a recorded vote of 245 ayes to 176 noes, Roll No. 447. **Pages H5242–83**

Rejected the Bera motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 183 ayes to 239 noes, Roll No. 446. **Pages H5281–83**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–23 shall be considered as an

original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. **Page H5254**

Agreed to:

McClintock amendment (No. 1 printed in H. Rept. 114–204) that makes one technical change and one clarifying change to the bill; **Pages H5271–72**

McNerney amendment (No. 2 printed in H. Rept. 114–204) that adds water hyacinth to the list of invasive species to be considered for the pilot project established under the legislation; **Pages H5272–73**

LaMalfa amendment (No. 4 printed in H. Rept. 114–204) that updates feasibility study completion requirements to align with a recently-signed MOU between the project joint powers authority and the Bureau of Reclamation; **Pages H5274–75**

Calvert amendment (No. 5 printed in H. Rept. 114–204) that creates a more balanced approach between user group interests on the Restoration Fund Advisory Board by adding a seat for a member representing a wildlife entity that primarily focuses on waterfowl; **Page H5275**

Costa amendment (No. 6 printed in H. Rept. 114–204) that requires the Secretary of the Interior to publish an annual report detailing the in-stream flows released for the Central Valley Project and measured outcomes as a result of those flows; and **Pages H5275–76**

LaMalfa amendment (No. 7 printed in H. Rept. 114–204) that improves due process by providing contractors of a federal water project in California and Oregon ESA applicant status, ensuring that contractors are properly informed of and may provide input to ESA consultations that may impact operations of the project (by a recorded vote of 246 ayes to 172 noes, Roll No. 444). **Pages H5276–77, H5280**

Rejected:

Garamendi (No. 3 printed in H. Rept. 114–204) that sought to direct the Secretaries to collaborate with the California Department of Water Resources to install a fish screen at the Delta Cross Channel Gates (by a recorded vote of 182 ayes to 236 noes, Roll No. 443); and **Pages H5273–74, H5279–80**

Grijalva (No. 8 printed in H. Rept. 114–204) that sought to fund water reclamation programs and water reuse projects so that the Bureau of Reclamation may investigate more opportunities to reclaim and reuse wastewater and naturally impaired ground and surface water in the 17 Western states and Hawaii (by a recorded vote of 179 ayes to 242 noes, Roll No. 445). **Pages H5277–79, H5280–81**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5284**

H. Res. 362, the rule providing for consideration of the bills (H.R. 2898) and (H.R. 3038) was agreed to yesterday, July 15th.

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, July 20th, and that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day. **Page H5286**

United States-China Economic and Security Review Commission—Appointment: The Chair announced the Speaker's appointment of the following individuals on the part of the House to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2016: Mr. Larry Wortzel of Williamsburg, Virginia and Mr. Peter Brookes of Springfield, Virginia. **Page H5288**

Quorum Calls—Votes: Five recorded votes developed during the proceedings of today and appear on pages H5279–80, H5280, H5280–81, H5282–83 and H5283. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:23 p.m.

Committee Meetings

REVIEWING THE U.S.-CHINA CIVIL NUCLEAR COOPERATION AGREEMENT

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific; and Subcommittee on Terrorism, Nonproliferation, and Trade, held a joint hearing entitled "Reviewing the U.S.-China Civil Nuclear Cooperation Agreement". Testimony was heard from Thomas M. Countryman, Assistant Secretary, Bureau of International Security and Nonproliferation, Department of State; Lieutenant General Frank G. Klotz, USAF, Retired, Under Secretary for Nuclear Security and Administrator, National Nuclear Security Administration, Department of Energy; and public witnesses.

THE GOLDMAN ACT TO RETURN ABDUCTED AMERICAN CHILDREN: ENSURING ACCURATE NUMBERS AND ADMINISTRATION ACTION

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled "The Goldman Act to Return Abducted American Children: Ensuring Accurate Numbers and Administration Action". Testimony was heard from Susan S. Jacobs, Special Advisor for Children's Issues, Bureau of Consular Affairs, Department of State; and public witnesses.

EXAMINING THE FEDERAL AIR MARSHAL SERVICE AND ITS READINESS TO MEET THE EVOLVING THREAT

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled ''Examining the Federal Air Marshal Service and Its Readiness to Meet the Evolving Threat''. Testimony was heard from Roderick ''Rod'' Allison, Assistant Administrator, Office of Law Enforcement, Federal Air Marshal Service, Transportation Security Administration, Department of Homeland Security; and a public witness.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JULY 17, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

10:40 a.m., Friday, July 17

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 20

House Chamber

Program for Monday: House will meet in Pro Forma session at 2 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

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