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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The PRESIDENT pro tempore. Today the opening prayer will be offered by Reverend Dr. Charles R. Smith, pastor of the Madison Baptist Church in Madison, GA.

The guest Chaplain offered the following prayer:

Let us pray.

Gracious God, the One who created us in Your image and the One who values every person as uniquely as our fingerprints, we invoke Your guidance with the realization that we are nothing without You. Guide those in this Chamber to recognize that honorable governance seeks the best for all; that today's actions bear tomorrow's fruit; that integrity should be championed over winning. Offer them wisdom to weigh their decisions not propagating partisan policy but based on fair legislation for everyone. Grant them fortitude to exemplify selfless service even to those individuals on the other side of the aisle, recognizing that what they do has a ripple effect, much like tossing a pebble into a pond.

We thank You that You cherish every person as an individual. We thank You that You hear our prayer. 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.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Georgia.

### WELCOMING THE GUEST CHAPLAIN

Mr. ISAKSON. Mr. President, I want to take a moment to acknowledge the presence of our guest Chaplain today, Charles Smith, and his lovely wife Jennifer and his family members who have traveled from Madison, GA, and around Georgia to be here today as he serves our country as our guest Chaplain for today.

Charles has a doctor of ministry degree from the Southern Baptist Theological Seminary. His wife is a family and marriage counselor and an ordained minister. His niece Megan serves us in the Republican cloakroom and does so on a daily basis with great joy for all of us.

So we want to welcome Charles Smith, his family, and thank him so much for his ministry today, his witness today, but also thank him for all the leadership he has given to Megan, who does such a great job for us.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. McCONNELL. Mr. President, ask most Americans to name two of the most basic duties of a Senator, and you are likely to hear some combination of the following: No. 1, protect the country. That means working with us to pass the National Defense Authorization Act. No. 2, fund the government. That means working with us to pass the 12 appropriations bills that fund it.

But some of our Democratic colleagues don't seem all that interested in these things. It is not just that their words tell us this story, their actions do as well. The Democratic leader has used the phrase "waste of time" to

refer to a bill that protects our country. Passing that bill usually inspires bipartisan cooperation, but this year it required overcoming senseless resistance from the other side before we finally witnessed that cooperation yesterday with the bill's passage.

Democratic Senators have used phrases such as "kind of a waste of time," and "a huge waste of time," to refer to the bills that fund our government.

Passing these bills used to be routine, and the new majority has worked hard to ensure that it does again after 6 years of inaction. That is why we passed the budget. That is why we passed the 12 appropriations bills through committee in a bipartisan way. But now Democrats have decided as part of some arbitrary political strategy to indiscriminately filibuster every last funding bill.

Now Democrats may no longer be interested in passing these bipartisan bills, but it doesn't mean they aren't interested in taking credit for the same legislation they are now blocking. Take the bill that funds veterans. Democrats voted with us to support it in committee, then they issued press releases bragging about its contents, and then they filibustered it. Take the bill that funds defense. Democrats voted with us to support it in committee, then they issued press releases bragging about its content, and then they filibustered it, repeatedly.

Today we will consider the bill that funds America's energy security and its water infrastructure. Democrats voted with us to support this bill in committee, too. In fact, over 70 percent of the Democrats in committee supported the bill that is before us today. Democrats issued press releases with nice things to say about the bill's contents. One lauded the bill for funding important energy efficiency advances in our military and for low-income families. Another reminded us the bill provides "robust funding" for vital programs that deserve to be funded. Today

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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we will see if Democrats are seriously prepared to filibuster this bill as well.

This bill would strengthen our national security. The bill would enhance our energy security. The bill would root out waste with smart targeted reductions so we can put that money to better use, funding more important infrastructure projects, more innovative energy research, and more critical safety improvements for our dams and waterways.

This bill is also critically important to our home States. Kentuckians would benefit from initiatives to protect the Ohio River shoreline, from cleanup work in Paducah, and from construction of the Olmstead Lock and Dam and other vital inland waterway projects.

Mr. President, this is a good bill. It deserves our support on the merits. It is good for our constituents and good for our country. That should be reason enough to support this funding bill. I would also remind my Democratic colleagues that 70 percent—70 percent—of the Democrats in committee did support the bill before us today.

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#### SCHEDULE

Mr. McCONNELL. Mr. President, let me finally announce the schedule for today. At 12:45 p.m. there will be a cloture vote on the motion to proceed to the Energy and Water appropriations bill. That will be the last rollcall vote of the week.

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#### RECOGNITION OF THE ASSISTANT MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

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#### GOVERNMENT FUNDING

Mr. DURBIN. Mr. President, for the record, the Democratic leader, Senator REID, is attending a funeral this morning and I am standing in his stead.

First, I will address the comments from the majority leader, Senator McCONNELL. I have to disagree with his opening that Democrats are not interested in funding the government, that Democrats are not interested in funding the Department of Defense. I may remind my friend from Kentucky, the Senator who is the Republican leader, that it was the Republican side that initiated the government shutdown 2 years ago. For 16 days the government was shut down in a vain attempt to protest the Affordable Care Act. Now that threat is before us again.

It is unfortunate we are facing this, but I don't believe it is fair to blame our side of the aisle for delay. You see, Mr. President, as early as June, we started saying we are facing an October 1 deadline, and we need to have a budget compromise, a budget negotiation. Why? Because there is a fundamental disagreement about funding our gov-

ernment in this fiscal year that began October 1.

The Republicans have argued to use wartime funds—\$38 billion worth—to supplement the Department of Defense. The leaders at the Department of Defense say this is the wrong approach. They cannot build a strong national defense with an injection of wartime funds which may or may not exist at the end of the process—may or may not exist next year.

I might add, coincidentally, that the Republicans failed—failed—to put additional funds in for nondefense spending. Some of it is related to national security—the Department of Homeland Security, the Federal Bureau of Investigation, and so many agencies that keep us safe here in the United States. The failure of the Republicans to provide funds for critical agencies that provide health and education services is the reason we have reached an impasse in the budget negotiations.

It is why 3 months ago we on the Democratic side said to the Republicans: You are in charge. You are in the majority. But if we are going to have a process that ultimately succeeds, you need to engage on a bipartisan basis in this negotiation. They refused. They refused and they came up with a short-term spending bill—we call it a continuing resolution or CR—which takes us to the first or second week of December. Beyond that there is no certainty about what is going to happen.

The Senator from Kentucky talks about the appropriations process, where so many Senators voted for a bill and now are against it. I have been on appropriations committees in the House and the Senate for a long time. In the Senate we have an upside-down approach, where you vote on the overall bill first, then vote on amendments. In each of the cases the Senator from Kentucky refers to, many of us may have voted for the overall bill, hoping that amendments would solve the budget problems I have described. When those amendments failed to solve those budget problems, we said: This ultimate bill is not going to work, and we know it. That is the reality of the process in the Committee on Appropriations.

So in June we invited the Republicans to meet with the President and Democratic leaders to work out a budget compromise. There is an indication that some conversation is underway, but not enough.

Why have we reached this impasse? Frankly, it is because the Republican leadership—certainly in the House—is in disarray. Today there is going to be an election in the House of Representatives for a new Speaker. A group of ultraconservative Republican House Members were successful in ousting JOHN BOEHNER from the Speakership. Now they are going to try to replace him but with conditions. One of those conditions is, as printed in the paper this morning, that the new House

Speaker has to pledge to the Freedom Caucus—the tea party Republicans—that he will never, never agree to any compromise that is a bipartisan bill coming out of the Senate.

Now, how is that for a standard when you are trying to govern in this country—when you have a President of one party and the Congress in control of the other party? The Freedom Caucus says: Don't negotiate; don't compromise. That is a recipe for a shutdown, a sequestration, and a continuing resolution. Let me tell you what that does. If we get into a continuing resolution for next year—this year we are in, I should say—it is going to mean dramatic cuts in many agencies.

Yesterday the National Institutes of Health were called by Senator BLUNT, who chairs the appropriations subcommittee for that agency. We sat before Dr. Collins and his leading researchers for the United States of America, and we asked them: What happens if our budget process breaks down, if we go into sequestration, which is an across-the-board cut, or we go into a continuing resolution, which is a continuation of this year's budget? What happens at the premier medical research facility in the world, the National Institutes of Health? Dr. Collins told us in very honest and somber tones: It would mean that we would suspend research in areas like precision medicine, destined I think to save lives across the world. We would suspend brain research in areas like Alzheimer's disease.

Once every 67 seconds in America—once every 67 seconds—an American is diagnosed with Alzheimer's. Last year, we spent \$226 billion as a Federal Government in Medicare and Medicaid on Alzheimer's care. We estimate about the same number, over \$200 billion, was spent by families trying to care for those afflicted by dementia and Alzheimer's. There is a suggestion now that because our failure on budget negotiations will lead to the suspension of research, we would destroy any hope of finding a cure for this dreaded disease and scores of other diseases. That is how serious this conversation is. It is unfortunate that it has reached this point.

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#### GUN VIOLENCE

Mr. DURBIN. Mr. President, when I was young and going to grade school, we feared the bomb. We were in a cold war. We were given duck-and-cover drills to get under our desk just in case there might be a nuclear attack on the United States of America. That is imprinted in my mind to this day—the fear which we had about this threat to our safety.

I wish to read a commentary that is making the rounds with wide circulation by a mother who talks about a similar concern for her children. She writes:

Two weeks ago, my second and fourth grade daughters came home from school and

told me they'd a "code red drill in case someone tries to kill us. We had to all hide in the bathroom together and be really quiet. It was really scary but the teacher said if there was a real man with a gun trying to find us, she'd cover us up and protect us from him. [Her little boy] started crying. I tried to be brave."

This mother goes on to write:

My 3-year-old nephew had the same drill at his preschool in Virginia. Three-year-old American babies and teachers—hiding in bathrooms, holding hands, preparing for death. We are saying to teachers: Arm yourselves and fight men with assault weapons because we are too cowardly to fight the gun lobby. We are saying to a terrified generation of American children—WE WILL NOT DO WHAT IT TAKES TO PROTECT YOU. WE WILL NOT EVEN TRY. So just be very quiet, hide and wait. Hold your breath. Shhh.

In the year 2013, the number of American police officers shot dead in the line of duty was 27—27, in 2013. In 2013, the number of preschoolers—that is, children under the age of 4—who were shot dead was 82; 27 American police officers, 82 children under the age of 4 were shot dead. We need to do better as a nation.

When I heard on the news this last Saturday that the monstrous tragedy in Oregon was the 45th—45th—school shooting this year in America, it broke my heart, and, more, it angered me.

In just a short while, in a few minutes, Members of the Senate Democratic caucus will come together outside of this building to talk about the need for America to take action to deal with gun violence. There are so many aspects of it.

I am honored to represent the city of Chicago, but having met with Mayor Rahm Emanuel yesterday, we have seen a 20-percent increase in gun violence and deaths this year, and in Milwaukee, a 100-percent increase over last year. In scores of other cities, there is the same phenomenon. The city of Chicago and many others will be flooded with guns.

When I met with the Bureau of Alcohol, Tobacco, Firearms and Explosives in Chicago on Monday, I asked them: Where are all these guns coming from? And they told me they have analyzed the crime guns seized in the most violent areas of Chicago, and they found that 40 percent of those guns came from gun shows in Lake County, IN, just across the border from Chicago—40 percent of guns. We also know that we have a phenomenon where girlfriends and friends and family will go buy guns, because the criminal—the felon who wants to use those guns to terrorize and rob and kill—couldn't pass the test for purchasing a gun. It is known as a straw purchase. The girlfriend buys the gun and hands it over to the boyfriend who goes out and kills somebody. Well, there are things we can do to change this. We need to close the gun show loophole. It makes no sense that we don't even check the backgrounds of people who fill their trunks and their cars with firearms and ammunition at these gun shows. And yet when it comes to Federal li-

censed dealers, there has to be a background check. This gap in coverage accounts for 40 percent of the crime guns in the most dangerous neighborhoods in Chicago. So the gun show loophole needs to be closed.

We also need to make it clear that if you are going to make a straw purchase of a gun and do so for the purpose of giving it to someone who is going to use it in the commission of a crime, you will pay a heavy price for that, too.

I grew up in a family with a lot of members of my family owning firearms in downstate Illinois. It was common for families to go hunting, to go out for target practice, and there was a gun cabinet in most homes. When a little boy, sometimes a young girl, reached a certain age, they were taken out in a rite of passage to go hunting for the first time. It is a part of the culture where I grew up, and it is an acceptable part of the culture when those guns are used responsibly and safely.

I don't know a member of my family who would object to the following statement: No one who is a convicted felon or mentally unstable should be allowed to buy a gun in the United States. I don't know of a member of my family who would object to the notion that if you are going to buy a gun so someone you know can use it to commit a crime and kill someone, you are going to be punished. Those are the two things that we should start with when it comes to reducing gun violence. Those two provisions are not going to hurt any legitimate, responsible, legal gun owner. But they are going to keep guns out of the hands of those who would misuse them.

We have to restore some sense of order in this country, and we have to realize that when we reach the point that 3- and 4-year-olds are being killed in larger numbers each year by guns than even those brave men and women who serve in our police departments—when it has reached that point—clearly, Congress has to act. For Congress to act, we need to hear from the American people. If they share these feelings—if they share the feeling—we need to move forward as a nation and stop this senseless tragedy.

I hope that after we gather today on the floor, Members of the Senate will come together and talk about this issue, and that across America people will join us in this effort.

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

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

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:45 a.m., with the time equally divided between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each.

Mr. DURBIN. Mr. President, I ask unanimous consent that during this period, any time in a quorum call be equally divided between both sides before the vote.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mrs. FEINSTEIN. Mr. President, I come to the floor as the ranking member of the Energy and Water Development Subcommittee of the Appropriations Committee. In that capacity, I rise to oppose consideration of the fiscal year 2016 Energy and Water appropriations bill.

Let me be clear, I do this reluctantly.

In my view, this is a very good bill. Senator ALEXANDER and I have put forth a well-balanced bill within the allocation levels we were provided, which was a good level.

It has been a great pleasure for me over the years to work with Senator ALEXANDER. I have the utmost respect for him. We have always worked things out, but this year I think we have a bigger issue, and I wish to address that in my remarks.

First, 6 of the 12 appropriations subcommittees received base allocations lower than last year.

Another four subcommittees received nominal increases but were still forced to make cuts due to rising costs beyond their control.

That leaves only two subcommittees—Energy and Water Development and Homeland Security—that received real funding increases.

That is why I believe considering the Energy and Water bill in isolation as we are now, rather than debating larger funding issues, is misleading. That is why I can't support the motion to proceed to the bill.

We all know the vote today is not just about Energy and Water. It is about the entire appropriations process, and that is the debate we should be having.

Instead of debating just this specific bill, the debate should be focused on

eliminating sequestration, negotiating a budget agreement with the President and the House, and putting an end to the destructive cycle of continuing resolutions, omnibuses, and threats of government shutdown.

The Republican leader has already initiated budget negotiations. I am led to believe three meetings have been held. It can be done. It is what needs to be done. I fully support that effort. That is where we should focus our efforts.

Before I get into specifics of the Energy and Water funding issues, I want to take a step back and discuss two very disturbing issues I have seen from my seat on the Appropriations Committee, and I am not a newcomer.

I have been on that committee since I came to the Senate, which is more than 20 years ago. They are the negative effects of sequestration and the unravelling of the overall appropriations process.

The strict budget caps put in place by the 2011 Budget Control Act have been terrible for our country.

These spending caps, and the across-the-board cuts used to enforce them, were designed to be so devastating that Congress would do everything it could to avert them.

The problem is, the Supercommittee failed to reach the agreement in 2011, so those devastating cuts took effect.

These spending caps, which have essentially frozen spending levels for the last 3 years, do not account for the increasing requirements placed on the Federal Government.

The cost of veterans' health care is rising, insufficient, and has been roundly criticized. The cost of low-income housing is rising, the cost of educating our children is rising, and the cost of fighting natural disasters, such as drought and wildfires, is also rising. But the spending caps are not rising, meaning Congress is forced to make cuts to vital programs, and of course you get into the battle between the national security portfolio, such as defense, and the domestic portfolio.

My portfolio on Energy and Water is part national security, because of the nuclear weapons for our country, and the domestic part is the Office of Science, the Department of Energy, the Army Corps of Engineers, which is the only infrastructure program we actually have functioning.

Having a static budget like this year after year, which does not even account for inflation, is no way to run a country.

I am also disappointed by the collapse of the appropriations process. At one time—and I hope this is interesting to the Presiding Officer since he is a newcomer—it was the norm to pass each spending bill as a stand-alone piece of legislation. All Members could offer amendments, and each of us took ownership of the outcome. We haven't done that in a decade.

It used to be that the entire Appropriations Committee, members of both

sides, would support bills drafted by each subcommittee chairman and approved by the full committee. We haven't done that in 5 years. It was heresy for a bill to come out on the floor and not have members of the Appropriations Committee support it. That is all gone today.

Everything changed in 2011. My Republican colleagues decided to vote against every appropriations bill to protest funding levels.

The die was cast, and we have had to cope with the consequences ever since.

Since fiscal year 2010, we have passed 24 short-term continuing resolutions, which do nothing but keep the government going at the funding levels of the year we were in at the time we passed the continuing resolution. That is nine more than in the preceding 5-year period. It is a 60-percent increase.

When Congress can't agree on funding levels, we end up putting Federal spending on autopilot.

Mr. President, 2011 also marked the year when Congress turned over the power of the purse to the executive branch. By banning the use of congressional adds, we not only admitted that we know less about our States than executive agencies, we also removed a key reason many Members voted for the appropriations bills.

And contrary to conventional wisdom, congressional adds were not out of control.

In 2010, the last year they were allowed, they totaled just one-half of 1 percent of spending approved by the Appropriations Committee. One-half of 1 percent were adds made by Members of this body and the other body to do public projects in their districts.

I believe every Senator knows a great deal about his or her State—I really do—and projects that are important for the State's survival, and I believe they evaluate them based on the importance to the public. I believe they know what vital projects need to be funded. Removing that ability has removed individual Member's stake in an appropriations process that functions, and so it is nonfunctional today. It has damaged our ability to govern, and I deeply believe that.

That is a long way of saying we need to return the appropriations process to the way it was handled in years past, and today's political vote on this bill doesn't move us in that direction.

Even though I do believe the Energy and Water bill represents an acceptable compromise under the circumstances, there are still significant issues with the bill caused by low spending caps.

The bill provides—and this is important—\$35.4 billion. That is an increase over fiscal year 2015 funding of \$1.2 billion for defense and \$8 million for non-defense programs, and that is where you can see the problem. Those national security projects get an add of \$1.2 billion—and it is largely the nuclear weapons—and all of our domestic projects, such as the Office of Science, all of the energy projects, all of the in-

novations, the Energy Department, the Army Corps of Engineers, fixing rivers, fixing dams, dredging, and everything the Army Corps of Engineers does only get \$8 million as opposed to the \$1.2 billion that is added for defense. But even with that increase, there are significant shortfalls.

I will give a few examples. For the past 4 years, California and the West have been suffering from a historic drought. I just came from the Energy and Natural Resources Committee meeting. Senator BOXER and I have put together a drought bill. We have worked on it for 2 years, and we finally have a bill with some short-term fixes and some long-term projects which can increase water supply in California.

Our reservoirs are at historic lows, and the Sierra Nevada snowpack, our major source of water, is at the lowest it has been in 500 years.

We have millions of dead trees littering the State, increased lightning strikes, big wildfires that go up like explosions into the air because it is so dry, and the State's agriculture sector, which feeds the country, has been heavily affected. This is a \$43 billion industry that saw losses of \$2.2 billion last year, has lost 17,000 jobs, and on and on and on.

Here are some other ways the Energy and Water bill is weakened by low spending caps. I will talk for a moment more about the Office of Science. This is money used to expand research at our National Laboratories, and we are \$196 million below the President's budget request in this bill. Energy efficiency and renewable energy programs have seen an even bigger deficit with funding levels at \$773 million below the President's budget request. This delays the development of vital technologies to reduce energy consumption and slash consumer spending.

Defense programs are also underfunded. With higher spending caps, we could be putting into place strategies to keep nuclear materials out of the hands of terrorists. We just heard about a cesium sale to shady people that I can't remember ever happening before, and whether this opens the door to more, I don't know, but I do know it is a real weakness we have.

If we had some money, we could secure radiological resources at medical and industrial facilities, we could install mobile and fixed radiation detectors at ports and border crossings. We could also use additional funds to modernize the nuclear reactor infrastructure that supports the Navy. This includes developing more efficient reactor designs that can last 40 years without refueling.

These are weaknesses we see in the funding picture and in our bill. As I said, I actually believe it is a good bill when you know the circumstances under which we are functioning.

But this isn't just about Energy and Water, and we can't view it in isolation. As I said, Energy and Water had a decent allocation, even with the overall budget restrictions. But cuts made

to other bills are far more dangerous, and we can't ignore these cuts.

I will highlight a few of them. The Subcommittee harmed by the current spending caps is responsible for the Departments of Labor, Health and Human Services, and Education. The subcommittee received an allocation of \$3.6 billion below last year. The Subcommittee on Labor, Health and Human Services, and Education received cuts. These are draconian, and these programs affect our most vulnerable Americans. That is what the Presidential election is all about right now—the discontent over our inability to solve some of these problems.

There is a \$331 million cut to employment and training services for youth, veterans, and the unemployed. There is an \$87.8 million cut to teen pregnancy prevention programs. There is a \$215 million cut to the Centers for Disease Control and Prevention—disease control. They are seeing diseases that I haven't seen since my childhood, such as measles, spring up all over the State of California, and we need to do these things to keep our people safe. Vaccinations are important.

There has been a \$198 million cut to shelter and services for unaccompanied immigrant children, a \$69 million cut to Federal student aid programs, and the elimination of a \$250 million program to expand access to preschool. Expanding access to preschool is something everybody wants for low- and moderate-income 4-year-olds.

The Transportation, Housing and Urban Development Subcommittee, on the other hand, did receive an additional \$1.9 billion this year. However, the committee required a \$3.4 billion increase just to maintain current services.

As a result, the Subcommittee was forced to cut funding for mass transit projects by more than \$500 million below last year.

Affordable housing assistance is slashed by \$834 million, and the Community Development Block Grant Program that I used as the Mayor of San Francisco a long time ago, which could always be counted on, was reduced by \$100 million.

These cuts affected millions of Americans and hurt communities across the country. We should not have to choose between providing rental assistance to low-income families and providing transportation options so they can get to work.

I see the Presiding Officer is nodding. I have about 3 more minutes.

I ask unanimous consent to finish my statement.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. I thank my friend. I appreciate it.

The Commerce, Justice, and Science Subcommittee also received a misleading increase in its allocation. While the Subcommittee received an extra \$965 million on paper, it actually

needed \$1.1 billion just to account for last year's credit from the Toyota settlement that is no longer available this year. As a result, the subcommittee was forced to cut numerous important programs below last year's levels.

They include the U.S. Marshals Service, which was cut by \$141 million; legal representation for immigrant children, reduced by \$55 million; and Federal assistance to State and local law enforcement agencies, cut by \$139 million.

Here is my conclusion. My good friend and colleague Senator ALEXANDER is rightly proud of the work he and his staff have put into the Energy and Water bill, and, as I said, it is a good bill.

I sincerely wish the circumstance we find ourselves in today were different. Those of us on this side of the aisle should have a voice in what happens and how we can solve this problem.

So what I plead for is, in these negotiations that are starting, by Leader MCCONNELL, to move ahead, let's get it started and let's stop the CRs, let's stop the omnibuses, and let's stop the fights over the debt limit and shutting down the government. Let's go back to an appropriations process that this country did well by and that worked.

I thank the Presiding Officer for his forbearance, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

#### BALANCED BUDGET AMENDMENT

Mr. HATCH. Mr. President, a previous President of the United States once wrote that if he could add one amendment to the Constitution, it would prohibit the Federal Government from incurring more debt. That President's name was neither Bush nor Reagan but Jefferson. The 217 years since then have proven three things: The national debt crisis is growing, it is dangerous, and only the Constitution can compel Congress to act. We must act before it is too late.

The national debt was 19 percent of gross domestic product when Thomas Jefferson called for a balanced budget amendment. President George Washington told the House of Representatives that the regular redemption of the public debt was the most urgent fiscal priority. In his first report on the public credit in 1790, Treasury Secretary Alexander Hamilton warned that continuously accruing national debt interest would be a signal "either of inability, or of ill faith, and will not cease to have an evil influence on public credit."

The commitment to fiscal balance over the next 150 years was so strong that many referred to it as our unwritten fiscal constitution. Unfortunately, that commitment did not last. The national debt topped 40 percent of GDP for the first time in 1934, and 2 years later the first balanced budget amendment was introduced in Congress. Eighty years ago, Members of Congress

began to realize that an unwritten constitution was no longer strong enough to limit the national debt. Good intentions are not enough to balance the Nation's checkbook.

Senator Millard Tydings, a Maryland Democrat, introduced the first balanced budget amendment to reach the Senate or House floor. The 1947 Appropriations Committee report on his proposal, S.J. Res. 61, opened with these words: "In no other way except by an amendment to the Constitution can Congress be compelled to balance its budget in peacetime." The Judiciary Committee held its first balanced budget amendment hearing in 1956 on amendments introduced by Senator Harry Byrd, a Virginia Democrat, and Senator Carl Curtis, a Nebraska Republican. In current dollars, the national debt today is nearly five times what those distinguished Senators denounced as astronomical and staggering.

Here is where the national debt has gone as Congress has failed to propose a balanced budget amendment. Let me refer to this chart. As we can see, the national debt as a percentage of GDP is going up the charts today to the highest ever. The national debt was 32 percent of GDP when I first introduced a balanced budget amendment in 1979. It climbed to 34 percent of GDP in 1982 when the Senate—but not the House—passed a BBA; more than 62 percent of GDP in 1997 when we came within one vote of approving a BBA that I introduced; and 95 percent of GDP when the Senate voted on a BBA that I introduced in 2011. Today the national debt stands at 103 percent of GDP, literally swallowing the economy.

They say that the more things change, the more they stay the same. As the national debt continues to change in the wrong direction, BBA opponents make the same arguments they always have. First, they say the national debt is simply not a problem that needs a solution. The evidence, however, is all around us.

In a July 2010 policy paper, for example, the Congressional Budget Office outlined what it called the significantly negative consequences of our rising national debt and repeated those warnings in its latest budget outlook. Here are the consequences of a rising national debt—this is the Congressional Budget Office in 2015—reduced investment, resulting in lower national income and higher interest rates; Federal spending on interest payments would rise; less flexibility to address financial and economic crises; and increased likelihood of a fiscal crisis in the United States.

ADM Michael Mullen, former Chairman of the Joint Chiefs of Staff, says this national debt crisis is a serious threat to national security—a conclusion echoed by experts from the Brookings Institution to the Heritage Foundation—or we can listen to the Government Accountability Office, which warned in 2009 that every year since

that “the long-term fiscal outlook is unsustainable.”

A recent study published in the *Journal of Economic Perspectives* looked at periods in different countries over the last two centuries when national debt exceeded 90 percent of GDP for more than 5 years. The authors found that these periods not only lead to “substantially slower” economic growth but that “even if such episodes are originally caused by a traumatic event such as a war or financial crisis, they can take on a self-propelling character.”

These findings are very important for us today because the national debt has been more than 90 percent of GDP since the recession ended in 2009. In fact, we are entering the longest period in American history with the national debt above this toxic level. CBO projects exactly what this study predicts—that the national debt will remain above 100 percent of GDP and that GDP will grow at a rate “notably less” than in the past. Our own actual experience already proves the same thing. In the 6 years since the recession ended, debt has been twice as high and GDP has grown at half the rate as during the same period after previous recessions. This really does look like a self-propelling crisis.

The second argument by BBA opponents is that even if the national debt is a problem, Congress can solve it by willpower. That willpower once existed, but it is long gone. The Federal budget has been balanced in only 7 of the 80 years since a balanced budget amendment was first introduced in Congress and total deficits over those years dwarf total surpluses by 23 to 1.

The third argument by balanced budget amendment opponents is that even if Congress won’t solve the national debt by willpower, it can do so by legislation. In 1985 we enacted the Balanced Budget and Emergency Deficit Control Act of 1985 when the national debt was 42 percent of GDP. We have enacted one law after another as the national debt has continued to climb. Most recently, we enacted the Budget Control Act of 2011 when the national debt had swelled to 95 percent of GDP, but it failed, as did all the others. Willpower and legislation have both failed to tackle this crisis.

The national debt today stands at nearly \$18.2 trillion. In its most recent budget outlook, CBO projects that under current law the national debt will swell to more than \$25 trillion in the next decade. GAO issued its latest “Federal Fiscal Outlook” report in August. Without significant action by Congress, GAO says, Federal debt as a percentage of GDP could in the next 25 years climb to four times its historical average.

New data show that the deficit for fiscal year 2015 will likely be lower than expected. If the best thing to say about our current fiscal condition is that it could be worse, we are really in trouble. In its June long-term budget

outlook, CBO says that after a few years at a more modest level, deficits will once again increase, especially when interest rates start to rise.

Since President Obama took office, we have seen both the greatest buildup of debt and the lowest interest rates in history. This is the perfect fiscal storm. Even a small rise in interest rates will explode the cost of servicing this massive debt and contribute to higher deficits and greater debt. CBO projects that interest rates will indeed rise, and, as a result, “the government’s net interest costs are projected to more than double relative to the size of the economy over the next decade.” Both CBO and the Concord Coalition anticipate that over the next decade, interest costs alone will approach \$1 trillion a year—that is with a “t”—\$1 trillion a year.

The fourth argument by BBA opponents really amounts to plain old scare tactics. They figure that Americans may want a balanced budget but only if their own favorite spending continues. So BBA opponents claim that a BBA will automatically cut this or that program. Not only is this a cynical approach to a very serious problem, but it is not true. A balanced budget amendment will require that Congress finally get serious about priorities and decide which spending is the most important and the most cost-effective. Long-term fiscal responsibility is more important than any one spending item in the budget.

I introduced my first balanced budget constitutional amendment in June 1979. I said then and I repeat today that a balanced budget amendment “requires that Congress think in order of budget priorities.” Nothing short of the Constitution will make that happen.

One definition of insanity is doing the same thing over and over and expecting different results. Neither willpower nor legislation can tackle the growing national debt crisis. It has been nearly 70 years and more than \$15 trillion of debt since the Appropriations Committee declared in 1947 that only a constitutional amendment can compel Congress to balance its budget. That is the only option left.

The last gasp of BBA opponents isn’t really an argument at all. They say that adopting a balanced budget amendment will not by itself solve the debt crisis. I have introduced 7 and co-sponsored 20 balanced budget amendments since I was first elected. In all this time, during all the hearings and floor debates, I have never once heard anyone claim that adopting a balanced budget amendment will, by itself, magically make the debt disappear. Of course it won’t. Neither did enacting all of those so called budget control acts. Congress will still have to make the decisions to determine whether we continue drowning in debt or chart a different course.

Congress cannot amend the Constitution by itself. Article V of the Con-

stitution provides that constitutional amendments may be proposed by either two-thirds of Congress or by a convention called at the request of two-thirds of the States. In either case, a proposed amendment does not become part of the Constitution until at least three-fourths or three-quarters of the States ratify it. Congress can do nothing more than propose a balanced budget amendment so that the American people may decide whether they want to add it to their Constitution.

Government does not get to set its own rules. The Constitution is the law that governs government, and it belongs to the American people. It is the primary way the American people set rules for how their government must operate.

Mr. President, I ask unanimous consent that I be permitted to finish these remarks.

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

Mr. HATCH. Mr. President, Congress has proven, over decades of failure resulting in trillions of dollars of debt, that it will not exercise its fiscal authority properly. The American people must be given a chance to decide whether to make fiscal responsibility mandatory. It is the American people who ought to decide this. The only way they can is to propose a balanced budget amendment and send it to the States for consideration.

I have looked at dozens of national polls since I was first elected to the Senate conducted by major polling firms or national news organizations. Three-quarters of Americans supported a balanced budget amendment in 1976 and three-quarters supported it last year. Is it possible, however, that all of those polls over all those years are actually wrong? The American people might be content with the national debt swallowing the economy. They may not be bothered by being on an unsustainable fiscal path. Who knows, they might welcome soaring national debt interest payments crowding out other budget priorities. They might be OK with slower economic growth and a greater threat to national security. The American people might believe, with balanced budget amendment opponents here in Washington, that the national debt is no big deal or that Congress can solve it on its own. If so, then the American people will decline to ratify a balanced budget amendment, but the choice has to be theirs, not ours.

The Peter G. Peterson Foundation also does polling, each month compiling the Fiscal Confidence Index of Americans’ opinions about the national debt. The results are both clear and consistent: 71 percent of Americans are concerned about national debt, as seen here—let me just define it a little bit—71 percent say their concerns about the national debt have increased; 63 percent say addressing the national debt is on the wrong track; 81 percent say addressing the national debt should be

among Congress's top three priorities; 83 percent say Congress should spend more time addressing the national debt; 62 percent expect the national debt crisis to get worse in the next few years.

Some of my colleagues may believe we have no obligation to handle the American people's money responsibly. They might still claim that Congress can get its fiscal act together on its own or they may deny that the American people should be able to set the fiscal rules for the government they elect, using the Constitution that belongs to them.

Those colleagues should remember what the American people think about Congress. Disapproval of this institution is 83 percent today, higher than 98 percent of the time since the early 1970s. The percentage of Americans with very little or no confidence at all in Congress is the highest since Gallup started asking in May of 1973.

I am continually amazed at the wisdom and foresight of America's Founders. Thomas Jefferson was right in 1798 that one of the most effective ways of keeping the Federal Government within constitutional principles is to require a balanced budget. The Appropriations Committee was right in 1947 that Congress will not balance its budget unless the Constitution requires it. After seven more decades of attempting to tackle the debt by will-power or legislation, the crisis is worse than ever.

Continued failure is not an option, and there is only one solution. We must act before it is too late.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2028, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 96, H.R. 2028, a bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be controlled by the majority. The Senator from West Virginia.

#### NATIONAL DEFENSE AUTHORIZATION BILL

Mrs. CAPITO. Mr. President, yesterday the Senate came together in a bipartisan way to pass the National Defense Authorization Act conference report. This important legislation au-

thorizes vital resources for our Nation's troops, our wounded warriors, and their families.

This NDAA provides for our national security needs and will meet our commitments to our allies. The defense funding bill also includes programs that will directly benefit the West Virginia National Guard, including our partnership program with Peru and the Drug Interdiction and Counter-Drug Program to fight the wave of prescription drug abuse that is all over our States and our State in particular.

This bill provides funding for STARBASE—I visited STARBASE just recently—an innovative program that provides hands-on learning opportunities for students in science, technology, and mathematics, and helps spur their interest in STEM. They were really excited that day.

On Monday when I visited the 167th Air Lift Wing in Martinsburg, I enjoyed the opportunity to personally meet and thank our servicemembers and learn about the challenges they face. These brave men and women deserve our unified support and should not be subject to the gridlock that has been too common in Washington.

Unbelievably to me, though, the President has threatened to veto this bipartisan legislation, even though it authorizes the same amount of spending for national defense that he asked for in his budget submission. Just recently the administration authorized tens of billions of dollars for Iran through sanctions relief, including money that will be used admittedly to further destabilize the Middle East. Now the President is threatening to veto funding authorization for our own troops.

We face great and growing threats to our national security. ISIS continues to advance. Syria's ongoing civil war is creating a flood of refugees in Europe, Russia is increasing its influence in the Middle East, and Iran will gain strength due to the sanctions relief granted in the nuclear agreement. It would be a mistake for the President to veto this funding for our national defense.

As the Washington Post editorialized this weekend, "American presidents rarely veto national defense authorization bills, since they are, well, vital to national security."

The editorial continues, "Refusing to sign this bill would make history, but not in a good way."

This is not the legacy the President wants to leave behind. He should reconsider his position and follow the lead of the 70 Senators who voted yesterday—including 21 Democrats—to put our national security before politics.

The Senate is now considering another bipartisan bill that has important implications to our national security. The Energy and Water appropriations bill funds programs that help us use our energy resources in the most efficient way possible.

I serve on the Appropriations Committee. I saw the bipartisan work that

occurred between the chair and the ranking member. Continued innovation in our energy resources, whether it is coal, natural gas or oil, is absolutely a strategic asset to our national energy independence.

The benefit of innovation in our energy sector is reflected in the vast reserves of shale gas that are now being produced in West Virginia and elsewhere across the country. It was less than a decade ago, when I came to Congress, many of us were worried about a shortage of natural gas. Today, natural gas production is surging. In West Virginia alone, production has increased by over 500 percent in the last decade. It is exciting to watch. An energy economy is a jobs economy.

Not only does shale gas help us meet our domestic energy needs, we have an opportunity to expand our LNG exports, creating more jobs at home while helping to meet the energy and security needs of our allies in Europe and Japan.

Innovation and investment in clean coal technologies, not across-the-board regulation, should be our focus. The Energy and Water appropriations bill includes \$610 million in fossil fuel development. This is a necessary investment in entities such as the National Energy and Technology Lab in Morgantown, so that they can use these dollars to develop the technologies to make coal, oil, and natural gas production cleaner and more efficient.

I strongly disagree with EPA regulations that require the use of technology that is not commercially available. That is what we see in these regulations. They increase the cost of energy and they decrease the reliability of electricity grid. The best way to provide that energy and improve our environment is to invest in the technologies that will help us and use those coal reserves in the most efficient way possible.

This bill also provides important funding for the Appalachian Regional Commission. West Virginia is the only State that is completely within the boundaries of the Appalachian Regional Commission, and the ARC plays an important role in helping West Virginians meet our economic challenges. The funding provided in this bill can help ARC promote rural broadband—something I talk a lot about on the floor of the Senate—and will expand rural health care services and offer opportunity to our State's workers.

Investments made in the Army Corps of Engineers through this bill will help provide the infrastructure we need to make sure American products can move to markets across the country and around the world.

The Energy and Water appropriations bill impacts every American. It was carefully crafted, robustly debated in committee, and passed the full Appropriations Committee with bipartisan support.

Mr. President and my fellow Members of the Senate, the Appropriations

Committee did its part. We passed all 12 government funding bills for the first time since 2009. Nine of these bills had bipartisan support. So far Democrats have chosen twice to block debate on the Department of Defense appropriations. Last week, the Democrats blocked debate on the Military Construction and Veterans Affairs appropriations bill. That obstruction is the reason the government is continuing to operate on a continuing resolution.

Let's get the bills on the floor. Let's debate them, make changes, and then vote again. That is what we are supposed to be doing. None of us was sent here to pass short-term continuing resolutions and allow the government to operate on autopilot. Let's do our job. That is what we are sent here for. We are here to advocate for our State and national priorities, and this Energy and Water bill reflects those priorities. The full Senate should have an opportunity to debate this bill, offer amendments to improve it, and pass a bill that will lead to energy security and improve our infrastructure. By contrast, voting to filibuster this and other appropriations bills will make the threat of a government shutdown more likely.

Americans deserve a government that makes wise and strategic investments to best meet our needs. Endless continuing resolutions are not the most effective way to meet those needs and can prove wasteful in dollars and time. I ask my colleagues to allow debate on this important legislation to move forward and to support investments in our energy and infrastructure priorities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise reluctantly to acknowledge that I am going to vote in opposition to moving to cloture on this Energy and Water appropriations bill—reluctant because I have supported every single movement to go to the appropriations act because that is what the Senate should be doing. However, I will not reluctantly but will passionately object for the following reason: included in this energy and water report is language that was circuitously placed into the bill that would disadvantage my State of Georgia and show a preference to other States that surround it. It is not our job as Members of the Senate to circuitously write language into a bill that directs what policy this country may seek to follow.

My State, Florida, and Alabama have been in litigation for 30 years over what is called the water wars in the ACF and the ACT Basins. There has been litigation and cases have been dismissed from the courts. We have settled law in terms of the disposition and responsibility of the Corps of Engineers.

It is my responsibility, as a representative of my State, to do what is

right, but it is also my responsibility to ask you the rhetorical question as follows: Should any Member of the Senate be able in any way possible to circuitously place language into a bill that would disadvantage one State or advantage another without debate or without direction? If we become that type of a body in the Senate, we are no longer the most liberating body in the world; we are the most punitive body in the world.

I appreciate the job the Energy and Water Development Subcommittee has done in writing this bill, I appreciate the appropriations that benefit the State of Georgia, but I do not appreciate the use of an appropriations bill to direct the actions of the Corps of Engineers to disadvantage my State and advantage another State without debate, without any degree of direction, and in total conflict with the courts' decisions in the past. So I reluctantly will vote no on moving forward on cloture until we remove this language from the underlying bill.

I yield to the Senator from Georgia, Mr. PERDUE.

Mr. PERDUE. I thank the Senator.

Mr. President, the bill before us, the Energy and Water Development Appropriations Act of 2015, is an important bill, and I appreciate Senator ISAKSON's leadership in this matter. I hope this bill can be considered again in the near future but under different circumstances.

This bill currently contains language that you just heard that would prevent the Army Corps of Engineers from updating the Master Water Control Manual for the Alabama-Coosa-Tallapoosa River system. By blocking updates to the water control manual, this bill would give Alabama the power to veto any plan by the Army Corps of Engineers to use Federal projects to accommodate both States' water supply needs.

When we look at what is really happening, it should concern every Member of this body as well as every person in the United States. For the last 30 years, as the Senator just mentioned, the States of Georgia and Alabama have been in litigation about the use of water in the ACT River system. In instances like this, the court system is the best way to resolve these issues between the States, not the body we are in today. Instead, the senior Senator from Alabama has chosen to insert specific language in this bill to litigate this issue in the Senate instead of the courts. As anyone can imagine, with nearly 30 years of court cases and 60 years of water rights issues, the line between who is right and who is wrong can sometimes get blurry, but the fact is the Senate should not be intervening in a dispute between the States. This is an issue that should be decided by the courts, and the Senate certainly should not allow one Senator to invalidate progress on a multi-State water issue problem.

Several attempts have been made to get the Governors of Alabama, Georgia,

and Florida to get together and once and for all solve this issue.

I want to applaud today Georgia's Governor, Nathan Deal, for his recent attempts to solve this issue and hope that one day we will reach a resolution to this problem that meets everybody's needs. But for now, it seems incredibly shortsighted to force any party in the negotiating process to give in and to tip the scales in one State's favor.

I have had my fair share of negotiations in my career, just as the senior Senator from Georgia has in his business career. I can tell you that forced negotiations never end well for anybody involved. I also know that the citizens of Georgia are not in favor of prolonging this issue any further. I know, Senator, that many of our colleagues in Georgia and many of our colleagues here don't like to be forced to decide issues between the States they don't represent.

With that, Senator, it appears that this bill incentivizes the State of Alabama not to negotiate, causing our colleagues to adjudicate this matter without all the facts.

I ask the Senator, can you give us your interpretation of this language one last time here? I appreciate the Senator's leadership on this.

Mr. ISAKSON. I thank the Senator for his leadership. Without reservation, the language benefits one State to the detriment of another. It is not the responsibility of the Senate to do so. It is inappropriate. I would ask this question of every Member of the Senate: If we became a body of equal representation, two Senators per State, that could secure that they write language into appropriations bills that disadvantages another State, would you want to be a part of that body or would you rather be a part of a body that debates, delegates, and then does what is right for the citizens of the United States of America and right for those they represent?

I appreciate very much the hard work of the Appropriations subcommittee. They have done a good job. We appreciate the priorities that Georgia has gotten. But I don't appreciate a body or the attempt to make this body a court of arbitration between somebody with seniority or somebody with cash versus somebody without, or somebody with a preference versus somebody without. We need to get back to the business of debating and doing what is right for America, not disadvantaging our neighbors or advantaging ourselves over someone else, other than to negotiate what is right for the country and right for the people we represent.

I commend the Senator from Georgia and appreciate his wholehearted support in this. I am going to ask every Member of the Senate to vote no on moving forward on the Energy and Water appropriations bill until the language advantaging one State over another is removed.

I yield back.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to speak as in morning business for up to 10 minutes.

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

MENTAL HEALTH REFORM ACT OF 2015

Ms. COLLINS. Madam President, I am deeply saddened by the terrible tragedy that occurred in Roseburg, OR, last week that resulted in the loss of nine lives and injured many more. My heart goes out to the victims and their families, who are struggling to understand this senseless act of violence and are shouldering incomprehensible grief. Roseburg, Newtown, Aurora, Virginia Tech, the Navy Yard—these mass shootings are examples of tragedies that our country has experienced far too often.

The common thread that runs through all of these acts of violence is untreated or undertreated severe mental illness. The shootings in Roseburg should serve as a wake-up call that it is time—indeed, it is past time—for a comprehensive overhaul of America's mental health system.

A serious flaw in our current system is that it is simply far too difficult for families to get help for their adult children who are suffering from severe mental illness. Over the past several months, it has been my privilege to get to know Joe Bruce from Caratunk, ME.

Motivated by his own family's tragic experience, Joe has become a powerful advocate for mental health reform.

Let me share with you and with my other colleagues Joe's tragic story. In 2006, Joe's 24-year old son Will, who had a history of severe and persistent mental illness, was discharged from a psychiatric hospital and returned home without the benefits of any medication. Will had been advised that without his consent, his parents had no right to participate in his treatment or to have access to his medical records.

Will believed that there was nothing wrong with him and that he was not mentally ill, which can be characteristic of some individuals with severe bipolar disorder or paranoid schizophrenia. Will would not consent to his parents' involvement with his treatment, and because he was an adult, his father Joe and his wife Amy were barred from all access to his treatment or his medical records.

Tragically, the fears that Amy and Joe had voiced to Will's doctors that Will would hurt or kill someone came true. On June 20, 2006, Joe returned home to find the body of his wife Amy. His son Will was in a deep state of psychosis and, believing his mother to be involved with Al Qaeda, murdered her with a hatchet.

Because of that tragedy, Will was committed to the same psychiatric hospital, which had previously discharged him, by a criminal court. He is now doing well because he is getting the treatment and care he should have

had before. As his father says: "Ironically and horribly, Will was only able to get treatment by killing his mother."

Joe also introduced me to a group of families from Maine, who are part of a group known as the Families of the 4%, a reference to the segment of our population that suffers from severe mental illness. All of them spoke of similar difficulties in getting needed treatment and care for their adult children suffering from severe mental illness.

This group of parents was distressed, exhausted, and so worried about their loved ones. One mother told me that she had made more than 60 calls seeking help for her son, whom she believed was dangerous.

Another mother described her son chasing her around the kitchen table with a butcher knife. A few of these families had more uplifting stories, because they had finally been able to get needed help for their children. One mother told me about her son who is currently receiving treatment and is in stable condition after being hospitalized more than 30 times in 10 years and spending time homeless and in jail.

Another father told me about his son who had been hospitalized more than a dozen times but is now living in an apartment and able to hold a part-time job because he too is finally receiving the care he needs.

While millions of Americans suffer from mental illness, only a very small number engage in unspeakable acts of violence against themselves or others. Yet many of the tragedies that we have witnessed in recent years—these mass shootings—might have been prevented had the proper resources been in place to support a timely diagnosis, early intervention, and effective treatment for those struggling with severe mental illness.

That is why I have joined with my colleagues, Senator and Dr. CASSIDY and Senator MURPHY, in sponsoring the Mental Health Reform Act of 2015. This bill is patterned on a bill that has been introduced by Congressman TIM MURPHY, a clinical psychologist in the House of Representatives. It will make critical reforms to address a lack of resources, to enhance coordination, and to develop real solutions to improve outcomes for families dealing with mental illness.

My hope is that this most recent tragedy in Oregon will provide an impetus for the Senate to consider our bipartisan bill, which has been endorsed by so many mental health groups, including the National Alliance on Mental Illness, the American Psychological Association, and the National Association of Psychiatric Health Systems. Passage of this comprehensive, bipartisan legislation would help to jumpstart the much-needed conversation in this country about how to better care for people living with severe mental illness and to help their loved ones.

This bill addresses one facet, but a significant and ignored one, of the

problem of mass shootings. I will continue to support other actions, such as the gun purchase background checks proposed by Senator MANCHIN and Senator TOOMEY. I hope we can come together to pass both bills to help lessen the chance that other families will have to endure the loss of a loved one to a mass shooting.

I urge all of our colleagues to join Senator CASSIDY, Senator MURPHY, and me in cosponsoring this important legislation to strengthen our mental health system, to help ensure that others in this country do not suffer, as far too many families have done, because of adult children suffering from severe mental illness.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

MENTAL HEALTH AND SAFE COMMUNITIES ACT

Mr. CORNYN. Madam President, I know the President is traveling to Oregon tomorrow. There is a lot of focus, and appropriately so, on the tragedy that occurred last Thursday afternoon in Oregon. I want to start out my remarks this morning by offering, again, our deepest condolences and heartfelt prayers to the families and friends who suffered so much in what seems like a senseless act of violence.

Perhaps stating the obvious, that it is terrible for our Nation to experience yet another tragedy like this, what I hope is that we don't become numb to hearing these reports so we end up being frozen into inaction or dysfunction but that we actually look for ways to try to work together to try to make some progress to deal with the root causes of incidents like this.

For the family and friends of those who lost loved ones last week—like so many others who have lost children, their friends, and siblings in one of these shootings—we know the emotions are still raw and real. So it is with great deference to those who have suffered this loss that I wish to discuss what I believe to be one of the major contributing factors to these seemingly senseless acts of violence that have occurred across the country, and I will talk a little bit about some legislation which I have introduced which I think will actually help us address one of those root causes.

The legislation I have introduced is called the Mental Health and Safe Communities Act. I believe it would bring real change to our Nation and provide help to those struggling with mental illness. This bill would empower families with more options for their loved ones. I think about the mother of Adam Lanza, the shooter at Sandy Hook, and how she knew her son was suffering from mental illness, but basically she didn't have any options other than to let him continue to descend and become sicker and sicker or to go to court and seek an involuntary commitment for a temporary period of time.

So to make sure that families like Adam Lanza's and like the mother of

the Oregon shooter—she said her son seemed to be doing fine as long as he took his medication, but when he quit taking his medication, he would become a real problem because he would get sicker and act out.

The legislation I have introduced attempts to strengthen the safety of our communities by providing families with more options when it comes to treating people with mental illness and treating them different from common criminals.

We know the majority of inmates at our jails in America are people with mental illness. They may have committed some petty crime because of their mental illness, and frequently, because of their attempts to self-medicate with drugs or alcohol, they get in trouble with the law. But rather than just lock them up, wouldn't it be so much better if we could get at the root causes of their mental illness and the reason they show up there in the first place? That is actually the goal of some very innovative programs I will mention in just a moment, but the goal of my bill that I introduced in August is to support families before it is too late and to provide a path to recovery and healing for the mentally ill.

Proactively treating those with mental problems is a vital component to reducing the risk of violence in towns and cities across the country. This bill would help the whole community, including families, as I mentioned, and schools. Certainly teachers and administrators at schools are privy to information and know things or suspect things that could be very helpful in providing assistance to families and those suffering from mental illness. It would also help law enforcement, providing them the training to spot the warning signs of individuals who could become a danger to themselves and others.

Many of the provisions of this legislation are based on policies that have been proven effective in State and local jurisdictions around the country.

Recently, I was in San Antonio—my hometown and where I served as a district judge. In August I had an opportunity to visit with those in the San Antonio area who have taken a leading role in coming up with new and innovative ways to approach this issue, including one of the leaders of that effort, Sheriff Susan Pamerleau. She championed those reforms, made our community safer, and provided families with alternatives to an endless cycle of incarceration for people with mental illness who don't actually get their symptoms and the cause of their problems treated.

The mental health program in Bexar County, which is the county where San Antonio is located, is now touted as the national standard for how to think strategically about those suffering from mental illness in our criminal justice system. The legislation I have introduced will help institute some of these best practices at the national level.

This legislation would empower families who struggle to find help for their mentally ill loved ones and encourage the development of mental health awareness programs in schools to help educators identify students with mental illness and provide them with the resources and treatment they need. It also includes specialized training for those on the frontlines, such as law enforcement. I heard in San Antonio recently that because of the training law enforcement receives, they have been able to reduce, if not almost completely eliminate, the violence that occurs when a police officer arrives at a call and encounters someone who is mentally ill. By providing the specialized training, you can deescalate the violence and allow the officer to direct the person to a place where they can actually get some help.

This legislation would also encourage State and local governments to create pretrial screening and assessment programs to identify mentally ill offenders, provide need-based treatment, and develop post-release supervision plans so they don't become a danger to themselves and others.

This bill also strengthens the current background check system by incentivizing information sharing among the States so that law enforcement has appropriate information regarding individuals with adjudicated mental illness in the criminal justice system. One example that is pretty close to Washington, DC, is the Virginia Tech shooter, who actually had been adjudicated mentally ill, but the State of Virginia had not uploaded that information to the National Instant Criminal Background Check System maintained by the FBI. So when he purchased a firearm, it did not show that he was disqualified, as he would have been if that information had been uploaded to the National Instant Criminal Background Check System. Trying to make it easier for the States to put information into the system is one of the goals of this legislation.

I hope my colleagues will view this as a commonsense attempt to try to make a significant step forward that will help not only those with mental illness get the help they need but also equip our Nation's law enforcement officers to perform their jobs.

Last week, more than 20 mental health organizations sent a letter to Members of the House advocating for mental health reform, calling the need "urgent" to "improve the lives of tens of millions of Americans, their families, and our communities." We need to listen to them, and we need to act.

I know from reports that some of our Democratic colleagues have said they are going to introduce some gun control legislation that we all know has been tried before and cannot pass this Chamber. What we need instead is a broad consensus to try to get something done that can bring people together, and I believe my legislation can do that by addressing the root cause of

some of these horrific events—again, mental illness.

So instead of calling each other names, as the minority leader did on the floor last week, I would invite our colleagues across the aisle to do something constructive and to work together on this legislation.

The Mental Health and Safe Communities Act is a serious proposal and will take important steps toward preventing additional tragedies across the country. I think many of us understand that mental health reform, generally speaking, is long overdue, and this is an issue many groups in the mental health community support.

I should point out that there are many other organizations that support this legislation as well. Just to make my point about this being consensus legislation, I will mention some of the organizations that are supporting the Mental Health and Safe Communities Act: the National Alliance on Mental Illness, the National Association of Police Organizations, the American Correctional Association, the American Jail Association, the Council of State Governments, the Treatment Advocacy Center, the National Association of Social Workers, and the National Rifle Association. Madam President, I dare say that you won't find a group like that coming together on many issues, but on this legislation, on which we worked very closely with them, they have actually been able to settle some of their differences and meet each other on common ground in a way that I think gives us hope that we can actually get some legislation passed and send it to the President. That will actually provide help to people like Adam Lanza's mother or the mother of the shooter in Oregon, who had nowhere else to turn, under the current state of the law, in order to get her son to comply with his doctor's orders to take his medication. Thanks to the miracle of modern medical science, there are miraculous medications that can help people suffering from mental illness lead productive and relatively normal lives.

I encourage my colleagues to consider how we can move this conversation forward in a way that results in real, positive change for our country—above the polarizing rhetoric and political gamesmanship that tends to characterize too much of what we do here in Washington and certainly on this topic.

Last week President Obama addressed the Nation after this horrific incident in Oregon. I believe his emotions were real, but unfortunately he didn't offer any concrete solutions to the problem. He said, among other things, that making our communities safer will require changing our laws. He went on to say that Congress needs to put forward such legislation, and that what is I have tried to do.

I am pleased that the President indicated his interest and concerns, but the real question is, Will the President

work with us on legislation that actually offers solutions or will it just be a matter of grandstanding? Will our Senate colleagues offer legislation that previously has shown it cannot move in the Senate and render us dysfunctional or will they work together in a bipartisan way to try to find common ground and real solutions? I think that is the question.

I would ask our colleagues who are offering legislation—sort of relitigating some of these issues on which we haven't been able to find consensus—which of these proposals would have actually gone on to address the root causes of some of these incidents in the past? I think that is a very important question because if you are interested in demagoguing an issue, you can talk about that and offer purported solutions which can't pass and which actually would not have changed the outcome. What I have tried to do is figure a way that—OK, given our differences on this issue, how can we find that common ground and offer solutions?

Through this legislation, we would give families a way to help their mentally ill family members. We would help schools appropriately identify and respond to someone with mental illness. We would improve the response of law enforcement and the criminal justice system to make sure that mentally ill individuals do not become dangerous to themselves and others. We would work to help the States fix the National Instant Criminal Background Check System. We would reduce the stigma associated with mental illness by protecting due process rights of the mentally ill.

I was somewhat taken aback and disturbed when I saw a story this morning in Politico: "Dems ready sweeping new guns bill." One of the statements in the article jumped out at me. It says: "Democratic leaders are wary that their rank and file could defect and begin supporting the Cornyn bill." So actually, according to this article, what is occurring is, rather than looking to find consensus or to join together to support legislation that might actually help solve the problem, some in the Democratic leadership are actively lobbying their own Members not to get on legislation or support legislation that might actually pass and might actually work. That strikes me as incredibly cynical and doesn't demonstrate an interest in actually solving the problem but, rather, political grandstanding.

I would encourage all of our colleagues, regardless of where you stand on this issue, let's try to figure out a way to move forward. We have a real opportunity to address the common element found in most of these mass shootings, and we don't have any time to waste. We can do better for the American people and get the Mental Health and Safe Communities Act done.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE  
CALENDAR

Mr. CORNYN. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, following the cloture vote on the motion to proceed to H.R. 2028 on Thursday, October 8, the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 123, 266, 267, 300, 325 through 328, 330, 331, and 335; that the Senate vote on the nominations en bloc without intervening action or debate; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

Ms. MURKOWSKI. Madam President, I have come to the floor to speak in support of the fiscal year 2016 Energy and Water appropriations bill. I want to thank the senior Senator from Tennessee for his leadership in developing this bill, for doing his part to help the Senate return to a regular budgeting process, and I want to urge my colleagues not to filibuster when we vote on it.

The Appropriations Committee passed this bill with broad bipartisan approval in late May. The final vote in committee was 26-4, with all Republicans and 10 Democratic Senators supporting it. That means close to 90 percent of the Appropriations Committee voted to advance this bill—a very strong ratio that we should carry over here on the floor, instead of grounding it with demands for more and more spending.

There is a lot in here that the Senate should like. My colleague from Tennessee has developed a good, balanced bill that will provide funding and direction to the Department of Energy, the Army Corps of Engineers, and the Bureau of Reclamation. It will allow the Senate to advance our Nation's energy security, nuclear waste cleanup, flood control, and infrastructure development.

We hear a lot of talk about the importance of Federal energy policy around here. As the chairman of the Energy and Natural Resources Committee, I certainly agree that energy policy and stewardship of our public lands are worthy of our time and attention. And that is one of the reasons this bill should be allowed to go forward. It will support research and development for our conventional energy resources, for renewable resources, for nuclear energy, and for many other promising technologies.

It includes a pilot program for the consolidated storage of spent nuclear fuel, a step in the right direction after

years of stalemate that have placed our Nation's nuclear future in limbo.

It focuses on the legacy wastes from the Manhattan Project and provides considerable funding for environmental cleanup at legacy sites around the country.

It will also uphold our Nation's nuclear security, providing funds for non-proliferation efforts and weapons activities.

But that is not all this bill will accomplish.

It will also fund the Army Corps of Engineers, whose construction projects and maintenance operations are critical not only for Alaska's harbors, but for every port in the country. Dozens of communities in my home State depend on the sea for their livelihoods—it is a source of food, jobs, and income. Without a viable port, many Alaskans cannot maintain their traditional subsistence way of life, so this is particularly vital to our Alaska Native communities.

I don't have time to tick through what this bill will do for all 50 States—but I can tell the Senate a little about what it will do for Alaska.

It will fund general investigations in Craig, Kotzebue, Perryville, and St. George.

It will provide construction funds for Port Lions and fund the Continuing Authorities Program, which allows projects that are needed by small communities to take place far quicker than can occur through the usual congressional approval process.

Operations and maintenance funds will go towards dredging in Anchorage, Homer, Nome, and other cities to ensure their harbors are in good working order and able to handle maritime traffic.

This is a good bill. It spends a total of \$35.4 billion—which used to be a big number around here. It makes important choices and wise choices and funds our priorities.

So if you care about the national lab system or university research programs, you should support this bill.

If you care about energy innovation and nuclear safety and nonproliferation, you should support this bill.

If you care about ports, roads, harbors, and other infrastructure all around the country, you should support this bill.

And if you think the Senate should lead in the Federal budgeting process—if you are serious about getting that back on track, serious about us playing a role instead of being a bystander—you should support this bill.

Again, I thank the senior Senator from Tennessee for his hard work and encourage the Senate to move to full consideration of this important bill.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam 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. Madam President, I ask unanimous consent to speak as in morning business.

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

Mrs. MURRAY. Madam President, I ask unanimous consent that during the Democratic-controlled time, Democratic speakers be allowed to speak for up to 3 minutes each.

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

#### GUN VIOLENCE

Mrs. MURRAY. Madam President, I come to the floor today to speak on an issue that hits far too close to home for far too many families in Washington State and across the country—in Roseburg, OR; in Blacksburg, VA; in Newtown, CT; in Seattle, WA, where a student at Seattle Pacific University opened fire just over 1 year ago; in Marysville, WA, where a teenager killed four students in a high school cafeteria before turning the gun on himself; and in so many other communities, too many to list.

Madam President, in the hours and days and weeks after those shootings in my State, the community showed incredible resilience and strength. But I can tell you that anyone who has been affected by gun violence understands all too well that all the strength in the world will never erase the pain of the parents who lost a child or the students who lost friends and teachers.

Today I echo the questions I have heard from so many people in Washington State: What will it take for this Congress to adopt simple, commonsense reforms? Why would this Congress hesitate at taking even the most basic steps to keep guns out of the hands of dangerous individuals? Why do we fail to act when children at school and young adults on campus and women in abusive relationships and so many others are so vulnerable to the threat of gun violence?

I know this is a complex issue, but that doesn't mean we should do nothing. It is long past time for us to improve background checks. It is long past time for us to end the illegal pipeline of guns that contribute to crime.

I think it is also important to note that too often those who commit terrible acts of violence needed help and intervention they did not get. To be clear, they represent a very small minority of the many people in our country who struggle with mental illness. But when so many lives are truly on the line, we need a comprehensive approach, and that should include strengthening our mental health care system so that it is available to anyone who needs it.

Madam President, this issue isn't going to go away. I wish it would. I wish we never had to have this conversation again. I wish we had never had to hear about the latest child killed, the latest school upended. I know we all wish that. Wishing will

not make it happen. It is time for Congress to listen to the American people and act.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, Congress has failed to protect the American people from the tragic gun violence that is plaguing our Nation. The mass shooting in Roseburg, OR, was the 297th in the United States this year alone. That is more than one mass shooting per day so far this year in our country.

In fact, every year more than 30,000 Americans are killed by guns. Yet the Republicans have blocked any legislation to prevent future tragedies. It is past time for us to act. It is time for us to listen to the American people, who overwhelmingly support commonsense legislation on guns. Ninety percent of Americans support background checks before someone can buy a gun. Ninety percent of Americans support background checks before someone can buy a gun—90 percent of Americans.

So let's close the loopholes that allow online gun sales and sales at gun shows without a background check. Ninety percent of Americans want background checks. Let's close the loophole that allows already proven domestic abusers to buy guns. That is overwhelmingly supported by the American people. Let's close the loophole that allows straw purchasers to buy guns and flood our streets with them. Overwhelmingly, Americans don't want these kinds of illicit sales with no background checks to be conducted across our country. Let's close the loophole that allows a gun sale before a background check is completed. At least let's complete it. Let's take our heads out of the sand on the causes of gun violence and how to prevent it.

We have the power here on the floor of the United States Senate to pass legislation that pretty much all of America expects us to pass. It is time to end the NRA's vise-like control of this Chamber. The NRA says it is the National Rifle Association. Well, our goal should be, on this floor, to say that the NRA stands for "Not Relevant Anymore" in American politics.

We should do this now. There is an epidemic of gun violence in our country. It is not preordained; it is preventable. I am proud to join with my colleagues in support of these commonsense gun safety measures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I was born in a small rural community where deer season was as much a part of fall as football and falling leaves. I was raised in a household where my dad taught us that hunting was part of our culture in Missouri. I don't know any of my dad's friends, but I certainly know that my father, were he still alive, would be shaking his head about the massacres, about school shoot-

ings—45 school shootings in one year—of innocent children, innocent college students being mowed down. It is horrific and it is tragic.

The American people want us to respect gun rights, but they want us to use common sense. They don't want terrorists to be able to buy a gun at a gun show. We should not be selling AK-47s to terrorists at gun shows. We should not be allowing someone who is convicted of stalking the ability to buy a gun.

That is the only thing we are talking about, the principles of common sense that run deep in my State. Close the gun show loophole. Make background checks more effective in order to keep guns out of those hands that should never hold them.

No one is trying to do anything other than protect the innocent. No one is trying to remove a gun from lawful citizens of the United States, but if we do nothing, if we shrug our shoulders and do nothing when an overwhelming majority of our country want us to try to close these loopholes and make background checks more effective, then we are part of the problem. We really need to look in the mirror at the billions we are spending to fight terrorists who are not mowing down our citizens, our innocent children sitting in classrooms, and the billions of dollars we are spending to try to make sure illegal immigrants don't come in this country when, among us, we allow terrorists to buy guns at gun shows, and we allow convicted stalkers to get a weapon. Fifty percent of murder victims in domestic violence have been stalked.

I hope that Americans rise up and call their Congressman, call their Congresswoman, call their Senator, and get busy because we have to take action.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise today to join my colleagues in calling for commonsense action to keep guns out of the hands of dangerous people who should not have guns, including domestic abusers, and to close loopholes in existing laws that are now being exploited by criminals who are prohibited by law from possessing guns.

Like the Presiding Officer's State, my State is a big hunting State. We are proud of that tradition, so whenever I look at any of these proposals, I think: Would this somehow hurt my Uncle Dick in his deer stand? Would it do anything to take away the rights of those who hunt, the rights of legal gun owners? That is how I look at each proposal, and the proposals we are talking about today would not do that. I wouldn't be supporting them if I thought they did.

We know that no single policy can prevent every tragedy that has been caused by gun violence, but there is one area—what I call the silent victims—the women and the children who

are killed in their homes every single day due to acts of domestic violence. According to domestic violence experts, more than three women per day lose their lives to their partners. More than half of those are killed—are shot—with a gun. This means that thousands of women—thousands and thousands of women in the United States—were murdered by an intimate partner using a gun between 2001 and 2012 alone. These crimes don't discriminate. They impact people across all backgrounds, ethnicities, and income levels. They are serious crimes, and the numbers tell the story of the work left to do.

I am a former prosecutor. Before I came to the Senate, I spent 8 years running an office of 400 people. We made prosecuting felons in possession of guns one of our major priorities, and I am proud of the work we did. I will say that some of the disturbing cases that were murders, that were shootings, did not always involve felons, but they involved criminals. They involved people who, over a series of crimes, had racked up a number of convictions, maybe in the misdemeanor area, maybe for restraining orders and other things.

I remember one case where a woman was shot to death by her boyfriend. He killed her and then killed himself while both of their children were still in the house. It was ultimately his 12-year-old daughter who went to the neighbors for help. The worst part of the story: It could have been prevented. In the 2 years leading up to the murder-suicide, the police had been called at least five times to resolve domestic disputes. Yet somehow this man managed to have a gun in his hands that day and kill his girlfriend.

Consider the police officer who was called to a domestic scene. The guy there had mental health problems.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. KLOBUCHAR. I ask unanimous consent for 30 more seconds.

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

Ms. KLOBUCHAR. The man there shot the police officer in the head—shot him in the head. I was at that scene, and what I will never forget are the three little kids, including the little girl with a blue dress with stars all over it, going down the aisle of that church after being in that church a week before for a nativity play with her father. That is what we are talking about, and we are very glad that this proposal will be in the package of proposals along with the background check.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I am very proud to stand up with my colleagues and say: It is time to act. Enough is enough. Close loopholes that are being used by people who are not following the law, unfortunately re-

sulting in death and injury to children and families across the country.

Like a lot of my colleagues, I grew up in a small rural town in Northern Michigan. My family members are all hunters. We enjoy the outdoors and gun ownership. I purchase and own guns myself. That is not what this is about. My family goes through background checks. We don't want people being able to use loopholes and not to have to follow the law. So this is simply about making sure that the law makes sense and that we are enforcing it.

I also think it is very important to stress the fact that we know there are tremendous mental health needs in this country. In fact, Senator BLUNT and I offered legislation—the Excellence in Mental Health Act—before this body that was passed as a pilot project to get started about 18 months ago. If we had the full support of our Republican colleagues in the House and the Senate, we could quickly make comprehensive quality mental health services available all across the country. Instead, because we have not yet—I hope we can get that support. I would love to see that support. If we had that support, we would have more than eight States that are going to have emergency mental health services available, 24-hour services available, so families or law enforcement or individuals have a place to take someone or someone can go in themselves and ask for help—24-hour psychiatric services available on an emergency basis.

That is what is in the Excellence in Mental Health Act. We have begun the process to make sure it is available in these States. It needs to be available in 50 States. We need to make sure comprehensive services are available in the community for behavioral health just as we have for federally qualified health centers.

We came together on a bipartisan basis to extend funding for federally qualified health centers. We now have a new category called federally qualified behavioral health clinics, and funding will be available to comprehensively provide those services in eight States under our pilot project. It needs to be in 50 States.

I welcome colleagues coming to the floor and talking about what we need to do in mental health. We have colleagues on both sides of the aisle.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. STABENOW. If I may ask for 15 more seconds.

We have colleagues on both sides of the aisle on bipartisan proposals on a number of different issues. Let's get that done, too. Let's fully fund comprehensive community mental health services. Let's work together on the other issues. It is time to pass commonsense gun safety laws.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, today Democrats, from the most mod-

erate and conservative Members of our caucus to the most liberal, are united around a series of principles. They are principles that are overwhelmingly supported by over 90 percent of the American people—universal background checks. They are principles that are supported, according to Pew, a nonpolitical poll, by 85 percent of gun owners. They will save tens of thousands of lives without impinging on the rights of any legitimate gun owner.

The gun owners know it. That is why 85 percent of them support it. Gun owners don't want felons to get guns. Gun owners don't want people who have been convicted of stalking and abuse to get guns. We know that. Yet our colleagues on the other side of the aisle refuse to move on anything. Senator CORNYN—I know Senator STABENOW and Senator MURPHY and others have done great work on mental health. Senator CORNYN came to the floor today and talked about mental health. First, we want to do things on mental health. We should. It is a huge problem. I would like to see my good friend from Texas support the money that is needed—not a pilot program, but the money that is needed.

The more important point is this: Doing things on mental health—which we should—is not a substitute for closing the gun show loophole. Some of our colleagues on the other side of the aisle are feeling the heat, but instead of taking the action they should, supporting closing the gun show loophole, they say let's focus on mental health without giving any good reason why we shouldn't close the gun show loophole. Let's do both.

Today we are calling on the American people to create a groundswell. President Obama was exactly correct. The gridlock in Congress on guns—which befuddles almost all American people in every State, purple, red, or blue—is because the overwhelming support of the American people is not translated into action here. We are calling on the American people to raise their voices in the next few months. We are calling on the American people to write. We are calling on the American people to call. We are calling on the American people to tweet. We are calling on the American people to post on Facebook. We are calling on the American people to march and tell Washington: Enough—enough of these terrible shootings that all of us grieve over.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. I ask unanimous consent for an additional minute.

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

Mr. SCHUMER. Let's put the other side on notice. We will get a vote on this legislation. We will use all the procedural means in our ability. Once the groundswell occurs and people on both sides of the aisle have to study the issue, they will have to vote. We will do it either toward the end of this term

or early in the next term of this Congress, and we believe we have a chance to win. The American people have said enough. A small group in the House and Senate, who are so unrepresentative of the views of their constituents, will not hold things up any longer. That is my belief. I hope and pray it becomes a reality.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, democracy doesn't work like this. Democracy doesn't work such that 90 percent of the American public can support the pretty simple concept that you should not get a gun if you are a criminal and have Congress ignore its will. Democracy doesn't work like that.

As Senator SCHUMER said, this is really about making sure the American public are engaged at the highest level and are making it absolutely clear that silence in the face of these mass murders, silence in the face of young men and women—predominantly young men getting gunned down in the streets of our cities every day—isn't acceptable.

We are hopeful that over the course of the next several weeks and months Congress is going to hear loud and clear that our silence has effectively become an endorsement for these murders. I know that is hard to hear. But the reality is that when the Nation's most esteemed deliberative body does absolutely nothing in the face of this slaughter—we don't even hold one single public hearing—those whose minds are becoming unhinged start to think that those in charge have quietly endorsed it, because if they didn't, they would be doing something about it.

The outline that we have laid before our colleagues today is reasonable, commonsense, and exists side by side along with the protection of the Second Amendment, and we should adopt it as quickly as possible. But at the very least, we should get started on a conversation about how we can end our silence on this issue.

I live every day with the memory of standing before the parents of Sandy Hook Elementary School on that morning on which 20 first graders were gunned down. I live every day with the thought of a young man, disturbed in his mind, walking in with a military-style assault weapon, and in less than 5 minutes, killing every single little boy and girl that he shot. Twenty little boys and girls were shot in under 5 minutes. Every single one of them was dead because of the power of that gun, because it was being loaded by cartridges of 30 bullets at a time. It is something no hunter needs in order to enjoy his sport or his pastime.

I talked to my first grader this morning as he was heading off to school. I told him that I was coming to talk about keeping guns out of the hands of criminals. He looked at me with this vision of puzzlement.

The PRESIDING OFFICER. The Senator has used 3 minutes.

Mr. MURPHY. Madam President, I ask for 1 additional minute.

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

Mr. MURPHY. He didn't understand why it was already the law of the land. A 7-year-old had enough common sense to know that criminals should not be able to own guns. As he went off to his first grade classroom—not unlike the first grade classroom that those little boys and girls walked into in December of 2012—I was reminded of the fact that if little boys and girls in a quiet town in Connecticut or young men and women in a quiet town in Oregon are not safe, then my son is not safe either. In the face of political opposition, which is real, that is why we are coming together to say: Enough is enough. It is time for us to understand that without a change in the law, the reality on the ground for those who are being affected by this plague, this epidemic of gun violence, will not end either.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, we are saying today not only enough is enough but also: Rise up, America, and demand action from this Congress, which for too long has been complicit—in fact, an aider and abettor in the mass killings that have taken place at Virginia Tech, Columbine, Charleston, Sandy Hook, and now Roseburg.

If America rises up, Congress will hear and heed that message, just as it would in any public health crisis, and today we face a public health crisis as real and urgent as a contagion of flu or tuberculosis or, yes, Ebola. The same kind of urgency and immediacy in response is necessary—commonsense, sensible measures to fill gaps, close loopholes, and expand existing law to keep guns out of the hands of dangerous people. One of those principles should be this: no background check, no gun; no check, no sale.

Let us close the gap that permits countless criminals to buy guns because the background check isn't complete within the required 72 hours. One of the 15,729 ineligible purchasers over the last 5 years—people who were barred by law from buying guns—was Dylann Roof in Charleston. He used his gun to kill nine people in a church in Charleston. He was ineligible to buy a gun, but the background check was not completed within 72 hours.

We are igniting and activating a silent majority in America. More than 90 percent of the American people want background checks on every gun buyer, along with other commonsense measures, such as a ban on illegal trafficking and straw purchases and a mental health initiative in school safety. Let us give America its say, and this moment is one we should seize to say: Rise up, America.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, it wasn't long ago that towns such as Columbine, Aurora, Blacksburg, Newtown, and now Roseburg were unknown outside their States. But today, these towns have witnessed the worst kind of tragedy: mass shootings, bodies torn to pieces, families shattered. The common element in each has been an unstable individual who had easy access to deadly weapons.

I stood here 2½ years ago to argue for restrictions on the manufacture, transfer, and importation of military-style assault weapons and high-capacity ammunition magazines. That vote failed.

I stood here to argue for universal background checks. It makes sense that there be a process to ensure a firearm isn't purchased by someone who can't legally possess it, such as a felon. Even that bill, supported by the overwhelming majority of the public, failed.

Here we are once again, standing on the Senate floor, demanding action in the wake of another deadly shooting. As frustrated as I may be, I have not lost hope that the American people will rise up and force their elected representatives to take real action to help stop these senseless murders. I hope they pick up their phones and call every Senator, every Representative, and every Presidential candidate and demand to know where they stand.

President Obama noted this week that the United States is the only country—the only country—that so frequently suffers these deadly attacks. Let me quote some figures. In 2013, we had 33,636 people killed by guns. In 2011, there were 146 gun deaths in the United Kingdom and 698 in Canada. In 2012, Australia saw 226 gun deaths. Last year, there were 6 gun deaths in Japan. Our number is 33,636.

We cannot let that continue. Gun laws work in other countries, and they can work here too. There are simple actions that Congress can take to make a difference. An individual should not be able to buy any weapon they want online or at a gun show with no background check. An individual should not be able to purchase weapons and then immediately resell them, without background checks, to criminals. An individual who has committed domestic violence should not be able to purchase firearms.

These are not drastic changes. In fact, all of these proposals are already law in some States. Congress simply must take some action. The longer we delay, the more innocent people, including children, will be killed in our schools, our office parks, our movie theaters, and our streets.

I wish to conclude with a story written by blog writer Glennon Doyle Melton. She offers up a powerful tale, and I would like to read a portion of it.

“Two weeks ago, my second and fourth grade daughters came home from school and told me that they'd had a code red drill.”

She recalled her daughter saying:

[The drill was] in case someone tries to kill us. We had to all hide in the bathroom together and be really quiet. It was really scary but the teacher said if there was a real man with a gun trying to find us, she'd cover us up and protect us from him. Tommy started crying. I tried to be brave.

Glennon continues:

My three-year-old nephew had the same drill in his preschool in Virginia. Three-year-old American babies and teachers—hiding in bathrooms, holding hands, preparing for death. We are saying to teachers: arm yourselves and fight men with assault weapons because we are too cowardly to fight the gun lobby.

We are saying to a terrified generation of American children—WE WILL NOT DO WHAT IT TAKES TO PROTECT YOU. WE WILL NOT EVEN TRY. So just be very quiet, hide and wait. Hold your breath. Shhhh.

This is chilling. To hear what our children and grandchildren must endure, even in their earliest years. I wish to say to all of us that we must have the courage to stand up and do what it takes to provide some commonsense protection for our constituents and for our country.

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. GILLIBRAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. GILLIBRAND. Madam President, I rise to talk about the topic of gun violence. Time and again we have heard calls in this Chamber for tougher gun safety laws. We have debated ideas that have ultimately fallen short of passage. These were basic reforms that would better protect all Americans, and every time these proposals have failed, more of our communities have fallen victim to gun violence. There are more and more vigils, more funerals, and more questions about how these tragedies keep happening.

Today lawmakers in Washington put forward a set of general principles to guide us as we work to stop the enormous amount of gun violence and gun deaths in our country. These principles include more thorough background checks, which the vast majority of Americans support. They include closing the various loopholes that make it so easy for criminals—not law-abiding citizens—to buy guns, and they include cracking down on gun trafficking and making it a Federal crime.

I have introduced a bipartisan bill with Senator KIRK. The bill called the Hadiya Pendleton and Nyasia Pryear-Yard Gun Trafficking and Crime Prevention Act of 2015. It was named after two young girls who lost their lives when stray bullets from gang violence killed them.

This bill is bipartisan. My main cosponsor is a Republican. Gun trafficking is recognized all around this country as a major source of fuel for American gun violence. Our bill would

finally make gun trafficking a Federal crime. It would give law enforcement the tools they need to get illegal guns—we are not talking about legal guns—off the streets and prosecute those who make money dealing in trafficked weapons.

Right now there is no Federal law that prevents someone from loading their truck in Georgia, driving up I-95, and reselling those guns to gang members in New York. These guns go to dangerous criminals. They are not going to our law-abiding citizens. They are not going to hunters in upstate New York. They are going to gang members in New York City, Chicago, and big cities across this country.

We need to make it possible for our law enforcement to do their jobs. I have said it over and over again, nothing ever happens in Washington until regular people stand up and demand action. They want this nonsense to stop. They want innocent lives not to be lost because of criminals and the mentally ill who can so easily get access to weapons. It is insane that we cannot do commonsense gun reform that the vast majority of Americans and gun owners actually support.

If you, God forbid, are a parent who has lost a child, we need to hear your voice. If you are a member of law enforcement, we need to hear from you about what has worked and what has not worked. What resources do you need for us to help you do your job? If you are a law-abiding gun owner, we need to hear your ideas about how to prevent criminals from getting their hands on guns. If your life has been affected by gun violence, we need to hear your ideas about how to prevent other people from having to live through the horror you have lived through.

The only way we are going to make our country safer from gun violence is through Federal action. Right now, we are stuck with a patch of State and local laws which make it very hard for law enforcement to do their jobs to keep us safe. We urgently need Federal gun safety reform. Month after month, year after year illegal guns tear apart communities in New York and across our country.

According to the last Federal data, there were 8,539 firearms recovered and traced in my home State in 2013 alone, and of those more than 8,500 guns, nearly 70 percent of them came from out of State.

I cannot say this more strongly: We have to make gun trafficking a Federal crime. Give law enforcement the tools they need to keep our communities safe. Stop handing guns over to criminals. We can do this.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—S. 338

Ms. AYOTTE. Madam President, I come to the floor to urge my colleagues to permanently reauthorize the Land and Water Conservation Fund. This has been a very important pro-

gram for preserving our outdoor spaces and the beauty of our country. It is particularly important to my home State of New Hampshire, where this fund actually comes from leasing revenues from oil and gas, and so these are dollars that are supposed to be designated for this purpose since the law was passed in 1965. I am very disappointed that this body has allowed the LWCS authorization to expire.

We have a bipartisan bill, which is cosponsored by Senator BURR, Senator BENNET, and myself—the Burr-Bennet-Ayotte bill, which is one that I will seek unanimous consent on in a moment. It has a number of cosponsors. This is a very bipartisan bill. Senator TESTER, Senator SHAHEEN, Senator ALEXANDER, Senator COLLINS, and Senator KING have also cosponsored this bill. This bill would permanently reauthorize the Land and Water Conservation Fund.

We know from a previous vote in the Senate, we have 60 votes for permanent reauthorization. People on both sides of the aisle feel very strongly about preserving our great outdoors in this country.

In New Hampshire, the Land and Water Conservation Fund has been used on 650 projects, from every aspect of our State—from Sunapee to Ossipee, to Berlin, to Seabrook, to my home city of Nashua, and the Mine Falls Park that I run in every day whenever I am home.

According to travel officials, 660,000 visitors are expected to travel to New Hampshire this weekend over the Columbus Day holiday. We welcome them, but they are coming to experience the beauty and iconic fall foliage of New Hampshire, and the Land and Water Conservation Fund has given them opportunities to enjoy our great outdoors, whether it is hiking, bicycling or hunting, whatever they like to do in the great outdoors.

Protecting our treasured outdoor spaces is not a partisan issue. We should work together on this issue and extend this important fund. I urge this body to immediately take up and pass the reauthorization for the Land and Water Conservation Fund and to continue to preserve our great outdoors, this beautiful country, and my beautiful State of New Hampshire. The Land and Water Conservation Fund has helped to preserve our beauty not only in New Hampshire but across this country and our Nation.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 10, S. 338; I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I want to be very clear about what it is we are

talking about today. We are discussing the expiration of the Land and Water Conservation Fund's ability to accrue additional revenues to the fund and nothing more.

According to the Congressional Research Service, the Land and Water Conservation Fund currently has an unappropriated balance of around \$20 billion that can be appropriated in implementing LWCF projects. If you assume the current rate of appropriations is roughly \$300 million per year, it would take around 60 years before that fund is exhausted.

Meanwhile, we have both the Senate Energy and Natural Resources Committee and its House counterpart, the House Natural Resources Committee, working on reforms to the LWCF to address some of the issues that are causing a lot of people to be concerned with the LWCF. These issues involve, for instance, the maintenance backlog that we have with regard to many of our national parks and public lands and also with regard to the manner in which the Federal Government acquires new land. This is of concern to many of us, especially those of us who come from a State like mine where the Federal Government owns nearly 70 percent of the land.

On that basis, Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I am obviously disappointed that an objection has been rendered by my colleague from Utah, but I will say I appreciate his interest in making sure we maintain our public parks and lands, and this is certainly an interest that we all share together. It is my hope that we reauthorize this program—I know there are some very important projects that can go forward not only in New Hampshire but across the country—because you can't do anything new unless you reauthorize it.

I am disappointed that there is an objection, but I am hoping this is something we can overcome and make sure we can work together and get this reauthorized.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, just to clarify. We have two committees, one in the Senate and one in the House, looking at the possibilities for reforming this program. I am confident we can find agreement on how this program ought to be reformed. That is my goal, and I will continue to work toward that end. I want to make sure we have reforms put in place as we reauthorize this.

In the meantime, I want to be clear: This doesn't do anything to halt the program as a whole. This just deals with the accrual of revenue to a fund that has an accumulated unappropriated balance of \$20 billion. We certainly have time. This shouldn't be rushed through. We need to give the

committees the time they need in order to work out the reforms needed.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I join the Senator from New Hampshire, Ms. AYOTTE. I thank her for her leadership on the Land and Water Conservation Fund. She has been out front on this, she cares about it, she is effective, and works well with other Members of the Senate. My bet is that she will succeed before very long.

In 1985 and 1986, at President Reagan's request, I was chairman of the President's Commission on Americans Outdoors. It was our job to look ahead for a generation and try to see what kind of recreational facilities Americans would need in the next generation. Our principal recommendation was that we fully fund the Land and Water Conservation Fund. It was created in the 1960s and has worked with States, as well as through the Federal Government, to create city parks and opportunities to enjoy one of those aspects of the American character that makes us exceptional; that is, the great American outdoors.

Senator BURR of North Carolina and Senator AYOTTE of New Hampshire have been among the most vigorous supporters of the Land and Water Conservation Fund. I join with them, and I look forward to their success.

Now, on another subject, Madam President, in about 15 minutes, the full Senate will have an opportunity to vote on whether we want to consider the Energy and Water Appropriations bill this year. We are voting on the motion to proceed to the bill.

I will try to put that in plain English. That means our Appropriations Committee, which consists of 30 Members of the Senate, has finished its work on the Energy and Water Appropriations bill. In fact, we finished it on May 21. We voted in a bipartisan way, 26 to 4, to send it to the floor of the Senate.

Senator FEINSTEIN, who is a wonderful partner to work with from California, is the ranking Democrat on the Energy and Water Subcommittee. She helped write the bill. I helped write the bill. Thirty other members of the Appropriations Committee helped write the bill. This will be an opportunity for the other 70 Members of the Senate to get involved in our first responsibility, which is the Senate appropriations process.

So the question is that a "yes" vote means yes we want to debate the bill.

As a Member of the Senate, I would like to be involved in the Energy and Water appropriations process. I would like to have a say about where we put our nuclear waste. I would like to have a say about our National Laboratories and what they are doing to create new jobs for our country. I would like to have a say about whether we will be first or whether we will be in the mid-

dle of the pack on supercomputing. I would like to have a say about whether the harbors along our coasts are dredged and deepened so that the big ships from the Panama Canal, which is being widened, will come to the United States and bring cargo and jobs here instead of other places. I would like to have a say about nuclear weapons. I would like to have a say about whether to move ahead with a new class of submarines.

All of that is in this bill. All 30 Senators on the Appropriations Committee have had our say, but the other 70 Senators have not. The way the Senate works is this is the time for Senators to stand up and say yes or no. I want to have my say on behalf of my State about national defense and about growth, about jobs, about our country. Why wouldn't a Senator want to do that? It is hard for me to understand this.

The Democrats are saying: No, we don't even want to talk about it. They are saying: No, we don't want to debate it.

That is our job. It is our job to debate it. They say: Well, we have a difference of opinion over spending. Do my colleagues know how big our difference of opinion is? Three percent. This bill that we are about to vote on spends 97 percent as much money as the Democrats want to spend. They want to spend 3 percent more. I actually think this is a pretty good way to appropriate. That means we at least been able to squeeze 3 percent out. And if later on, in a few weeks, we have a way of negotiating an agreement that says we will spend 3 percent more, we can add that 3 percent in 24 hours. It would not take long at all. That would be the way to do it.

The way we are supposed to do an appropriation is to bring the bill to the floor and let all 100 Senators vote on it—not just the 30 who are on the Appropriations Committee—and have a conference with the House of Representatives. They have had their say. Then we send it to the President and he has his say.

Now, the President has said he will veto it because it needs to spend 3 percent more. That is his prerogative under the Constitution. It is the prerogative of the minority Democrats in the Senate to say we will uphold the President's veto because we agree with him on spending. But we don't start the process at the beginning and not even allow the full Senate to do its appropriations job. We go through the whole process and let the President have his say and then we sit down and talk about what to do.

This is a very bad precedent that really insults the Senate. What this means is that if the Republicans are in the minority of the Senate in the next Congress and we have a difference of opinion with the Democrats over how much to spend, we won't have an appropriations process, some might say. They will say: We have a difference of

opinion, and since we have 41 Senators, we will just stop the appropriations process at the beginning. We won't let the rest of the Senate have its say.

That is not the way we are supposed to do our job. We are sent here to have our say on behalf of the people.

Let me give an example or two, if I may. Senator FEINSTEIN and I worked very hard on this bill. It provides a total of \$35 billion; \$1.2 billion more than last year and \$668 million below the President's budget request. The bill is consistent with the Federal law that is called the Budget Control Act. We didn't just make up out of thin air how much to spend. The law tells us how much to spend. That is the law of the Senate, which the House and the Senate all voted for, passed, and signed, and which governs what we spend. Our friends on the other side would like to spend more. That is their prerogative and they can vote to spend more. But why would they stop us from having a discussion about spending more?

Half the bill is nondefense spending that supports scientific research and laboratories, harbors, locks, and dams. Half the bill is defense spending. It funds nuclear weapons, life extension programs. It maintains our nuclear weapons stockpile. As I said earlier, the Senate Appropriations Committee fully considered it and approved the work that Senator FEINSTEIN and I had done, 26 to 4, on a bipartisan basis. Defense spending is higher this year, primarily because of an agreement we made a few years ago when we enacted the START treaty to modernize our nuclear weapons program. It funds several other important agencies, including the Department of Energy, the Army Corps of Engineers, and the National Nuclear Administration. It reduces wasteful spending because of our oversight. Every year, Senator FEINSTEIN and I cut out of our budget at least one program that we consider low priority. We did that again this year. And if the Senate would allow us to have the bill on the floor and discuss it and vote on it and approve it, we could save \$150 million from the U.S. contributions to the International Thermonuclear Experimental Reactor in France. But, no, we are not going to discuss that, say our friends on the other side.

The bill helps our economy. Former Federal Reserve Chairman Ben Bernanke wrote a good column in the Wall Street Journal earlier this week. He said: Don't count on the Fed alone to make the economy better. We have to do some other things.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALEXANDER. I thought I had until 12:45 p.m.

The PRESIDING OFFICER. The Democrats have 9 minutes remaining.

Mr. ALEXANDER. I am sorry. If I may have 30 more seconds to wind up—no one told me that.

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

Mr. ALEXANDER. I thank the Chair.

So I would say to my friends on the other side, if you want to have a say about nuclear waste, about nuclear defense, about National Laboratories, about flood control, about waterways, and about locks and dams, then vote yes, because that will give you a say and you will be doing your job. Voting no sets a dangerous precedent for the Senate that says we are not interested in doing our job on appropriations.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise as the vice chair of the Appropriations Committee to urge my colleagues to vote no on the motion to proceed to the Energy and Water appropriations bill.

I wish to comment about the remarks of the Senator from Tennessee. First of all, I have such admiration for him and for his advocacy for Tennessee, the skilled legislator that he is. He has been an advocate for his State and for the United States of America. He is an outstanding chair of the Subcommittee on Energy and Water Development. I know he and my colleague, the ranking member, Senator FEINSTEIN, have worked very well together.

I don't dispute many of the things the Senator said in terms of what impact this would have on the economy. Certainly, if one is the Senator from Maryland, the Corps of Engineers is part of our economy, particularly because of the role it plays in helping to keep our waterways open and able for the Port of Baltimore to be viable and accept the new Panama Canal shipments. We could go through item after item.

We need a bipartisan budget agreement. While the Senator says he wants to have his say, which I appreciate, we have been trying to get budget negotiations going since May. In the committee I voted to move this bill forward because I wanted to move the process forward. I was hoping that the leadership of both bodies would move to a new top line 302(b) allocation and lift the caps. We need leadership on both sides of the aisle and on both sides of the dome. We wanted that five months ago, yet here we are for yet another parliamentary maneuver that just pits well intentioned, hard-working people against each other over process. We need a new top line so we can have a better bottom line for our national security and our economic security.

I am deeply worried that the trajectory we are on is hollowing out our America, that we are hollowing out the much-needed infrastructure that we need, part of which comes from the Army Corps of Engineers, which includes our waterways.

Look at the whole issue of dam safety. Our colleagues in South Carolina now are worried about the rivers. The Corps of Engineers is working 36-hour

days with Governor Haley to really try to help South Carolina. But we need investments in our infrastructure, not only for crisis response. And by the way, of course we are going to stand with the people of South Carolina to help them. We need to be able to cancel sequester, and we need to be able to do it for defense and for nondefense.

In the Energy and Water bill that is before us, the increases are in the defense side. Some of the national security issues have been outlined by the Senator from Tennessee. But in the area of nondefense, it has just gone up a couple of hundred million dollars—excuse me, \$8 million. The bill is short on infrastructure and it is short on research funding.

Now, I believe we should have a sensible approach to spending. I know that we agree with the budget caps, but these budget caps are placing a cap on our national security. They are placing a cap also on our compelling infrastructure needs that every State is crying out for. The Senator from Tennessee knows the requests have come his way, along with Senator FEINSTEIN.

We are also capping innovation. We need to be able to have more breakthroughs, whether it is in life science—we had a wonderful hearing yesterday that we both attended regarding the breakthroughs at NIH, but we need breakthroughs in energy.

We need to maintain our Strategic Petroleum Reserve. We need the Corps of Engineers to have the resources it needs for flood control, waterways, and harbors. My port depends upon it.

We also need adequate funding for the cleanup of uranium enrichment plants such as in Portsmouth, OH, where 500 workers will lose their jobs.

We need to stop talking and engaging in parliamentary dueling.

My hope is to encourage our leadership to come up with a new budget deal that lifts the caps so that the Senate appropriations committees can get on with their job.

I have worked now with our colleague, the full committee chairman, Senator COCHRAN. The Senator from Mississippi, a gentleman of the old school, has done a good, solid job running the committee. As to the chairman that we have worked with, we feel we have good relations. But it is not how well we get along; it is how much we get done. And the way to get it done this year is to be able to lift the budget caps, come up with a sensible agreement with appropriate offices, and then let's let the appropriators do our job.

I wish to say to my colleagues on both sides of the aisle, we do look forward to working with you, but when all is said and done, we want to get more done than we get said.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, we yield back any remaining time on our side.

Mrs. MURRAY. Madam President, we yield back our remaining time.

The PRESIDING OFFICER. All time is yielded back.

## CLOTURE MOTION

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 MOTION

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

Mitch McConnell, John Cornyn, Mike Crapo, Richard C. Shelby, Richard Burr, Daniel Coats, Ben Sasse, Thom Tillis, Roger F. Wicker, Steve Daines, Chuck Grassley, Susan M. Collins, Thad Cochran, James Lankford, Lamar Alexander, John Hoeven, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2028, a bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, 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), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 278 Leg.]

## YEAS—49

Alexander	Enzi	Murkowski
Ayotte	Ernst	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Gardner	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Sasse
Cassidy	Hoeven	Sessions
Coats	Inhofe	Shelby
Cochran	Johnson	Sullivan
Collins	Kirk	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cotton	Manchin	Vitter
Crapo	McCain	Wicker
Cruz	McConnell	
Daines	Moran	

## NAYS—47

Baldwin	Cardin	Franken
Bennet	Carper	Gillibrand
Blumenthal	Casey	Heinrich
Booker	Cooms	Heitkamp
Boxer	Donnelly	Heller
Brown	Durbin	Hirono
Cantwell	Feinstein	Isakson

Kaine	Murphy	Shaheen
King	Murray	Stabenow
Klobuchar	Nelson	Tester
Leahy	Perdue	Udall
Markey	Peters	Warner
McCaskill	Reed	Warren
Menendez	Sanders	Whitehouse
Merkley	Schatz	Wyden
Mikulski	Schumer	

## NOT VOTING—4

Graham	Rubio
Reid	Scott

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

## EXECUTIVE SESSION

NOMINATION OF MARIO CORDERO TO BE A FEDERAL MARITIME COMMISSIONER

NOMINATION OF SARAH ELIZABETH MENDELSON TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR

NOMINATION OF SARAH ELIZABETH MENDELSON TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

NOMINATION OF W. THOMAS REEDER, JR., TO BE DIRECTOR OF THE PENSION BENEFIT GUARANTY CORPORATION

NOMINATION OF LUCY TAMLYN TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BENIN

NOMINATION OF JEFFREY J. HAWKINS, JR., TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CENTRAL AFRICAN REPUBLIC

NOMINATION OF DAVID R. GILMOUR TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC

NOMINATION OF EDWIN RICHARD NOLAN, JR., TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME

NOMINATION OF CAROLYN PATRICIA ALSUP TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA

NOMINATION OF DANIEL H. RUBINSTEIN TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA

NOMINATION OF SUSAN COPPEDGE AMATO TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider en bloc the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2019; Sarah Elizabeth Mendelson, of the District of Columbia, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador; Sarah Elizabeth Mendelson, of the District of Columbia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations; W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation; Lucy Tamlyn, of New York, 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 Republic of Benin; Jeffrey J. Hawkins, Jr., of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic; David R. Gilmour, of Texas, 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 Togolese Republic; Edwin Richard Nolan, Jr., of Massachusetts, 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 Republic of Suriname; Carolyn Patricia Alsup, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia; Daniel H. Rubinstein, of Virginia, 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 Republic of Tunisia; and Susan Coppedge Amato, of Georgia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nominations of Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2019; Sarah Elizabeth Mendelson, of the District of Columbia, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador; Sarah Elizabeth Mendelson, of the District of Columbia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations; W. Thomas Reeder, Jr., of Virginia, to be Director of the Pension Benefit Guaranty Corporation; Lucy Tamlyn, of New York, 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 Republic of Benin; Jeffrey J. Hawkins, Jr., of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic; David R. Gilmour, of Texas, 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 Togolese Republic; Edwin Richard Nolan, Jr., of Massachusetts, 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 Republic of Suriname; Carolyn Patricia Alsup, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia; Daniel H. Rubinstein, of Virginia, 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 Republic of Tunisia; and Susan Coppedge Amato, of Georgia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Washington.

##### LAND AND WATER CONSERVATION FUND

Ms. CANTWELL. Mr. President, I ask unanimous consent that Senator WYDEN and Senator MURRAY be added as cosponsors to S. 2165, a bill introduced earlier today to permanently authorize the Land and Water Conservation Fund.

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

##### UNANIMOUS CONSENT REQUEST—S. 2165

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2165, which is a permanent extension of the Land and Water Conservation Fund; that the bill be read three times and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. LANKFORD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, this Land and Water Conservation Fund has been around for 40 years. It has \$20 billion built up in reserve. The authorization, as it is expired at this point, only changes the amount of money coming into it.

We are still doing the same projects. Literally, this fund has 65 years worth of reserve built into it.

What we are trying to find is some way to be able to help protect the lands that we already have. We are adding more lands. We are not doing maintenance on the lands. We have an \$11 billion maintenance backlog just in our national parks.

So I do have a concern that we are continuing to add more lands, and we are not taking care of what we have. There is not an immediate emergency need for this because the fund continues to operate. We are just not adding new dollars into it in the days ahead.

But, again, we have about 65 years of reserve currently in it. So we are not

in a hurry. We do want to be able to get this right, though, on how we actually maintain our lands as well as actually do purchasing or State entities do—whatever it may be—so I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Ms. CANTWELL. Mr. President, if I could continue, because I am very disappointed that these objections are now proceeding. Just to be clear, the Land and Water Conservation Fund has been around for 51 years, and this is the first time in the history of the Land and Water Conservation Fund that it has expired. So I hope that sportsmen, I hope that fishermen, I hope that everybody who loves the outdoors and participates in the outdoor economy will call their Senators and make sure they understand that these are important bills to pass.

We don't want to become the holdup Senate where you cannot get the Export-Import Bank finally past the finish line, where you cannot get the Land and Water Conservation Fund—things that have worked for decades and decades, that are bipartisan, and that the majority of Members on both sides support—and it is about making sure they can get a vote.

The Land and Water Conservation Fund has supported more than 6 million jobs nationwide as part of outdoor recreation, and it is credited with over \$900 million from, basically, Outer Continental Shelf drilling. So those gas receipts paid for this open space that then generates more to our economy by having outdoor recreation opportunities.

So every State, I am sure, will hear from cities, from counties, from organizations, and sportsmen who will say: Let's get this bipartisan legislation passed; let's continue our efforts as a conservation country to invest in the things that will help grow our outdoor economy.

I hope my colleague from the other side of the aisle will stop coming to the floor and objecting to this. I know there are Members on both sides of the aisle who have tried to get this passed. I hope that when we return in a week, we will find a path forward to say that this is a priority, that after 51 years of this legislation, we haven't lost our mind as it relates to how important outdoor recreation economies are to our country.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

##### TRAGEDY AT UMPQUA COMMUNITY COLLEGE

Mr. MERKLEY. Mr. President, I am on the floor of the Senate with my colleague from Oregon, Senator WYDEN, to share a few thoughts about the tragedy that has occurred in our home State.

One week ago today, a madman turned a quiet fall day in Roseburg, OR, into a day of horror and terror.

What occurred on the grounds of Umpqua Community College is an unspeakable, senseless innocent tragedy—nine innocent lives cut short.

Lucero Alcaraz was just 19 years old. She graduated from Roseburg High School this past year. She had received scholarships that would cover her entire college costs, and she had hopes of becoming a pediatric nurse working with children.

Quinn Cooper, 18 years old, also just graduated from Roseburg High School. Quinn loved dancing and voice acting. He was just on the verge of taking his brown belt test in martial arts.

Lucas Eibel, 18 years old, was a third graduate of Roseburg High School. He was studying chemistry. When he wasn't in school, he played soccer and volunteered at Wildlife Safari animal park and a local animal shelter.

Treven Anspach was 20 years old. He was a talented athlete, and he worked with the Douglas County Fire District when he wasn't in class. His parents referred to him as the "perfect son."

Kim Dietz loved the outdoors, her 18-year-old daughter, her two Great Pyrenees dogs, and she worked as a caretaker at the Pyrenees Vineyard.

Jason Johnson was 33 years old. Jason recently turned his life around. After completing a 6-month drug rehab program with the Salvation Army, he decided to continue his education. As his mother said, he had "finally found his path."

Sarena Moore. Sarena was in her third semester at Umpqua Community College, studying business. She was an active member of the Grants Pass Seventh-day Adventist Church and the proud mother of two adult sons.

Lawrence Levine was the professor teaching the writing class that was assaulted by the gunman. He loved the blues. He loved fly fishing. Writing was his passion.

Rebecka Carnes. Rebecka graduated just last year from South Umpqua High School. In this picture she is holding a graduation cap, and the graduation cap says "the adventure begins." She was full of zest for the life to come.

These were nine upstanding citizens of the community, nine promising lives cut short. Yet even in tragedy we saw in Roseburg examples of resilience and heroism. The law enforcement officers, the first responders proceeded to act quickly and to act competently.

There were students like Chris Mintz, who was shot five to seven times seeking to stop the gunman. The sheriff, the county commissioners, the mayor, the city manager all made decisions in a flash to respond and to address the unfolding crisis, and they did an incredible job, but there is no job that can repair the damage done, the tear in the fabric of the community or the broken hearts of the families and the community and all Oregonians. This mass shooting will be seared into our memories.

The name Roseburg will be added to a list that includes Charleston, New-

town, Aurora, Oak Creek, Virginia Tech, and Columbine. This is a list of communities and schools that no community or school ever wants to be on.

I was born in Douglas County, in the town of Myrtle Creek. I spent my early childhood there and then in Roseburg. That area is an incredibly beautiful place. It is home to one of the most beautiful rivers in the world, the Umpqua River, and a town that is just the right size, where everyone knows each other and everyone helps each other. I am shocked when I think of the community, that this could happen there.

If this can happen in Roseburg, it can happen anywhere in our country. That is something that becomes evident day after day, week after week. In the course of 2015, there have been 45 shootings in our schools across the country, 18 mass murders, or roughly 1 every 2 weeks. So we grieve the lives lost at Umpqua Community College in Roseburg, and we grieve the lives lost in assaults across the country. We will search our souls to ask ourselves how we might diminish the odds of this occurring in another community, and that conversation will take place here in this Chamber in the weeks ahead.

I want to close with recognizing that if we can diminish the opportunity of a disturbed individual to get hold of a gun and we can increase the opportunity for them to get help, there will be fewer tragedies like this.

With that, I turn the floor over to my colleague, Senator WYDEN.

Mr. WYDEN. Mr. President, I want to thank my colleague, Senator MERKLEY, a son of Douglas County, and reflect for a few minutes on the horrendous events of the last week. My colleague has eloquently talked about this, and I am grateful for that.

Senator MERKLEY and I will be returning home tomorrow, but I want to talk a little bit about some of what was inspiring last Friday. My colleague and I and our colleague from the House, Congressman DEFAZIO, went to Mercy Medical Center, and we saw all of the staff. My own sense is that there is no way you can truly prepare for something like this. You can go through as many training programs, have as many drills, have as many handbooks as anybody can invent, but you are never truly prepared for it. When Senator MERKLEY and I and a colleague from the other body, Congressman DEFAZIO, walked into that mayhem, there were probably 150 staff there, and I said: This is the face of Douglas County. These are the people—the doctors and the nurses and the pharmacists and the volunteers—who were there in a time of extraordinary stress giving those individuals the very best of care and that little extra touch of Douglas County caring that my colleague knows much more about than anyone else here in the Senate.

I so appreciated what we saw at Mercy Medical Center because it told me that even at a time of such pain and after such carnage, we know Dou-

glas County is going to come back. Roseburg is going to come back. The reason we know that is because of what we saw there at Mercy Medical Center—all of those committed, wonderful advocates who, against all odds, came through.

There is one other part of Douglas County I want to reflect on because it says so much about the community. My colleague and I have townhall meetings around the State. We have both been in Douglas County. I was at a townhall meeting at UCC just a couple of months ago. As I was driving in, all of the log trucks were parked out front because it is a community that cares a great deal about sensible natural resources policy. We had a spirited town meeting, as most of the town meetings in Douglas County are, because people have strong views, but on that day I saw much of what I saw at the Mercy Medical Center when my colleague and I visited—people who care about their friends and neighbors, who care about a whole host of issues, from the economy to charity to what the Congress is doing, that might actually be relevant to them.

I bring this up by way of saying I am so grateful my colleague made the presentation he did so that we understand what a huge loss this has been, but I also wanted to touch on what I saw with my friend at Mercy Medical Center and what I saw at the Umpqua Community College townhall meeting just a couple of months ago. Because at a time of great loss, we can also be inspired by what we saw at that medical center and the friends and neighbors of goodwill coming together to deal with some of the biggest challenges the community and our country face.

I look forward to going home with my colleague tomorrow, to once again talk about the challenges that are ahead after Roseburg. We talked a little bit about that on the steps, but I mostly want to say that what we saw last Friday in the middle of tragedy and great stress ought to send the message to all concerned that Douglas County is going to be back. Douglas County is a special place, and as horrendous as these losses were, those are people who embody the best of our State and the best of our country.

I look forward to working with my colleague and, with his leadership, providing whatever solace we can in the short term and then moving on to tackle the community's bigger issues in the days ahead.

I thank my colleague, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

#### GUN VIOLENCE

Mr. KING. Mr. President, on September 11, 2001, 3,000 people were brutally killed in this country. The response of our Nation was overwhelming. We changed our laws, we increased our intelligence community's capacity dramatically, we fought two

wars, and we imposed vigorous inspection regimes at airports and in connection with transportation. We made huge changes in order to see that such a thing did not happen again. Why? Because we love each other. We are a compassionate people, and when American lives are threatened, we react. In that case, we reacted in an overwhelming way.

In 2014, we lost one American to a potential Ebola epidemic. One life was lost. Even though it was only one life, millions of dollars were spent across the country, and our entire health system was mobilized, again, because we love each other and we want to protect each other.

Over the last 10 years we have had disasters in this country that have affected our neighbors, most recently in South Carolina. Of course, the two great disasters of the last decade are Katrina and Sandy. Again, we responded. In money, \$100 billion was allocated for relief from those two storms. Why? Because we love each other and we take care of each other.

When we see a problem in this country, particularly a problem that threatens fellow Americans, we act. We do something. When there is a risk to our colleagues and our friends and our families, we address it. Yet we have one epidemic in this country, one disaster that we are deliberately ignoring. It is an epidemic which takes over 30,000 lives a year, 30,000 American lives a year, and that is gun-related violence. The breakdown on that 30,000 figure is over 10,000 homicides committed with guns and 20,000 suicides committed with guns.

Maine is a gun-owning State. Of any State, I think my State has the second or third highest percentage of gun owners in the country. Yet we have one of the lowest levels of gun violence. Why is that? I think it is because of our deep tradition of respect and care for firearms and the idea that is passed down from generation to generation that firearms are to be treated responsibly and with respect and with an understanding of their destructive capacity.

Thinking about this issue has made me reflect upon what is the proper response from what level of government. I do not think all problems in this country need to be solved by the Federal Government. I think this is one of them. I think there is an important role to be played by States and localities because they can adjust their rules and laws according to the needs in their States. The needs, responsibility, and the importance of this issue in Maine may be different than it is in New Mexico or Texas or Illinois or New York. Therefore, under the genius of our system, the principle responsibility should rest at the State and local level. However, I do think there are minimum standards the Federal Government can impose that will enable the States then to work within those standards to meet the requirements

that they see are most important for their citizens. This is a true role of federalism.

In our Federal Constitution we have the Second Amendment, and I respect and support it. It is a basic part of our governing document, but the Second Amendment, to me, not only imparts rights but responsibilities. Guns are dangerous instrumentalities. Anybody who has ever used one knows that, and there are responsibilities which come with the right to keep and bear arms.

Justice Scalia in the Heller decision—where the Court struck down the District of Columbia's total ban essentially on handguns, saying it overreached and violated the Second Amendment—was very clear and explicit where he said: The Second Amendment, like all other amendments in the Constitution, has limits. Interestingly, specifically he mentioned in that opinion—and nobody ever accused Justice Scalia of being a liberal. Justice Scalia pointed out: Of course you can limit the ability of felons and the dangerously mentally ill to obtain handguns. The government can limit it. And also, the government can reasonably place limits on the commercial transaction, the sale and purchase of guns.

We are here today because of one more in a depressingly familiar series of mass shooting incidents: Columbine, Newtown, and now Oregon. All over the country this is happening in a repetitive way. It is important to use this occasion to reflect upon the dangers we are ignoring, the epidemic we are ignoring, but I think we also have to realize that mass shootings, as horrendous as they are, are not the bulk of the crimes committed with guns and the deaths dealt by guns in this country; that those are everyday criminals, abusive spouses, and, sadly, people taking their own lives. Don't forget that those 30,000 deaths a year of our fellow citizens are not all in mass shooting situations, but they involve many other circumstances.

So what is the solution? A friend of mine in Maine coined the term, which I think aptly applies—in fact, it probably applies in this case more than any other: There is no silver bullet. There may, however, be silver “buckshot”—a multiplicity of solutions, no single solution. Nothing we do today in the way of background checks or anything else is going to solve this problem entirely. We must recognize that. So we must move in a comprehensive way—not only on the Federal level but on the State level as well—not to compromise the Second Amendment, not to take guns out of the hands of law-abiding citizens, not to make it inherently more difficult for law-abiding citizens to maintain them but to put into place commonsense solutions to deal with this epidemic of gun violence.

The first, of course—and I commend my colleague from Maine for emphasizing this today; that is, we have to deal with the failures of our mental

health system. In all of these mass shooting incidents, it appears that the perpetrators had some significant mental health issues. We have to deal with that. We have to have a better system that finds people in advance, before they act out their violent fantasies. We have to try to intervene and help those people before violence occurs.

So mental health has to be a part of this, but it is not the whole answer because people with those kinds of proclivities, whether they are violence-prone felons or people with dangerous mental health issues, we simply have to keep guns out of their hands.

That brings us to the second commonsense solution, which is background checks, which we already have. We have had them for 15 or 20 years. Some people say: Well, we are worried about background checks because it will lead to a Federal registry, and they will know who has the guns and then they will come and get them. We have had the background checks for a number of years. That hasn't happened. In the Manchin-Toomey bill that we voted on a few years ago, it was a felony for any Federal official to create a registry that would be available to the government.

The simple, basic, commonsense idea of a background check is to see whether someone is a convicted felon or has demonstrated a dangerous mental illness that should disqualify them from having a firearm. That is common sense. That has been supported—is supported—by a majority of gun owners and by the vast majority of the American people. It was even supported by some of the national gun organizations as recently as 10 or 15 years ago but no longer, for reasons I don't understand.

Another part of the package I think will be introduced in the next week or so is to add convicted spousal abusers to the list—which, again, is common sense. I mentioned in Maine we have a very low level of gun violence, but much of it involves spouse upon spouse. If we have a case where someone has been convicted of spousal abuse, to me, again it is common sense that they should not be able to obtain a gun.

Finally, if we are going to have a system of background checks that is nationwide—that, by the way, should be efficient—in this day and age, there is no reason it has to take any kind of long period to check, but if we have such a system, then it doesn't make sense to turn a blind eye to trafficking and straw purchases, which are essentially designed to get guns into the hands of people who otherwise couldn't buy them.

That is a modest package. To the express language of Justice Scalia, it doesn't violate the Second Amendment, and it will not solve the whole problem. Nothing is going to solve the whole problem. We are a human society, and humans, sadly, are often prone to violence, but it can make a difference. It can make a difference. Remember, we are talking about 30,000 people a year—30,000 people a year.

The American people send us to address issues, to address problems. On September 11, Congress acted. After Sandy and Katrina, Congress acted. During the Ebola crisis, Congress and the American health system acted. Why? Because we love each other and we value each other. It seems to me this is exactly the same case. We look out across the country, and one of the problems with this issue is it is slow motion and small. Every now and then we have one of these incidents, like we did last week, where a significant number of people are killed in 1 day, but the truth is, 10,000 people a year are murdered in the United States—10,000 people a year—not necessarily in a mass shooting. But 30,000 people a year altogether, if we include suicides, is a small American town disappearing every year. If all of these deaths occurred in one town or in Iowa or Illinois or Chicago or California, we would be on this. We would find the cause. We would be at least trying to prevent it, but because it happens in slow motion in small ways across the country, in small towns and large cities, we are ignoring it.

The incident in Oregon gives us an occasion to remind us once again of how serious this is and that we have an opportunity to do something about it, not by overreaching, not by violating the Second Amendment, not by impinging on the rights of law-abiding gun owners—of whom we have many in Maine—but simply by the common-sense imposition of a nationwide system to be sure that people who are felons or dangerously mentally ill can't get guns. I don't understand how anybody can object to that goal because I care about my fellow Americans, I love my fellow Americans, and I want to protect them from harm.

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

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

#### HEALTH CARE EXCISE TAX

Mr. HELLER. Mr. President, I rise today to share my concerns with the devastating impact of the Cadillac tax, enacted as part of the Affordable Care Act. The Cadillac tax is a 40-percent excise tax set to take effect in 2018 on employer-sponsored health care plans around the country. This is precisely why I have authored the only bipartisan piece of legislation that would fully repeal this onerous tax. The reason I did so is that in Nevada, 1.3 million workers who have employer-sponsored health insurance plans will be hit by this Cadillac tax. These are public employees in Carson City. They are service industry workers on the Strip in Las Vegas, small business owners,

and retirees all across the State. Hardly anyone in Nevada will be shielded from the devastating effects of this Cadillac tax.

What I am most proud of on this piece of legislation is the fact that we have 14 other cosponsors here in the Senate. It is also sponsored and supported by 75 other organizations across the country. Some of those organizations include unions, chambers of commerce, small business owners, State and local government employees, and retirees, and they are all saying the same thing: The Cadillac tax needs to be fully repealed or our employees will experience massive changes to their health care.

We are talking about reduced benefits. We are talking about increased premiums. We are talking about higher deductibles. Over 33 million Americans who use flexible spending accounts, FSAs, and 13.5 million Americans who use health savings accounts, HSAs, may see these accounts vanish in the coming years as companies scramble to avoid the law's 40-percent excise tax. HSAs and FSAs are used for things such as hospital and maternity services. They are used for dental care, physical therapy, and they are also used for mental health services—something we badly need today. Access to these lifesaving services could all be gone for tens of millions of Americans if the Cadillac tax is not fully repealed.

I have heard from employers—from big business, to unions, to small businesses from all over Nevada—who are saying that they will inevitably have to eliminate services their workers currently enjoy. They will have to cut certain health care providers out of their networks.

This goes to the heart of the broken promises of ObamaCare; that is, if you like your health care, you can keep it; if you like your doctor, you can keep your doctor.

Earlier this week, I held a telephone townhall meeting with thousands of Nevadans from all walks of life. During the meeting, I asked the participants on the call "Should the Cadillac tax be repealed?" One of the best parts about these tele-townhall meetings is that you can do these surveys. We do this weekly. The question this week was "Should the Cadillac tax be repealed?" Almost 70 percent of them said "Yes, the Cadillac tax should be fully repealed." Let me repeat that. Almost 70 percent of Nevadans supported the repealing of the Cadillac tax. They see this as a burdensome and costly tax that will hurt hard-working Nevadans, hard-working Americans.

The onerous tax targets Americans who already have high-quality health care. No one claims that our health care system ever was or is perfect. The goal of health reform should be to help those who do not have health care coverage and lower costs for those who already have insurance. This tax does not achieve either one of these goals.

It is very rare these days to see this much agreement in Washington. Orga-

nized labor, the chamber of commerce, local and State governments, and small businesses have all come together with a bipartisan group of Senators putting forth a solution to fix a problem affecting so many hard-working Americans and their families.

Some Members on both sides of the aisle have tried to make this a partisan issue for different reasons, but this is not a partisan issue, which is evident by the fact that the companion legislation to my bill in the House enjoys more Democratic cosponsors than Republicans.

Fully repealing the Cadillac tax is an opportunity for Republicans and Democrats to join forces and work together to repeal a bad tax for one purpose; that is, to help 151 million workers keep the health care insurance that they like.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### GUN VIOLENCE

Ms. WARREN. Mr. President, for 20 years one of the biggest billboards in America was next to Fenway Park, facing the Massachusetts Turnpike. It had a giant number counter on it.

When I was running for the Senate in 2012, I would drive past that billboard sometimes three or four times a day. Each time, I would look up at the counter to see how it had changed since the last trip—up 2, up 6, up 12. The billboard was from Stop Handgun Violence, and it showed the number of children killed by guns in the United States.

When the tragedy happened at Sandy Hook Elementary School, my first thought was of the 20 little children who would be added to the count on that billboard. I thought about how we, the grownups, had failed to keep safe the thousands of children counted there.

There are mass shootings, everyday shootings, drive-by shootings, random shootings, sometimes with big headlines and mostly with no headlines at all.

The facts are simple: Eighty-eight Americans die every day from gun violence. Seven of those people are children or teens. That is seven a day, every day, young bodies piling up by the thousands year after year. What has happened to us? If seven children were dying every day from a mysterious virus, our country would pull out all the stops to figure out what had gone wrong and to fix it.

Gun violence is an epidemic—an epidemic that kills children, kills them in schools, on playgrounds, and in our neighborhoods. But day after day, month after month, tragedy after tragedy, the Congress has done nothing—nothing. Republicans in the Senate have blocked even the smallest steps to protect our communities and keep our children safe.

This must stop now. Today, Senate Democrats are calling on Republicans to join us in supporting three measures

to reduce gun violence. First, end the gun show loophole. Everyone gets a background check. Second, end straw purchases. The one who gets checked has to be the true owner. Third, close holes in the background check database and stop domestic abusers from purchasing guns, period.

Look, let's be frank. These three steps will not be enough to stop all handgun violence in our communities, but these are meaningful steps in the right direction—steps that huge majorities of Americans support, steps that are calm and sensible. These three steps are a test—a test for every single Member of Congress. These three steps put the question to everyone in Congress: Whom do you work for? Do you represent the people who have lost children or sisters or cousins to gun violence and who have stood at gravesides and sworn that we will make change? Do you represent the people who don't want their loved ones to be the next victims? Do you represent the people who want some sensible rules about gun safety? Or do you represent the NRA? It is time to make a choice right here in Congress—the American people or the NRA.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I withdraw the motion to proceed to H.R. 2028.

The PRESIDING OFFICER. The motion is withdrawn.

#### STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 252, S. 2146.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 252, S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

#### CLOTURE MOTION

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

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

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 252, S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who co-

operate with Federal law enforcement and for other purposes.

Mitch McConnell, David Vitter, John Barrasso, Dan Sullivan, David Perdue, Bill Cassidy, Ron Johnson, Steve Daines, James Lankford, James E. Risch, John Boozman, Mike Lee, Richard C. Shelby, John Cornyn, Jeff Sessions, Johnny Isakson, Patrick J. Toomey.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived and that notwithstanding the provisions of rule XXII, the cloture vote occur at 2:15 p.m., on Tuesday, October 20.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. Mr. President, Senators will soon travel to their home States for the State work period. I ask colleagues to consider some important questions as they meet with constituents and take time to reflect.

In a time of limited Federal resources and tough choices, is it fair to treat localities that cooperate with Federal law enforcement or work hard to follow Federal law no better than localities that refuse to help or actively flout the law? When a deputy sheriff puts her life on the line every day, is it fair to make her live in constant fear of being sued for simply trying to keep us safe? When felons enter our country illegally and repeatedly, is it fair to victims and families to not do what we can now to stop them? The answer to all of these questions is no. No, it isn't fair—not to citizens and governments that do the right thing, not to law enforcement officers who risk everything for our safety, not to victims and their families.

The proponents of so-called "sanctuary cities" seem to callously disregard how their policies can hurt other people. That is not right. The bill I just filed cloture on this afternoon aims to ensure more fairness on this issue.

The ideas underpinning the Stop Sanctuary Policies and Protect Americans Act are supported by a great many Americans. The bill is supported by many law enforcement organizations as well. They have had some really positive things to say about it, such as this letter:

Thank you for introducing the Stop Sanctuary Policies and Protect Americans Act which will empower Federal and local law enforcement officers' cooperative efforts to better protect our communities and our citizens. Your proposal will ensure we do not dishonor the memory of Kate Steinle and the immeasurable grief her family is enduring.

The letter went on to:

Ms. Steinle was killed in San Francisco by an illegal immigrant who had previously been deported from the United States five times, and had been convicted of seven felonies. The shooter chose to live in San Francisco because he knew it was a sanctuary city that would shield him from Federal immigration law. Tragically, his "sanctuary" gambit proved fatal for the Steinle family. Federal officials requested that San Francisco detain the shooter until immigration authorities could pick him up, but San Francisco officials refused to cooperate and released Sanchez three months before Kate's murder. We owe it to Kate and the American citizenry to fix this community safety issue now.

That is what the Federal Law Enforcement Officers Association had to say about the bill that we will be voting on when we get back. Groups like the National Sheriffs' Association and the National Association of Police Organizations have sent letters in support as well.

I thank the sponsors of this legislation for all their hard work on this bill. I hope Senators will reflect on the questions I have raised over the State work period. The Senate will consider this bill when we reconvene.

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

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

#### 60TH ANNIVERSARY OF CRISPUS ATTUCKS CHAMPIONSHIP

Mr. DONNELLY. Mr. President, earlier this year I was incredibly fortunate to be part of the 50th anniversary of Bloody Sunday, a moving and meaningful experience in Selma, AL. Fifty years ago, during the marches from Selma to Montgomery, civil rights leaders and everyday citizens of this country put their lives at risk in a passionate, nonviolent demonstration for a more equal and more just society. The passion and courage for equality reflected in the historic marches in Selma were the culmination of decades of struggle shown by men and women across this country.

In my home State of Indiana, a place that takes great pride in high school basketball, it is fitting that 60 years ago the civil rights movement played out on the hardwood of Indiana basketball courts. On March 19, 1955, at the Butler Fieldhouse, the Flying Tigers of Crispus Attucks High School became not only the first all-African-American high school team to win a State championship in Indiana but the first all-African-American high school athletic team to win a State championship in the United States. Led by future NBA Hall of Famer—and maybe the best basketball player of all time—Oscar Robertson, the Flying Tigers finished their 1955 season with a 30-and-1 record, capped with a 97-to-74 victory over Gary Roosevelt High School in the State final.

Before Crispus Attucks' historic 1955 season, no Indianapolis basketball team had won a State championship in the tournament's 45-year history. Attucks' win was a source of pride, particularly for the African-American community.

Crispus Attucks High School was founded in 1927 as a segregated high school for Black students. The Indiana High School Athletic Association initially refused to grant Crispus Attucks membership, and the school could not play in the State tournament until 1942. Even then, many of the all-White schools refused to play Crispus Attucks. The Crispus Attucks team would often have to travel dozens or even hundreds of miles to find teams willing to play against them. Because the school's gym was built too small for home games, every game was an away game for the Flying Tigers.

Despite the segregation and racism, Crispus Attucks thrived. African-American educators could not teach in White schools, so Crispus Attucks attracted an elite African-American community. Nearly every teacher had either a doctorate or master's degree. Teachers at Crispus Attucks included former Tuskegee Airmen and members of the Golden 13, the first African-American U.S. Naval officers.

One of those teachers was Ray Crowe. A native of Johnson County, IN, Crowe became head coach of the basketball team in 1950. He instituted a new fast-paced style of offense and was a coach who cared deeply about his players. Crowe's coaching style brought enormous success to the team.

Soon, the same White schools that refused to play Crispus Attucks wanted to schedule games with them. Lacking a home court, the team would frequently play at Butler Fieldhouse on the campus of Butler University. The Flying Tigers packed the house, regularly attracting 10,000 fans or more to a high school basketball game. Still the team was not treated fairly. When traveling for games, the players were unable to stay at hotels or to eat in restaurants that only served White people.

That wasn't the only challenge the Flying Tigers confronted. They also had to contend with bias from the referees. Coach Crowe used to tell the team they had to play against seven people every game—the five players and the two refs. Yet the Flying Tigers kept winning. In 1954, the team made it all the way to the State semifinals, even with several key players missing from injuries. The stage was set for the 1955 season, when a junior forward named Oscar Robertson was ready to lead the team. He had some of the most amazing teammates you could ever find.

Coach Crowe and the Flying Tigers finished the regular season with one loss. They breezed through the first four games of the tournament, winning by an average of 28 points per game. Then they faced Muncie Central, an-

other powerhouse basketball program, and the Flying Tigers won by a single point—but all you need to win by is one point. Over 15,000 fans came to the Butler Fieldhouse to watch Crispus Attucks beat New Albany in the State semifinal and then again to witness history as Crispus Attucks defeated another all-African-American team, Gary Roosevelt, 97-to-74 to become State champs.

The trailblazing players who made it possible included Johnny Mack Brown, Bill Brown, Willie Burnley, John Clemons, John Gipson, Bill Hampton, Willie Merriweather, Sam Milton, Shedrick Mitchell, Stanford Patton, Oscar Robertson, and Bill Scott.

It was a crowning achievement. The "Big O" Oscar Robertson said:

I remember that night. They called us Indianapolis Attucks, not Crispus Attucks. . . . To me, that sort of meant we arrived. They just wanted you to win; they didn't care what color you were.

There was a tradition in Indiana that after every State championship the winning team would climb onto a firetruck and then be taken around the city of Indianapolis for a victory parade. The parade route always included a stop at Monument Circle for pictures and celebration, followed by a tour of downtown Indianapolis, but as the firetruck carrying the Flying Tigers approached Monument Circle, it didn't stop, and it didn't continue through downtown. Instead, the firetruck brought the players and fans to a park in the city's African-American neighborhood.

Crispus Attucks, the team that had just made American history, didn't receive the celebration they deserved simply because of the color of their skin. When Attucks repeated in 1956 and again won the State championship, the firetruck took the same detour.

Change did not come overnight, but the Crispus Attucks basketball team inspired many schools to begin recruiting African-American players along with starting to end their long-held policies of segregation. Oscar Robertson later said:

By us winning, it sped up the integration. I truly believe that us winning the state championship brought Indianapolis together.

In March, members of the Indianapolis-based Family Girls Youth Mentoring Program honored the seven living members of the 1955 championship team and the celebration included the traditional victory tour through the streets of Indianapolis, an honor that was denied to these players 60 years ago.

At this year's Indy 500, the 1955 Crispus Attucks basketball team served as the grand marshals of the Indy 500 Festival Parade. For the first time in the parade's history, there was a stop at Monument Circle, where the Flying Tigers got the celebration they had rightfully earned so long ago.

Today I am proud to join my friend Congressman ANDRÉ CARSON in honoring the legacy of the 1955 Crispus

Attucks basketball team. As Indiana's Senator, on behalf of Hoosiers, I want to recognize the Crispus Attucks team not only for their amazing accomplishments on the court but for the powerful message they always sent throughout the State of Indiana and for the pride that is still present in Indianapolis today for them and for all their accomplishments and for all they mean to us.

The members of the 1955 State championship Crispus Attucks basketball team, their coaches, the teachers who taught them, the community that supported them, and the families who loved them—they were an inspiration in 1955 to all of us, and they are an inspiration today. God bless all of those young players, God bless Indiana, and God bless America.

Mr. HATCH. Will the Senator yield?

Mr. DONNELLY. Yes.

Mr. HATCH. I graduated from high school in 1952. I was the captain of the high school basketball team. I followed this Crispus Attucks team. It was fantastic, almost every player.

Mr. DONNELLY. Extraordinary people.

Mr. HATCH. They were extraordinary, and they inspired all of us, especially in the way they conducted themselves and carried through. What a bunch of great athletes they were.

Mr. DONNELLY. To my colleague, the leader of the Senate, our President pro tempore, I am so honored for you to speak of our fine young men that way. Every citizen of Indiana is grateful. They were an extraordinary group. I met them when I was back home. As fine a people as they were when they were young, they are even more extraordinary citizens for our State and for our country.

Mr. HATCH. Thank you. They were all winners, I will tell you that.

Mr. DONNELLY. Thank you.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Utah.

#### DEFEND TRADE SECRETS ACT

Mr. HATCH. Mr. President, I rise today to speak about an important form of intellectual property: trade secrets. I am pleased to be participating in this colloquy with my friend from Delaware, Senator CHRIS COONS.

Earlier this year, we introduced the Defend Trade Secrets Act, a bill that will create a harmonized Federal standard for protecting trade secrets. Trade secrets such as customer lists, formulas, and manufacturing processes are an essential form of intellectual property, yet trade secrets are the only form of U.S. intellectual property where misuse does not provide the owner with a Federal private right of action. Instead, trade secret owners must rely on State courts or Federal prosecutors to protect their rights. The multistate procedural and jurisdictional issues that arise from such cases are costly and complicated, and the Department of Justice lacks the resources to prosecute many trade secret cases. Those systemic issues put companies

at a great disadvantage since the victims of the trade secret theft need to recover information quickly before it crosses State lines and leaves the country.

At a time when cyber theft of trade secrets is at an alltime high, particularly as it involves Chinese competitors, it is critically important that U.S. companies have the ability to protect their trade secrets in Federal court. Senator COONS, trade secret theft has hit some of the nation's best known companies, including Delaware-based DuPont and its popular Kevlar synthetic fiber products.

I would like to ask how trade secret theft has impacted DuPont.

Mr. COONS. Mr. President, I thank Senator HATCH for his leadership on this important issue. As the Senator from Utah has mentioned, trade secrets are the only form of intellectual property not protected from theft under Federal civil law, which is particularly striking when one considers the value of trade secrets to the economy. According to some estimates, they are worth \$5 trillion for the U.S. economy, on par with IP protected by patent. The scope of the loss due to theft or misappropriation is huge, somewhere between \$160 and \$480 billion annually.

I submit that there is not a State in the country that has not been affected by this problem, and Delaware is no exception. In the 1960s, DuPont—one of our signature manufacturing chemistry-based companies—invented Kevlar, a para-aramid fiber with extraordinary strength that is also very lightweight. These properties make Kevlar versatile, but its best known use is in lifesaving body armor worn by our police officers and the brave men and women in the American Armed Forces. It has saved thousands of lives, including more than 3,000 police officers here in the United States whose lives have been saved by Kevlar vests.

About 10 years ago, DuPont developed the next generation of Kevlar, which is even lighter and better able to withstand penetrating trauma from a broader range of rifle rounds and IED-generated shrapnel. It represented a real breakthrough in safety, but it cost millions of dollars to develop.

Chemically, para-aramid fibers are not that complicated, but the fabrication method, the manufacturing technique, which is what gives them their strength and flexibility, is actually incredibly difficult to develop and implement. So one day about 6 years ago, a rogue employee of DuPont took the know-how behind DuPont's creation of next-generation Kevlar and began to work with a rival manufacturing company in Korea, using DuPont trade secrets. The potential loss to DuPont alone from this one instance of trade secret theft or misappropriation approaches \$1 billion.

So I ask Senator HATCH, if you were a CEO and your employees were ripping off your trade secrets, your intellectual property, and taking it to another

country at the cost of \$1 billion a pop, would that affect your willingness to invest the resources in future R&D here in the United States that are needed to make similar lifesaving technological breakthroughs?

Mr. HATCH. Well, of course it would. I thank Senator COONS. He has asked what really is the critical question. If I were a CEO responsible to my shareholders, I could not, according to my fiduciary duties, make those investments if rogue employees could just take off and render those investments worthless.

Trade secret theft does not just affect manufacturing. I read recently an interesting article in the New Republic titled "Corn Wars" that provides a detailed account of how China is stealing proprietary corn seeds from America's farms.

Most corn in China is used as a feed for livestock. That was not a problem until the country's middle class acquired an appetite for meat. Given this new demand, China is trying desperately to increase corn production amidst its water shortage and lack of arable land.

That is where our country's intellectual property comes in. Rather than spend the time and resources to develop a hybrid corn seed of its own, China would rather steal, literally right out of the ground, America's high-performing seeds. Experts from America's top seed producers confirmed that acquiring the technology behind a specially designed line of seed is equivalent to 5 to 8 years of research and at least \$40 million. You better believe the Chinese know the value of the seeds they steal and the numerous crimes they are committing while in our country.

Let me read an excerpt from the New Republic article that details an encounter a DuPont Pioneer field manager had with industrial spies from a Chinese agricultural company:

It was early May 2011 and Mo [Hailong] and Wang Lei, vice chairman of Kings Nower Seed at the time, were driving roads in Tama County, Iowa, allegedly searching for a DuPont Pioneer test field. But apparently uncertain if he was in the right place or unsure of what kind of seed DuPont Pioneer was testing, Mo had Wang pull to the edge of the field, so they could question a farmer in the midst of spring planting. . . . How had these two men chanced upon his field on the very day he happened to be planting an experimental and top-secret seed under development by DuPont Pioneer?

The next day, a DuPont Pioneer field manager spotted the same car. He watched Mo scramble up a ditch bank, and then kneel down in the dirt and begin digging corn seeds out of the ground. When confronted by the field manager, Mo grew flustered and red-faced. . . . But before the field manager could question him further, Mo fled.

There is no doubt that China and other foreign competitors are working furiously to steal American innovation not just from manufacturing and agriculture but from all sectors of the economy, including high-tech, life sciences, aeronautics, financial serv-

ices, and the energy sector. That is why Congress must act now to pass the bipartisan, bicameral Defend Trade Secrets Act.

I ask Senator COONS, what exactly does this bill that you and I are co-sponsoring do?

Mr. COONS. I thank Senator HATCH for the opportunity to go into more detail about this terrific bipartisan, bicameral Defend Trade Secrets Act. It is actually relatively simple. It creates a Federal private right of action for misappropriation of trade secrets. It uses an existing Federal criminal law, the Economic Espionage Act, to define trade secrets. It draws heavily from the Uniform Trade Secrets Act which has been enacted by many States to define what is misappropriation.

Simply put, our bill harmonizes U.S. law. Each State has a different trade secret law, and they vary in a range of different ways. Not all of these differences are major, but they affect in small but real ways the definition of a trade secret, what an owner must do to keep a trade secret a secret, what constitutes misappropriation, and what damages are available.

So our Defend Trade Secrets Act creates a single, national baseline or a minimum level of protection and gives trade secret owners access to both a uniform national law and our excellent Federal courts, which provide nationwide service of process and execution of judgments. It is important to note that this bill does not preempt State law because States are free to add further protections on top of what is in this bill. The proposed legislation does one more thing, and trade secret owners tell us this is a critical component of the law not available in States. It creates an ex parte seizure ability. Trade secrets are different from other forms of intellectual property because they are protected under the law only if they remain a secret. Once the public learns of a trade secret, even if it does so wrongfully, the trade secret loses its legal protection. So this bill provides a limited right of action for the owner of a trade secret to go to court ex parte and get it back before the misappropriator, the thief of the trade secret, has a chance to share it with a competitor or the world, thus exposing it.

This is a commonsense idea to help address a very serious problem, but when talking about Federal private rights of action and ex parte injunctive relief, we had to be very careful to avoid any unintended consequences. So, Senator HATCH, would you address how you took concerns about unintended consequences into account as we worked together to draft this bill?

Mr. HATCH. Sure. I want to thank Senator COONS for that helpful overview. As a Republican, I was initially cautious when he approached me about expanding Federal civil law to create a new private right of action for trade secret theft. After all, some have suggested that State law is sufficient, but

after consulting with many in the business community, I was convinced that creating a Federal trade secrets law is the right approach.

Soon after its introduction, the Heritage Foundation confirmed the need for Federal legislation. Mr. Alden Abbott from the Heritage Foundation writes:

The lack of a federal civil remedy for victims of trade secret theft precludes owners of trade secrets from vindicating their rights under certain circumstances. Enjoining and sanctioning trade secret thieves who cross state lines is often difficult. . . . [A] federal civil statutory remedy would make Federal tribunals instantly available to aggrieved businesses that seek injunctions, which is particularly important when time is of the essence due to flight risks.

Another problem we faced was ensuring that the ex parte seizure authority could not be used abusively or for anti-competitive purposes.

When we began the drafting process last Congress, we started from scratch and asked for input from all interested stakeholders, especially in regard to the ex parte provision. We received many helpful suggestions and included them in the bill. That is correct, isn't it, Senator COONS?

Mr. COONS. Yes, it is, I say to Senator HATCH. After all that work together, all that consultation, when we introduced this bill last Congress, we wanted to make sure the ex parte provision couldn't be used for abuse, so we required that the party seeking ex parte review must make a rigorous showing that they owned the trade secret, that the trade secret had been stolen, and that third parties would not be harmed if an ex parte order were granted. We also included damages for wrongful seizure, including attorneys' fees. And with that whole combination of important measures to ensure that the ex parte seizure capabilities under the statute are not misused, I think we achieved real consensus at that time. Isn't that right, Senator HATCH?

Mr. HATCH. That is right, I say to Senator COONS.

As we prepared to reintroduce our bill in this Congress, we were fortunate to join forces with Senator JEFF FLAKE of Arizona. He was invaluable in fine-tuning the ex parte seizure language.

Because of Senator FLAKE's good work, I believe the ex parte provisions are where they need to be—strong, fair, and not susceptible to abuse.

Would the Senator agree with that?

Mr. COONS. Yes, I would, thanks in no small part to you, I say to Senator HATCH, and to Senator FLAKE, who insisted both last Congress and this Congress that we put everything on the table and invite all stakeholders to come forward and share their concerns. We worked together, we did that, and we found an incredible consensus.

In addition to talking with industry, we have gone to think tanks and academic institutions about this bill. Some people with whom we have spoken raised concerns that our bill, as previously drafted, could harm employee mobility.

So, Senator HATCH, I don't want to restrict employee mobility, and I don't think you want to either; is that right?

Mr. HATCH. That is right, I say to Senator COONS. I never thought our bill harmed employee mobility. But when I heard these concerns, I wanted to make sure that we addressed this particular issue. So we included language in the bill this Congress that states explicitly that a person cannot be prevented from accepting an offer of employment because of his or her prior exposure to trade secrets.

I think we have struck the right balance with this bill. I am not aware of any stakeholder opposition to this bill. Those who operate businesses in the real world and have to protect their trade secrets on a regular basis are strong supporters of the Defend Trade Secrets Act.

The list of companies and associations that have endorsed the act is diverse and impressive. Let me read the names of some of the businesses and organizations that support this bill: Adobe, AdvaMed, American Bar Association Section of Intellectual Property Law, American Intellectual Property Law Association, Association of Global Automakers, Biotechnology Industry Organization, Boeing Company, Boston Scientific, BSA-The Software Alliance, Caterpillar, Corning, DuPont, Eli Lilly and Company, General Electric, Honda, IBM, Illinois Tool Works, Information Technology Industry Council, Intel, International Fragrance Association of North America, Johnson & Johnson, Medical Device Manufacturers Association, Medtronic, Michelin North America, Microsoft, National Alliance for Jobs and Innovation, National Association of Manufacturers, New England Council, Nike, Pfizer, Philips, Intellectual Property Owners Association, Procter & Gamble, Semiconductor Industry Association, SAS, Software & Information Industry Association, U.S. Chamber of Commerce, and United Technologies Corporation. And let me mention just one more, but there are others: 3M.

Mr. President, I ask unanimous consent to have printed in the RECORD letters of support from these organizations.

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

AMERICAN BAR ASSOCIATION,

October 5, 2015.

Re S. 1890, the Defend Trade Secrets Act of 2015

HON. CHARLES E. GRASSLEY,  
*Chairman, Committee on the Judiciary,*  
*U.S. Senate, Washington DC.*

HON. PATRICK J. LEAHY,  
*Ranking Member, Committee on the Judiciary,*  
*U.S. Senate, Washington DC.*

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER LEAHY: I write to express the views of the American Bar Association Section of Intellectual Property Law on S. 1890, the "Defend Trade Secrets Act of 2015." These views have not been submitted to or approved by the ABA House of Delegates or

Board of Governors, and should not be considered to be views of the Association.

There is no generally applicable federal private cause of action whereby an owner of a trade secret can seek redress for misappropriation of a trade secret. Relief must be sought under state law, and most states and the District of Columbia have in effect some version of the Uniform Trade Secrets Act (UTSA).

Congress recognized the need for federal protection of trade secrets when it enacted the Economic Espionage Act of 1996. That law authorizes criminal penalties of imprisonment for up to 15 years and a fine of not more than \$10,000,000 for the theft of trade secrets for the benefit of a foreign government or other foreign interest. Lesser penalties are provided for misappropriation not benefiting foreign interests but which relate to products in interstate or foreign commerce. The Attorney General of the United States has the authority to seek injunctive relief against the theft of trade secrets, but the Act does not contemplate a private cause of action by the owners of those trade secrets. The Section of Intellectual Property Law supports establishment of such a cause of action, and urges the enactment of S. 1890 for this purpose.

Currently in the United States, trade secrets are protected under an un-harmonized patchwork of trade secret laws that is ill-equipped to provide an effective civil remedy for companies whose trade secrets are stolen. Not all states have adopted the UTSA, and many differ in the interpretation and implementation of existing laws. For instance, many states define protectable trade secrets differently and also have different requirements for the maintenance of claims for trade secret misappropriation. To give but two examples, some states have found a novelty requirement for information to be considered a trade secret, and some are more protective than others of customer lists.

States have differing statutes of limitations for trade secret claims, and there are also significant differences in the availability of monetary relief. Many states have not enacted Section 8 of the UTSA, which calls upon each state to construe and apply the law to achieve uniformity among states. Moreover, victims of trade secret theft can face lengthy and costly procedural obstacles in obtaining evidence when the misappropriator flees to another state or country or transfers evidence outside the state.

S. 1890 is the product of several years of congressional consideration and development. The Section of Intellectual Property Law has followed these developments and, in doing so, has identified essential components that should be included in a bill to establish a federal private cause of action for misappropriation of a trade secret. These components include:

a definition of trade secret that is clear and effective and not unduly restrictive or overly technical;

a clear delineation of the requirements for a federal cause of action;

the availability of remedies that are comparable to those available under the UTSA, including provisions providing for injunctive relief and monetary relief in the form of royalties, disgorgement of the proceeds of unjust enrichment, and exemplary damages;

provisions for seizure orders that adequately limit the circumstances in which they may be issued and executed and that provide for the custody, security, and access to seized property; and

confirmation that the bill's enactment will not preempt state trade secret laws.

Because S. 1890 contains these essential components, the Section of Intellectual Property Law supports its enactment.

Very truly yours,

THEODORE H. DAVIS JR.,  
Section Chair, American Bar Association,  
Section of Intellectual Property Law.

RESOLUTION ADOPTED BY THE INTELLECTUAL PROPERTY OWNERS ASSOCIATION BOARD OF DIRECTORS SUNDAY, SEPTEMBER 27, 2015

RESOLVED, that IPO supports the enactment of legislation, such as the Defend Trade Secrets Act of 2015, to establish a federal civil cause of action for trade secret misappropriation to protect trade secrets from domestic and foreign theft, including an *ex parte* seizure provision, while providing adequate safeguards against improper use of such *ex parte* seizure provision.

July 29, 2015.

Hon. ORRIN HATCH,  
U.S. Senator, Hart Senate Office Building,  
Washington, DC.

Hon. CHRISTOPHER COONS,  
U.S. Senator, Russell Senate Office Building,  
Washington, DC.

Hon. JEFF FLAKE,  
U.S. Senator, Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR HATCH, SENATOR COONS, AND SENATOR FLAKE: The undersigned companies and organizations write to express our support for the Defend Trade Secrets Act of 2015. We appreciate your leadership on this issue.

The Defend Trade Secrets Act will create a harmonized, uniform standard and system for companies to protect their trade secrets. Your bipartisan legislation will establish a strong standard for trade secret protection.

Trade secrets are an essential form of intellectual property. Trade secrets include information as broad-ranging as manufacturing processes, product development, industrial techniques, formulas, and customer lists. The protection of this form of intellectual property is critical to driving the innovation and creativity at the heart of the American economy. Companies in America, however, are increasingly the targets of sophisticated efforts to steal proprietary information, harming our global competitiveness.

Existing state trade secret laws are inadequate to address the interstate and international nature of trade secret theft today. Federal law protects trade secrets through the Economic Espionage Act of 1996 ("EEA"), which provides criminal sanctions for trade secret misappropriation. While the EEA is a critical tool for law enforcement to protect the clear theft of our intellectual property, U.S. trade secret owners also need access to a federal civil remedy and the full spectrum of legal options available to owners of other forms of intellectual property, such as patents, trademarks, and copyrights.

The Defend Trade Secrets Act will create a federal remedy that will provide a consistent, harmonized legal framework and help avoid the commercial injury and loss of employment that can occur when trade secrets are stolen. We are proud to support it.

Sincerely,

Association of Global Automakers, Inc., Biotechnology Industry Organization (BIO), The Boeing Company, Boston Scientific, BSA/The Software Alliance (BSA), Caterpillar Inc., Corning Incorporated, Eli Lilly and Company, General Electric, Honda, IBM, Illinois Tool Works Inc., Information Technology Industry Council (ITI), Intel, International Fragrance Association, North America.

Johnson & Johnson, Medical Device Manufacturers Association (MDMA), Medtronic, Micron, Microsoft, National Alliance for

Jobs and Innovation (NAJI), National Association of Manufacturers (NAM), The New England Council, NIKE, Pfizer, The Procter & Gamble Company, Siemens Corporation, Software & Information Industry Association (SIIA), U.S. Chamber of Commerce, United Technologies Corporation, 3M.

SEMICONDUCTOR  
INDUSTRY ASSOCIATION,  
Washington, DC, October 7, 2015.

Hon. ORRIN HATCH,  
U.S. Senate, Washington, DC.

Hon. CHRIS COONS,  
U.S. Senate, Washington, DC.

Hon. DOUG COLLINS,  
House of Representatives, Washington, DC.

Hon. JERRY NADLER,  
House of Representatives, Washington, DC.

DEAR SENATOR HATCH, SENATOR COONS, CONGRESSMAN COLLINS, AND CONGRESSMAN NADLER: On behalf of the Semiconductor Industry Association (SIA), I am writing to express our support for the Defend Trade Secrets Act of 2015 (S. 1890; H.R. 3326).

The U.S. semiconductor industry supports the strong protection of all forms of intellectual property, including trade secrets. Our industry invests 18 percent of revenue on average on research and development—the highest of any U.S. industry. Protecting the valuable intellectual property that results from this significant investment is critical to our industry's continued success.

In the semiconductor industry, trade secrets include essential intellectual property such as manufacturing processes and techniques, circuit designs, software source code, and business strategies and customer lists. The ability to protect these types of trade secrets has contributed to advances in semiconductor design and manufacturing that have helped enable technological advancements in sectors throughout the economy.

Unfortunately, existing laws are inadequate to address the theft of trade secrets in today's environment. Federal law currently provides criminal sanctions for trade secret misappropriation, but owners of trade secrets currently lack a federal civil remedy for the theft of their trade secrets. State laws provide a civil remedy, but the state courts lack the authority to act effectively against trade secret theft that crosses state and national borders.

The Defend Trade Secrets Act would strengthen the protection of trade secrets by providing for a federal civil cause of action. The bills would provide a consistent, harmonized legal framework and help avoid the commercial injury, diminished competitiveness, and loss of employment that can occur when trade secrets are stolen.

We appreciate your leadership in introducing this bipartisan legislation that will strengthen U.S. competitiveness and innovation.

Sincerely,

JOHN NEUFFER,  
President & CEO.

Mr. HATCH. I ask Senator COONS, don't you think it is time that Congress acted on trade secret theft?

Mr. COONS. Absolutely, Senator HATCH, I do. I think when you talk about an important issue such as trade secret theft, which poses such a great threat to American innovation, economic growth, and competitiveness, it really is past time that we act on this issue.

This bill is truly bipartisan. I was the lead sponsor in the last Congress, and you are the lead sponsor in this Congress. Along the way we have worked closely together and undertaken an in-

clusive and iterative process to make sure we have heard from all stakeholder perspectives so that we have legislation that creates winners only, not winners and losers.

Senator HATCH, it has been an honor to work with you on this. You have been a big part of the reason we were able to undertake such a successful and constructive process.

I would ask, Senator HATCH, in your view, has this process now produced a bill that is ready to move in the Senate Judiciary Committee, on which we both serve?

Mr. HATCH. First, I thank you for your work on this bill, Senator COONS. You have been a great partner in advancing this bill.

I agree with you that the Defend Trade Secrets Act is ready to move—not just through the Senate Judiciary Committee but also on the Senate floor. In fact, I think this is the type of bill that could move by unanimous consent.

At the same time, we are not closing the door or turning a deaf ear to anyone who has thoughts on this legislation. Let me say, if any of my colleagues have concerns or questions about the bill, come talk to me or Senator COONS. Now is the time to resolve your concerns, and we will resolve them.

If you talk to any of the companies that were initially on the fringes and that are now supporters of the bill, I think they will agree that you and I are willing to address all legitimate concerns. So work with us.

I am pleased with the momentum we have already seen on this bill through industry support and in the Senate. One way that is happening is that Senators on both sides of the aisle want to support this bill.

Mr. President, I ask unanimous consent that Senators JAMES RISCH, MIKE CRAPO, and ROY BLUNT be added as cosponsors to the Defend Trade Secrets Act, S. 1890.

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

Mr. HATCH. I am pleased with the support we have already seen and encourage many more of my colleagues to support and help us pass this bill. Help us make this happen. It is the right thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

SENTENCING REFORM AND CORRECTIONS ACT

Mr. SESSIONS. Mr. President, over the past several months, law enforcement officers across our country have been shot, shot at, and killed without provocation, too often simply because they wear a badge. Violent crime and murders have increased across the country at almost alarming rates in some areas. Drug use and overdoses are occurring and dramatically increasing. It is against this backdrop that we are considering a bill, or will be, to cut prison sentences for drug traffickers

and even other violent criminals, including those currently in Federal prisons.

So we need to be asking about this carefully and with real caution, because as a prosecutor for a number of years, I know there are reasons we have people in jail. One is that it is just desserts. When somebody assaults another person, breaks into their house and robs them, uses weapons to rob a person of a thing of value, steals their automobiles, murders, rapes, and those kinds of things, they have to have a certain punishment or there is no real justice in the world. Just desserts is a legitimate reason to have punishment. It is not all economics. It is not all about whether they might or might not commit another crime. If you do a serious crime, you should do some time for it.

Another one is incapacitation. This is too little appreciated, but when you take a person who is committing crimes—and many of them commit many crimes—a study in California of their State prison system showed there was a huge number of those criminals who admitted committing as many as 170 crimes a year. We say that is not possible, but people would break into two or three cars a night. They would break into businesses, break into Coke machines, break into other things and cause all kinds of issues, such as lost time from work, costs to repair, disrupting lives, making people change the very nature of their business affairs because they are afraid of being robbed or burglarized. So those are things that occur.

Rehabilitation is a factor. The original idea was that in prison—we called it a penitentiary—where people do penance and hopefully they try to change their lives.

So I would just point out that those are some of the things we need to be aware of when we are talking about sentencing and what is appropriate, particularly in a time of rising crime.

People want Congress to represent their best interests and to protect them—people who do the right thing. They want their children to be able to play in the streets, walk around the block, see their friends, and not be afraid of some drug dealer or some gang member. Too often that is not possible in America. It got better, but it is getting worse, and we need to be aware of that as we consider legislation to improve our criminal justice system.

According to the Drug Enforcement Administration, the amount of heroin seized at the southwest border has increased nearly 300 percent from 2008 to 2013, and I suspect the numbers are still going up. Heroin overdose deaths have increased 45 percent. That is huge. We went through a period of decline in all of this. It took 20 years. I was there. I worked with the Coalition for a Drug-Free Mobile, the Partnership For Youth. They volunteered hours and hours—teachers, school sys-

tems, gave their time and effort. We went from a period when 50 percent of high school seniors in 1980, according to a University of Michigan study, admitted to using an illegal drug, to less than 25 percent. It was cut by half. How many young people's lives stayed on track? How many people's lives were not led astray and destroyed by drug addiction as a result of that significant decline in drug use?

I think it needs to be said that the President should never have said smoking marijuana is like smoking cigarettes: Oh, I wish I hadn't done it. That is the kind of message people hear. Now we have States legalizing it, and they are already talking about decriminalizing it. It is a mistake. We have seen that experiment before. Lives are at stake.

The Drug Enforcement Administration called me recently and told me that 120 people a day are dying of a drug overdose in America. How many of them have serious brain injuries as a result of those overdoses? Our Presiding Officer, Dr. CASSIDY, has been around emergency rooms. How many people are taken to emergency rooms and at what great cost to our communities? How many lives are disrupted? How many children are in broken homes? How many people had to leave their home because one spouse or the other has spent all the family money on drugs to support a habit? How many children have been abandoned, went to bed without food because of addiction in their family?

These are serious matters. We made tremendous progress. The murder rate in America dropped by over 50 percent since the 1980s when Ronald Reagan said "just say no" and started a War on Drugs. He appointed me as the U.S. attorney in Alabama. I know what we did. And the Federal Government led the way with tough sentencing, eliminating parole, targeting dangerous drugs in effective ways, and States and local governments followed.

I am worried about it. It is just tragic to me that we are making the same mistakes we made in the 1960s and 1970s. According to new data, 4.3 million people abuse or are dependent on marijuana. Marijuana is stronger today—several times stronger—than the marijuana of the 1960s, and it does impact people adversely.

The American Medical Association has issued a report that is unequivocal about the danger and the ramifications of the use of marijuana. According to the 2014 "Monitoring the Future" study, since 2007, lifetime, past year, past month, and daily drug use among 8th, 10th, and 12th graders combined have all increased.

Meanwhile, over the last several years, Congress, the President, the Supreme Court, and the U.S. Sentencing Commission all have taken steps to lessen punishment for, or altogether stop, the enforcement of laws that we passed over the years that led to this decline. They have been eliminated and

weakened. I supported one of the big ones in Congress. I worked with Senator DURBIN and we passed a bill that I think was justified and would not have done anything other than make the system better, in my opinion, and fairer, but now we need to ask ourselves, what do we do next, if anything?

In 2005, the Supreme Court ruled that the sentencing guidelines that were enacted by Congress were not mandatory. This was a huge thing. In the early 1980s we passed sentencing guidelines and, depending on the severity of the crime and what the aggravating factors were at work, a person got more time or less time. It involved aggravating factors and mitigating factors, and it ended this idea that if you went to one judge, he would give you probation and if you went to another judge for the same crime, you would get 10 years, 15 years in jail.

So I think that is to be noted. This is a very significant reduction as a practical matter in the amount of time that a person would serve because of eliminating the mandatory requirement of the sentencing guidelines.

Then in 2010—this is a bill I worked on, the Fair Sentencing Act, which reduced the disparity between crack cocaine and powder cocaine and made other changes that in many ways reduced sentences overall. It reduced sentences. It was designed because minority groups, particularly the African-American community—the drug of choice too often was crack and that had much higher sentences and it seemed to be unfair, and we fixed that to a large degree. It eliminated the mandatory 5-year minimum sentence—the mandatory 5 years without parole for possession of crack cocaine. I didn't think that was legitimate, Congress agreed, and we eliminated that requirement. It was being gotten around, and not many times were people being sentenced for simple possession of a small amount of cocaine. That was changed, and the Sentencing Commission then implemented an amendment to the sentencing guidelines that applied this retroactively. So people who had been sentenced under the previous procedures had those procedures reversed and then they got out of jail early—and a lot of people did. It resulted in early release of thousands of offenders.

In August of 2013, in a dramatic event too little appreciated, Attorney General Eric Holder ordered Federal prosecutors not to charge certain drug offenders with mandatory minimums, regardless of the quantity of drugs involved. He directed the prosecutors not to follow the law. Under the law, if you have a certain amount of drug use, you are supposed to serve at least a minimum mandatory sentence. This is different from the guidelines. This is a statutory requirement. And Attorney General Holder reversed previous attorneys general memoranda which directed that prosecutors should charge the main offense and they should be

subject to the main penalty. That further reduced the number of people convicted and the amount of time they served.

Then the administration has declined to enforce Federal drug laws regarding marijuana in Colorado, Washington, and Oregon. It is still a Federal offense to deal marijuana in the United States. So even though a State doesn't have that law, the Federal Government does. They said: Well, if you don't enforce it, we won't enforce it—another relaxation of Federal law.

Then, according to the Administrative Office of U.S. Courts, prosecutions for drug trafficking—the number of people actually tried and prosecuted for drug trafficking under the primary drug law, 21 U.S. Code section 841, has declined over 16 percent since 2009, and since President Obama took office, prosecutions under 21 U.S. Code section 960, the Import-Export Act, have declined by 30 percent over that time period.

We haven't had those kinds of reductions in drugs that are imported into the United States. We don't have fewer drug distribution networks. We have more. Those prosecutions shouldn't be declining. We didn't reduce the number of prosecutors working in the U.S. Attorneys' offices.

Attorney General Holder ordered Federal prosecutors to refrain from objecting to defendants' requests in court for shorter sentences. He said: Don't object to their requests for shorter sentences. Less than a month later, the Sentencing Commission voted to reduce sentences for an estimated 70 percent of Federal drug trafficking offenders, including those who possessed a firearm, committed a violent crime or had a prior conviction, decreasing their sentence an average of 11 months—almost 1 year. An estimated 6,000 will be released from Federal prison beginning November 1, and about 40,000 will be eligible for early release in the coming years.

President Obama has commuted the sentences of 89 Federal drug offenders, including crack cocaine distributors—some convicted of dealing more than 10 pounds of crack, which is hundreds of thousands of dollars in value, while others were convicted of possession of a firearm in relation to a drug offense.

One of the things my office always did was it was sure to prosecute drug dealers who used guns while they were doing their nefarious crimes. I think it had an impact on the murder rate in America. Fewer dangerous drug dealers were carrying guns on a regular basis because they knew if they got caught, they would be taken to Federal court and be held another 5 years without parole for carrying a gun on top of their drug offense.

The President has announced that he plans to continue to grant clemency to Federal drug offenders through the end of his Presidency. Are we talking about thousands more?

All of this has led the Federal prison population to fall.

Now you have heard it said that we have this ever-growing number of people in the Federal prisons and that somehow it is wrong—there are about 200,000 people in Federal prisons.

We should talk about that. It is OK to talk about it, but we have to be careful. What I would say to you and what is too little appreciated, colleagues, is that we have already seen dramatic reductions in sentences in the last several years, far unlike what we had done in the 1970s, 1980s, and 1990s.

So the prison population has now started dropping. It has reached the lowest levels since 2005, 10 years ago. According to the Bureau of Prisons, the prison population of 200,000 has decreased over the last 2 years—by 5,300 in fiscal year 2014, last year. They project the population to “further drop by 14,987 between FY2015 and FY2016”—another 15,000 decline—“particularly as a result of the retroactive sentencing guidelines change.” Admissions to Federal prisons have declined every year since 2011. The number of people being admitted to the Federal prisons is going down, driven, I suspect, by the prosecutorial policies set by Attorney General Holder. They will continue to decline given the President's policy of directing prosecutors not to charge certain criminal offenses.

This is a very serious matter. We need to be careful as we analyze the legislation today. Crime is already rising at an alarming rate, so much so that it has prompted an emergency meeting of the Major Cities Chiefs Association in August. The New York Times recently reported that murders have increased sharply in many cities across the country since 2014, including Atlanta, up 32 percent—these are murders—Baltimore, up 56 percent, nearby; Chicago, up 20 percent; Houston, up 44 percent; Los Angeles, up 11 percent; New York, up 9 percent; Milwaukee, up 76 percent; Minneapolis, up 50 percent; New Orleans, up 22 percent; Philadelphia, up 4 percent; Dallas, up 17 percent; and Washington, DC, where we are, up 47 percent—murders. This trend, in my opinion, will continue.

Property crimes have also risen sharply throughout the country and even in small cities such as Abilene, Carson City, Portland, Ithaca, and Binghamton, NY.

I am afraid we are watching a repeat of history. A couple of generations ago, when we had an indeterminate sentencing system with no guidelines or required minimum sentences, virtually identical defendants received totally different sentences depending on the judge, and many received little or no incarceration. A nationwide crime wave ensued. It was a revolving door. People were arrested. They were released on bail. They came to court, and the case got continued. It got continued again, it got continued again, and the witnesses disappeared. They had a plea bargain, they got a little bit of time, and they served less than a third of the time they got. That is what was happening.

People say: Prison makes them worse. Do you remember those arguments? Well, in 1980, one out of four households in the United States had suffered a rape, robbery, burglary, assault, larceny or auto theft in the previous year. Crime was increasing in double-digits per year in the 1960s and 1970s, and we did not respond to it.

So then the Congress passed legislation that imposed mandatory minimum sentences on criminals convicted of the most serious Federal crimes and drug crimes to ensure that these perpetrators served at least a fixed amount of time in prison. Every drug dealer knew it and came to know that if they were caught, they were going to serve real time and they were not going to talk their way out of it. The Anti-Drug Abuse Act was passed, and the Armed Career Criminal Act, which had mandatory 15-year penalties. Career criminals carrying guns and committing serious crimes were hammered. It targeted career criminals—the kind of people who kill people to carry out their crimes. Drug trafficking fell into that category. Congress also established sentencing guidelines that required judges to sentence within certain ranges and calculate factors and create objectivity, so that one poor person got the same sentence as some rich person with a highly paid lawyer. The rationale was and remains three-fold: to deter offenders from engaging in further criminal behavior, to ensure that a meaningful period of time elapsed for the offender to become rehabilitated, and to incapacitate the offender from harming law-abiding citizens.

How many people do you know that would rape someone? How many people do you know that would likely take a gun and murder somebody? The more of those that are in jail serving time, the less people are going to get murdered. It is mathematics, and that is really what happened since 1980 with the increasing number of people being incarcerated. This idea worked.

According to the FBI statistics, the rate of violent crimes—murder, rape, robbery, and aggravated assault—was reduced by more than 50 percent from 1991 to 2013. That is when these sentences were beginning to be understood and were impactful. Property crimes, burglary, murder, larceny, and motor vehicle thefts dropped by a similar measure.

Over time, prison penalties fairly and systematically applied mean that less crime and fewer innocent people are burglarized, robbed, raped or murdered. Scholars have estimated that the increase in the size of our prison population has driven down crime rates by at least 25 percent.

Professor Matt DeLisi of Iowa State University testified before the Senate Judiciary Committee that criminal justice research shows that “releasing 1 percent of the current [Federal prison] population would result in approximately 32,850 additional murders,

rapes, robberies, aggravated assaults, burglaries, thefts, auto thefts, and incidents of arson.”

Well, we have had more than a 1 percent increase already. The great criminologist and Professor James Q. Wilson said:

A high risk of punishment reduces crime. It just does.

If you are talking about the classroom or on the football field, if the flag is thrown every time somebody clips, they quit clipping. If it is not thrown, you will still see it.

In 2011 the Supreme Court upheld a lower court ruling in *Brown v. Plata*, that California was required to reduce its prison population to ease overcrowding. In dissent in that case, Justice Alito recalled a prisoner-release program in Philadelphia in the 1990s:

Although efforts were made to release only those prisoners who were least likely to commit violent crimes, that attempt was spectacularly unsuccessful. During an 18-month period, the Philadelphia police arrested thousands of these prisoners for committing 9,732 new crimes. Those defendants were charged with 79 murders, 90 rapes, 1,113 assaults, 959 robberies, 701 burglaries, 2,748 thefts, not to mention thousands of drug offenses.

I wish it weren't so. I wish we could have these programs. I have seen them since my time in law enforcement in 1975, as a young prosecutor. Year after year, people have come forward with plans that sound so good, and they have been tried before. But they never work out nearly as well as people promote. Trust me. If there was any quick fix, it would already have been done all over America. People don't—States don't want to spend money on prisons. But the truth is that people who tend to be criminals tend to continue to be criminals and commit crimes. We ignore too often the pain, the destruction and the damage it does to innocent people who are afraid to have their children experience the turmoil of crime.

Now is not the time to move too fast to further reduce penalties without careful thought. Before we rush to judgment about undoing Federal sentencing laws, we must consider the results of what has already happened—how much reduction we have already seen. We have a responsibility to the public to examine every aspect of the legislation that may be coming forward and be introduced in committee, which could greatly impact the everyday lives of Americans for years to come. To that end, we must have a good hearing on it. We need to study what experts have told us and what history tells us about crime.

It would be so wonderful if we could do a drug treatment program and people would not commit crimes again. It would be so wonderful if we could have an in-prison educational program that people could take and somehow have a significant reduction of crime rates. There are all kinds of ideas that have been tried over the years, and some of them may have a benefit. Some of

them have some benefit, but none of them have produced dramatic alterations in the rate of recidivism or repeat of criminal acts. One study a number of years ago concluded that when a person comes out of prison, they make a decision. It is an individual, personal decision about whether they are going to continue with criminal activity or not. Some of them make it because the prison was a bad place and they don't want to go back. Some of them make it because they have had a religious experience. Some of them make it because they took advantage of an online or education course and decided they are going to do something better for their lives. But it is an individual decision, and we have not found it possible to somehow impact the psyche of people in prison so that we can consistently reduce the likelihood that they will return to crime. We have to understand that.

If somebody has a plan that shows me that, I would like to see it.

Mr. President, I thank the Chair for allowing me to share these thoughts. We are at a very important time in criminal justice, and we need to get it right.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### PENSION PROTECTION

Ms. STABENOW. Mr. President, I want to speak on the floor today about something that is incredibly important to families all across Michigan and all across the country—what we have talked about in terms of the importance of having a middle class in this country. Folks who are working all their lives, who get a good wage, and who pay into a pension and expect it to be there. Those fundamentals are falling apart for far too many people. Specifically, I want to speak about what is happening regarding pensions and pension protections in this country.

I think all of us would agree that a pension is a promise and it is earned. A pension is earned over a lifetime of hard work, and it is the foundation of retirement security for tens of millions of American workers who have a pension and for their families. There is no question that a number of pension funds in our country are suffering, due largely to factors that they cannot control, such as what happened with the Wall Street financial crisis, which took billions of dollars and wasn't the fault of any of the workers involved or of the businesses, for that matter, that found themselves going out of business because of what happened during that financial crisis.

This took a huge toll on middle-class families. We have focused on homes and the loss of homes, which was a disaster. But a second disaster is now beginning to be felt, and that is the question of pensions and the loss of pension benefits. Workers are now at risk of losing their pensions because of cuts that are beginning to be announced.

This already includes 30,000 workers in Michigan—30,000 workers in Michigan.

I understand the dilemma the pension funds are facing. Their funding is in critical status. They are becoming increasingly insolvent over time. I understand the tough decisions they are having to make, but they would not have to be making those decisions if protecting pensions were a priority for Congress. This is a matter of whether we are going to continue to have a middle class in this country.

Frankly, it is an issue of fairness for the people who have paid in their whole lives and expect, as they come to retirement age—or they are already retired—as a matter of fairness, that their funds are going to be available for them, and they should be.

One of the things that is so outrageous when we look at the lack of fairness around priorities in this country is that we see companies taking advantage of tax loopholes to move jobs overseas and avoid paying taxes. I have a bill called the Bring Jobs Home Act, which simply closes one of those loopholes and says: If you are going to move, at least you should not be able to write off the cost of the move, and the workers who are losing their jobs and taxpayers should not have to pay for the cost of the move.

We have not been able to close that loophole, so we see tens of millions of dollars, billions of dollars, going overseas sometimes because companies stay here, they just move overseas on paper. So they are still breathing the air and drinking the water and driving on roads, but on paper they have moved so they don't have to pay taxes, and we have another gigantic tax loophole.

On the one hand, while we see the system rigged over and over again for the wealthy and the well connected who pay less in taxes, we have hard-working citizens—whether they are truck drivers or teachers or police officers or men and women in uniform or people all across our country—who are paying into pension systems, and we have not been able to get the support to fully fund those systems, to fully fund the PBGC, the pension guarantee fund. So there is an issue around pensions and people knowing their pensions will be protected going forward.

I believe it is up to us in Congress to put in place the resources necessary to help protect the financial security of workers and retirees and their families. This is a matter of priorities. There are ways for us to do that—by closing tax loopholes for special interests, for the wealthy, for folks who want to avoid paying their taxes in a wide variety of ways. Take those dollars and make sure we shore up pension protection in this country. It is pretty basic. People are counting on us to take action. We need to fully commit to make sure every worker gets the pension benefits they need, they deserve, and, most importantly, they have earned.

That is why I am cosponsoring important legislation that Senator SANDERS has put forward. There are a number of us who are cosponsoring this. Let me mention a few of the cosponsors. We have a number of different people: Senator BALDWIN, Senator BROWN, Senator FRANKEN, Senator JACK REED, and others. I know my colleague Senator PETERS cares deeply about this as well.

There are a number of us who are coming together on legislation that would prevent the proposed cuts to workers' earned pension benefits. This bill would set our priorities straight by closing the tax loopholes, many of which I have talked about, to make sure we have the resources to put back into protecting workers' pensions. It would also make sure workers and retirees in the Central State Pension Fund system, the largest pension fund facing severe and growing financial difficulties, would be able to receive the full benefits they have earned—again, the full benefits they have earned.

It is outrageous to me to think that a promise as basic as a pension, a lifetime of work paying into a pension—that that pension would not be there and that we would not as a Congress consider it a priority to do everything possible to protect pensions people have earned.

I am going to keep doing everything I can, looking for ways to stop these cuts to the earned pension benefits. It is a basic issue of financial security. We have legislation, if passed right away, that would make a big difference. We need to get that bill passed so we can put in place the pension protections and send a message to people across our country that we get it, that we understand what is at stake for so many families.

A pension is a promise that needs to be kept. We have a way to do that in legislation before this body. I hope the leadership—the Republican leadership—will view it as a priority and take it up so we can get this passed as soon as possible.

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

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

#### TRANSPORTATION FUNDING

Mr. CARPER. Mr. President, I have come to the floor—I don't come to the floor every day, but every day that I come here you are presiding. Either I am coming here more often than I thought or you are presiding more than most people do. Maybe you just drew the short straw, but at the end of the day, I enjoy having these conversations with you, even when most of our colleagues have packed up and headed for places near and far—mostly far.

I have a couple of charts here today I would like for us to go over. The first one is—I like these bar graphs. This is an interesting one. We have Great Britain on this axis right here. We have information about the relative amount of fuel taxes countries have. Great Britain is the world champ. They have the biggest fuel taxes of anybody, and they have had for quite a while.

All the way over here is the U.S.A. There is an outfit called the OECD, which I would say is the Organization for Economic Cooperation and Development. It doesn't have 41 nations; maybe it has about 37 or 38. They are arrayed right here. There are Russia, India, and Brazil. This gives you some sense of how different nations pay for their transportation infrastructure.

A bunch of nations, like Great Britain, use their fuel taxes to help balance the budget. Great Britain is here, and then we have these other countries—Luxembourg, Spain, Argentina. You get all the way down here, and there is Brazil. They are like off the charts. They must not have any fuel taxes to pay for their transportation infrastructure at all. We are pretty close to them. We are right here, the United States. We are right between Canada and Mexico.

I wanted to show that to give people a sense of—people think: Boy, we charge a lot of money for a gasoline tax and diesel tax. Well, as it turns out, not so much.

Some people think we spend a lot of money in the Federal budget on foreign aid. A lot of time in my townhall meetings, people complain and say: Well, we spend way too much money on foreign aid.

I say: Well, what percentage of the budget do you think actually goes to foreign aid?

People say about 20, 25 percent. And the answer is 1 percent. So that is a misperception.

I think the perception here is that we charge very high fuel taxes compared to the rest of the world. No. We have among the very lowest fuel taxes when you combine State and local with all of the developed nations of the world.

Let's see what is next here. It says: How much do we pay in fuel taxes? This is the cost of regular gasoline right here, August 2015, about a month and a half ago. This right over here is diesel fuel in about August of this year, a month and a half ago. The retail price at that time, I guess on average across the country, was about \$2.64 for gasoline, and the retail price for diesel was about the same, \$2.60 a gallon.

It is interesting to see how much tax is collected in a \$2.64 gallon of gas. In our State, in Delaware, I pulled up for gas last week. I went to Wawa. I paid about \$2.11 for gas. There are a bunch of stations—probably 1,000 or more—several thousand stations across the country last week where people paid less than two bucks a gallon. But this was the average. We have a couple of big States where the prices are higher, California among them.

Anyway, what makes up the price of gas at \$2.64? This was back in August. About 40 percent of that was the cost of crude oil. About another 25 percent of that \$2.64 was attributable to refining costs. Another almost 20 percent—19 percent, actually—was for the cost of distribution, for distributing and marketing. Add that all up, and it adds up to about 82 percent, 83 percent of the cost of gasoline was crude oil, and refining, distribution, and taxes was about 17 percent.

Again, when you look at our taxes in this country, State and local, we have among the lowest in the developed world. We just saw that in our first chart.

The numbers on diesel are pretty much the same—40 percent of the cost of the diesel when you fill up tanks if you have a car or a truck that uses diesel. It is about 18 percent for refining and another 22 percent. So about 80 percent of the cost for a gallon of diesel fuel 1½ or 2 months ago was, again, crude oil, the cost of crude, the cost of refining, and the cost of distribution and marketing.

Let's see what is on our next chart. It strikes me that gasoline prices are going down nationwide. Well, are they or are they not? Let's look. The average price of gas on October 5, 2015—what is today? Today is October 8, my sister's birthday. Three days before that birthday—October 5—gas nationwide was about \$2.32 a gallon. Compared to last year, it is down by 98 cents again.

On the east coast, the price of gas where I come from in Delaware—I said I bought gas last week at Wawa for \$2.11. The average price up and down the east coast is about \$2.17 a gallon, and that is down by over \$1 from a year ago. In New England, the price is just about the same as the Northeast—\$2.23 a gallon. The Central Atlantic is pretty much Virginia, Maryland, and maybe North Carolina and South Carolina. In the Central Atlantic, it is \$2.22 a gallon. These are all down by over \$1 a gallon from last year. The Lower Atlantic is pretty much the same. The Midwest is a little bit more. Gulf Coast States—down very close to \$2 here. The gulf coast is down to \$2.03 a gallon. That is down by roughly \$1 from a year ago. Go out to the Rocky Mountain States—if you move farther to the West, prices go up a little bit. The Rocky Mountain States are \$2.47, \$2.48. That is down by \$1. The west coast is about \$2.79. That is almost \$1. Finally, the Pacific Northeast is about \$2.50, again, down by \$1. So I would say prices are down by about a third across the country.

I like this poster. For folks who can't read it, there are a couple of guys who are sitting in a gas station. The passenger says to the driver, "I just found some loose change in the cup holder." And the driver says, "Awesome. Fill 'er up." Well, we are not quite at that point, but we are getting a lot more for the loose change we find in our cup

holder than used to be the case. Now the question is, Is that going to continue?

Look at this next chart and see what it shows. It shows that the global price of oil continues to drop. Again, keep in mind that about 40 percent of the cost of gas—40 percent at the pump, 40 percent of the cost of diesel at the pump—is attributable to the price at the well-head. This is the price of crude oil over a few years—2011, 2012, 2013, 2014, and 2015. Here we are. This is starting at about the middle of 2014. There is a precipitous drop, some recovery, and then another precipitous drop.

This is even better. This is the price of crude oil over the past 6 months. There is a big drop starting about in June. You see what we have down here. It is about midforties per barrel.

That is history. The question is, Looking forward, what can we expect prices to look like?

I don't have a magic solar ball or anything like that, but I do know this: The world in which we live is awash in oil, and the United States has been a big contributor to that because of what we are bringing up out of the ground, on the land, and in the seas beside us, beside our country.

But there is another country that is, I think, No. 4 in the world in terms of their strategic reserves compared to the rest of the world. It is a country that has not been pumping a lot of late, but it is a country that has the ability to pump a lot of oil, and that country is Iran. Today, this month, next month, they can pump maybe 100,000 barrels a day, maybe 200,000 barrels a day. But if they abide by the agreement we struck with them, the Brits, the French, the Germans, the Russians, the Chinese, and us—if the Iranians keep their agreement, which is designed to ensure they don't end up with a nuclear weapon—if they keep that agreement and the sanctions are lifted, they will be able to, probably starting more next year than this, begin to pump more oil out of the ground. They have a lot of it to pump. They have a big reason to want to pump a lot of it because, as bad as our transportation and infrastructure is, theirs is a whole lot worse. They need to generate the money, and one of the ways they are going to do it is to pump a lot of oil.

Looking forward, can we say the price of gasoline is going to go down? Is it going to stay the same? I would just say this: One of the big factors for us to consider is that the fourth biggest oil reserve country in the world is going to start—all things being equal, they are going to start pumping a lot of oil, and that is going to come into a world market of oil where, frankly, we are awash in oil. It is not going to drive the price up, I can assure you. It may keep it steady. It could actually drive it down further.

All right. Let's take a look at the next chart. This is a chart that focuses on what we are investing as a nation in

our transportation systems, our roads, our highways, our bridges. We are looking at, actually, some numbers provided by an outfit called the American Society of Civil Engineers. These are people who make a living by building infrastructure and helping design and figure out what we should build and how we should build it. It is not just transportation, it is all kinds of infrastructure, but it certainly includes transportation.

They actually grade how we are doing on transportation in this country on roads, highways, and bridges. I think the last time I saw, the grade they gave us was a D-plus. The only thing I can say was good about that is it was not a D-minus. But it hasn't been a C or even a C-minus for a long time. It certainly hasn't been a B for a lot longer. And one of the things that happens is when you have a transportation system—when our investments are at about a D-plus—"d" as in "dog"—we end up spending a lot of time in traffic just sitting there.

Every year, Texas A&M comes up with a study that says how much time we spend in traffic just pretty much sitting there, barely moving. The average across the country for the average driver is 42 hours a year. Think about that. That is pretty much almost 2 days that you just sitting there, maybe moving a little bit but not much.

For the bigger cities, such as Washington, DC; Houston, TX; Dallas; Denver; or L.A., the numbers are more like 82 hours per year. That is almost 4 days just sitting there in traffic in your car, truck, van, big truck, your diesel, rig, whatever, waiting to move.

The American Society of Civil Engineers says our investment needs are about \$228 billion. Is that per year? That is per year. That is a lot of money. If we were pumping that kind of money into roads, highways, and bridges in our transit system, we wouldn't have a D-plus anymore; we would have a B-plus—"b" as in "bravo" as opposed to "d" as in "dog." So that is what \$228 billion a year would get us. That would be new revenues on top of the current revenues we are already generating from roads, highways, and bridges.

Over at the U.S. Department of Transportation, they have said their magic number is \$171 billion per year. They are talking about \$171 billion per year. They say that is just enough to begin to improve our transportation system. Instead of seeing it continue to be degraded, if we put in about \$171 billion, we would see that is just enough to begin to improve our transportation system.

Over here, these are our civil engineers. These are smart people who help design roads. This is the U.S. Department of Transportation. One says we need to put in about \$228 billion a year and the U.S. Department of Transportation says about \$171 billion a year. Our current highway trust fund spending out of our trust fund is \$50 billion

a year. It is not even 20 percent, maybe not even 25 percent of what the engineers who build these systems are telling us, and it is not even a third of what the Department of Transportation says we ought to be doing. We could begin—just begin to improve our transportation system.

What this chart says to me is we are going nowhere fast and we are woefully underfunding. If we want to get better; if we want to reduce the amount of time we are just sitting, going nowhere; if we want to reduce the amount of money we are spending to replace our tires or have our front ends aligned and other repairs on our vehicles—that adds up to about, on average, between \$350 to \$500 per driver. That is what we are spending now.

Let's see what this poster says:

The U.S. highway trust fund running out due to political gridlock.

Where the highway ends.

Let me just say that we have had over the last, I don't know, 5, 6, 7, 8 years any number of blue ribbon commissions that have been commissioned. We commissioned them in the Transportation bill we passed maybe 6 years ago. We said to all these smart people: We want you to go out and figure out how we ought to pay for transportation.

They came back and said: Well, here is why we think a big part of it ought to be user fees, some for tolling and some for figuring out how many miles are actually traveled, vehicle miles traveled, kind of migrating toward that of system, but for the most part it should be user fees.

A big piece of that, at least for now, should be user fees for the amount of gas we buy and for the amount of diesel fuel we buy because that generally ensures that the folks who are using our roads, highways, and bridges are actually paying for them.

So there has not really been a lot of question among people a lot smarter than I and even smarter than my colleagues—most of them, at least—the folks who are most knowledgeable about this say this is the way we ought to pay for it, and it should be a user-fee approach.

The reason we are not doing that is because of political courage—not an overabundance of that; maybe a lack of it.

All right. Let's see what is next. The TRAFFIC Relief Act, which is the Tax Relief And #FixTheTrustFund For Infrastructure Certainty Act of 2015—that is a mouthful—was introduced by a fellow from Illinois named Senator DURBIN and a fellow from Delaware. That would be me.

DICK DURBIN and I came to Washington. I was a Navy guy for many years before I was treasurer of Delaware, Congressman for a while, Governor, and now in the Senate. DICK came to Washington in 1982. We both were elected to the House in 1982. We found out on the first day on the job—we were sworn in January 3, 1983—the

Social Security trust fund was about to run out of money, I mean entirely. But in 1983 we were not going to be talking about reducing Social Security benefits by 5 percent, 10 percent, or 20 percent; by the end of 1983, we were going to run out of money and we wouldn't be able to pay anything for Social Security benefits.

Fortunately, in 1982 some very smart people got together. A blue ribbon commission was chaired by Alan Greenspan, who went on to become Federal Reserve Chairman. They said: Here is how we ought to pay for it.

DICK DURBIN and I—a lot of Democrats and a lot of Republicans—all of us together said: That makes sense. Let's do it.

It was a combination of reductions in benefits and additional revenues. We got the job done. Social Security is not set forever, but it has lasted for another 30 years, 40 years. We need to do some more to fix it, but that is the kind of bipartisan resolve we need.

The legislation Senator DURBIN and I introduced in this instance—maybe a little more than a month ago—raises about \$220 billion for the highway trust fund over 10 years, and that is on top of the amount of money we are already going to spend anyway over the next 10 years. I think that would be another maybe \$400 billion, roughly, \$450 billion, \$350 billion. Add that to \$220 billion, and that gives us \$570 billion.

Does this get us from D-plus to an A or A-minus or even a B-plus? No, it doesn't, but it moves us in the right direction. It moves the needle in the direction it needs to go. It provides for \$90 billion to fully fund the highways and transit programs and about \$130 billion for new investments in repairs and upgrades. We need to do those new investments, and we certainly need to do the repairs and upgrades.

Let me close by thanking Senator DURBIN for joining me in this effort. People vote for us to come to Congress and to make tough decisions. People expect us to work together. People especially expect us to get things done. People especially expect us to do things that help strengthen the economic recovery, which is underway, to make it more robust going forward in the future. We can do that. It doesn't take a rocket scientist to figure out how.

A lot of smart people on these blue ribbon commissions have been telling us for years that the way to do it is move toward tolling, eventually move toward some kind of vehicle-miles-traveled system where based on the actual miles we travel we pay some find of fee. But they have also said for now, because those other two ideas are not fully realized—and especially for vehicle miles traveled, we are not going to be there for probably 10 years, 20 years. In the meantime, we have all this work that needs to be done and to be paid for, and they have said the best way to do it is to ensure that we pay—those of us who are using the roads, highways,

and bridges pay for that, and we have been using gas taxes and diesel taxes to do that.

I will close with this. I am not a big coffee drinker, but I stopped by a carryout we have downstairs in the basement. They are open whenever we are in session, and you can go get a sandwich or some soup or yogurt or something, and they also sell coffee. Some days, especially when we are in session late at night—we have not been doing that much lately—but at night when we are in session late, they sell a lot of coffee. The coffee is anywhere from the smallest cup costing like 70 cents, and the middle-sized maybe \$2, \$2.50, and the largest cups are maybe \$3 or something like that. If you go to Starbucks you pay a lot more for a cup of coffee than that. You pay as much as \$5 at Starbucks, I am told by a friend of mine who buys his coffee there, but I bought a cup of coffee here today and it was a little more than \$2 for a middle-sized cup of coffee.

As it turns out, if we actually raised the user fee—the gas tax and the diesel tax—for 4 cents a year, which is what DICK DURBIN and I are calling for, 4 cents a year for 4 years, and the Federal gas tax has been 18 cents for 22 years. Since 1993 it has been 18 cents. It is not worth 18 cents anymore because of inflation. It is worth less than a dime. The diesel tax is about 23 cents. It is not worth 23 cents anymore. It has been that since 1993. It is worth less than 15 cents. In the meantime, the price of concrete is up, asphalt is up, steel is up, labor is up, and the major way, the principal way we pay for roads, highways, bridges, and transit frankly has greatly diminished in value.

If we were to actually raise, as Senator DURBIN and I are suggesting, the price of these user fees—gas tax, diesel tax—by 4 cents a year for 4 years, that would add 16 cents to the price of gasoline. For the average driver, that turns out to be on a weekly basis just about the price of a cup of coffee. It works out to be just about the price of a cup of coffee.

Here is a question I would ask. I think if we asked most drivers in this country of ours today when they are sitting in traffic trying to get someplace—whether here in the Mid-Atlantic area, up in the Northeast, out on the West Coast or other places—would you be willing, 4 years from now, to be paying an amount of money equal to the price of a cup of coffee in order to spend a lot less time sitting in traffic going nowhere or running into potholes that destroy your tires and your front-end alignment? Would you be willing to pay on a weekly basis the amount of money you spend on a cup of coffee? My guess is most people would say that doesn't seem like a bad deal. You know what. They would be right because it is not a bad deal.

I will close with this. I am from Delaware. People here are from all over the country representing their States.

Guess what 12 of the 50 States have done in the last 2 years—2013, 2014—and those States are mostly red States, with Republican Governors and Republican legislatures. One dozen of those States have raised their user fees. They have raised their user fees and not by a dollar all at once or even a half dollar or a quarter, but they have raised them in some places by pennies, a nickel or more over a couple of years.

Then last November in those 12 States they had elections. This is an interesting story. Guess what happened to the State legislators who voted to raise their user fees to actually pay for their roads, highways, and bridges. When they ran for reelection they got reelected. Amazing. They showed political courage. They did the hard thing. Ninety-five percent of them, Republicans, who were running for reelection last November, in those States where they raised the user fees—gas tax, diesel tax—they got reelected.

Do you know who didn't get reelected in some of those States? The legislators who voted against raising the user fees, who did not support making investments in transportation.

How about the Democrats in those States? Well, the Democrats in States where they raised the user fees to pay for their transportation investments, almost 90 percent of them won their primary last November, won the general election, and they got reelected too. They did better than the legislators who voted against those increases. Think about that.

I like to quote Thomas Jefferson from time to time, and Jefferson used to say: If people know the truth, they won't make a mistake. I would like to think the same thing is true here. If my colleagues and I know the truth, we won't make a mistake either. People think it is political suicide to vote to raise these user fees and you can't get reelected by doing the right thing. But you know what. You can. You can, and there is a lot of evidence to show it can happen.

I will close not with the words of Jefferson but of Mark Twain, who said a lot of things—a lot of funny things—and one of the things he said that I think is especially appropriate is: In the end, tell the truth. You will confound your critics and amaze your friends.

The truth is we need to make these investments. The other truth is this is not political suicide. At the end of the day, we are actually going to get, I think more often than not, rewarded for doing the hard thing and the right thing. My hope is we will do that, and I will continue to make that case.

One last great quote, Mr. President. Wayne Gretzky—I don't know if you play much hockey down your way, we play some in Delaware—but Wayne Gretzky said a lot of memorable things in his life—a great hockey player, now retired—and when people would say to him: Mr. Gretzky, why are you such a good hockey player? He would say: I go

where the puck will be, not where the puck is. Think about that. I go where the puck will be, not where the puck is.

One of the other things Wayne Gretzky said that I especially like is: I miss 100 percent of the shots—talking about taking a shot on the goal—he said: I miss 100 percent of the shots that I never take. Think about that. I miss 100 percent of the shots I never take.

I am convinced this is a shot worth taking. I am going to push very hard to make sure somebody is here, and DICK DURBIN and my guess is some others, too, will come along and will encourage folks to join us in this effort. This is a just cause.

I don't see anybody else waiting in line to speak, so with that, 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. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. McCONNELL. 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.

#### TRIBUTE TO SIEGFRIED AND ROY

• Mr. REID. Mr. President, I wish to recognize two incredible entertainers and individuals in the Las Vegas community, Siegfried Fischbacher and Roy Horn, better known as Siegfried and Roy.

For more than 35 years, this duo shared their captivating magic show with visitors and residents of Las Vegas. Their stage presence and the participation of their trained white tigers kept audiences coming back for performances unlike any other. Siegfried and Roy's award-winning show at the Mirage Hotel and Casino was enjoyed by children and adults, and it opened the door to family entertainment on the Las Vegas Strip.

Through their celebrity and love of animals, Siegfried and Roy have been working to raise awareness for animal conservation and are educating others about endangered species. The white tiger, an animal that became an icon of Siegfried and Roy's performances, is among those listed as endangered and facing extinction. By establishing the Siegfried and Roy Masters of the Impossible Foundation, they are taking their efforts to educate, protect, and conserve animals that are endangered and threatened across the globe.

For the first time in 5 years, Siegfried and Roy's Secret Garden at the Mirage is welcoming four tiger cubs,

Hirah, Maharani, Liberty, and Justice. Siegfried and Roy are calling these cubs "ambassadors of conservation," as they hope these animals will help them share the important message that we must continue to work together to protect endangered species.

I appreciate Siegfried and Roy's dedication to the Las Vegas community and animal conservation. I wish them the best in their future endeavors. •

#### POLITICAL PRISONERS

Mr. DURBIN. Mr. President, much of our international focus in recent months has understandably been on Iran and Syria. Both will require further attention as we make sure Iran complies with the nuclear agreement and try to bring an end to the catastrophic human suffering in Syria. And we must continue to insist that Russia abide by the Minsk agreement in territory it so brazenly seized in eastern Ukraine.

But amid these important foreign policy challenges, I would like to make sure we do not lose sight of smaller but also important battles for human rights occurring around the world.

First, let me start with a small nation straddling the lines of Europe and Asia, which many had hoped would strengthen its ties with the community of democracies—Azerbaijan. Since 2014, the government has arrested close to a hundred political prisoners representing some of the strongest voices for democracy and transparency in the country.

Many of those who currently sit in prison on trumped-up charges such as tax evasion, fraud, and even treason include noted human rights defenders like Leyla and Arif Yunus, Rasul Jafarov, Intigam Aliyev, and Anar Mammadli. They worked tirelessly before their arrests on issues trying to strengthen the country's democratic institutions.

Just recently, the Organization of Security and Co-operation in Europe, or OSCE, announced that it is canceling its mission to monitor the upcoming parliamentary elections due to restrictions imposed by the government. Without the OSCE's mission, the likelihood for free and fair elections in November is obviously diminished.

The Azeri Government has been particularly aggressive in quashing freedom of the press, notably arresting in 2014 Khadija Ismayilova, one of the country's top investigative reporters. For years she exposed secret connections between President Aliyev's immediate family and business dealings, including the privatized state airline, the nation's biggest telecom provider, and massive construction projects.

As a result of her work, she faced repeated threats, hidden cameras in her home, and even attempted blackmail by crudely posted videos of private moments with her boyfriend; yet as the Washington Post recently reported on its front page, she pressed forward, be-

lieving that the Azeri public had a right to know about corruption at the highest levels of their government.

Two weeks later, Khadija's employer, Radio Free Europe/Radio Liberty, was raided and shut down. Its staff has faced repeated harassment and some have even left the country out of concern for their safety. Recently she was sentenced to 7.5 years in prison on what can only be seen as a blatant attempt to halt her work.

The U.S. State Department, the OSCE, and the European Union Parliament have all called on Azerbaijan to release its political prisoners. And in July, 15 of my Senate colleagues joined me in a letter to Azeri President Aliyev expressing concern that the space for civil society and the freedom of press within the country is diminishing. I call on Aliyev here today to not further jeopardize his ties to the West by continuing these authoritarian actions against his own people.

Next, let me turn to Latin America where we continue to see democratic backsliding in a number of countries.

First, Ecuador, where President Correa has seemingly no tolerance for criticism and a troubling habit of harassing the media and restricting freedom of association and the press. It is not clear why Correa, who has a large majority in the parliament, has to take such draconian and undemocratic measures.

For example, over the years, the police have raided the homes of journalists working to expose government corruption and shut down an environmental organization critical of the regime's extractive policies. Government thugs have harassed and intimidated Twitter users who criticize the government. And Correa recently seemed set to force the closure of Fundamedios, a respected NGO that promotes freedom of the press.

The NGO's crime? Tweeting links to two political editorials critical of the Ecuadoran government.

Facing strong international condemnation, it now appears Correa has decided to back off this ill-suited vendetta against Fundamedios.

And in Venezuela the other week, leading opposition figure Leopoldo Lopez, who had already been sitting in jail for 19 months on absurd political charges, was sentenced to almost 14 years.

Equally troubling is what the Venezuelan regime has done to Judge Maria Lourdes Afiuni, who tried to maintain a semblance of judicial independence. She was shamelessly jailed after releasing a defendant who had been detained for 3 years without charges and swiftly charged with corruption and abuse of authority. Afiuni sat in jail for 2 years next to violent prisoners she had once sentenced.

While in prison, she was brutally raped and became pregnant—her body terribly destroyed by the violence. She was granted house arrest to recover from emergency surgery. And today

she must still report to the authorities every 15 days and cannot leave the country or speak to the news media. Incredibly, Venezuela's Attorney General denied in Geneva there was a complaint for sexual abuse and torture involving Afiuni.

I know U.N. Ambassador Samantha Power has taken on this case. I want to join that effort and call for her unconditional release and exoneration.

Venezuelan President Maduro is presiding over the near collapse of his once proud nation, manufacturing internal and external enemies to explain his own government's economic mismanagement.

Not only has his government sentenced Lopez to jail, but it has also started a border dispute with Colombia, embarrassingly trying to further deflect attention from its own disastrous policies.

Furthering more division and repression will only make things worse. I know this administration and others in the region have tried to offer paths forward for Maduro, but I fear he is heading in the opposite direction with Lopez's sentencing.

Now, some of you may remember the international outrage that occurred when writer and activist Raif Badawi was sentenced to 1,000 public lashes and 10 years in prison on blasphemy and apostasy charges in Saudi Arabia.

You may also recall his brother-in-law and lawyer, human rights activist Waleed Abu al-Khair, who was sentenced to 15 years in prison by Jeddah's specialized criminal court for inciting public opinion and undermining the state.

These imprisonments—and both their dubious charges and inhumane punishments—were denounced around the world by reputable human rights organizations, foreign governments, and many others.

Our State Department called for the release of both Raif and Waleed, and in Congress, I was joined by seven of my Senate colleagues in writing to the late King Abdullah urging their release. Sixty-seven of my colleagues in the House did the same months later when King Salman became the new leader of Saudi Arabia. And just the other day, Badawi was awarded the PEN Literary Award.

We have a longstanding friendship with the Saudi regime, and friends do at times disagree. But it is because of the nature of our friendship that I believe we have an obligation to encourage Saudi Arabia to do better—to uphold basic human rights for free speech, for women, for religious minorities, for foreign workers, and countless others.

I hope the new King, King Salman, will show compassion and bring an end to Saudi Arabia's troubling human rights record.

And last, let me mention some hopeful steps in Belarus, where recently the last candidate who ran in 2010 for President against strongman President

Lukashenko, was finally released from jail.

Michael Statkevich was released after nearly 5 years and, coincidentally, just days after he had passed the deadline to be an eligible opposition candidate for the next Presidential election.

You see on the eve of the 2010 election—an election that could have brought an end to the distinction of being the last dictatorship in Europe—Lukashenko had seven candidates arrested and thrown in jail—not much of an incentive to be a candidate.

Sadly, such repression and election manipulation has been the norm in Belarus which incredibly still operates its own KGB to enforce political repression.

However, Belarus has another election coming up next week on October 11. I want President Lukashenko to know that the world is watching and hoping that this time it will be a free and legitimate election worthy of the Belarussian people.

#### REMEMBERING PAT JOHNS

Mr. DURBIN. Mr. President, last month, Illinois—and America—lost a legend. Pat Johns passed away at the age of 66. Pat Johns was from my home State of Illinois. He was born in Aurora and raised in Plano. Known as the "Master of Disaster," Pat was employed with Catholic Relief Services, based in Baltimore, for 30 years. In that time he was on the ground in some of the world's most dangerous war zones and humanitarian emergency areas.

Pat Johns was a soldier, but not in the traditional sense—he didn't even carry a gun. He was a soldier of peace, armed only with the virtue of his mission. And his mission took him to places like the killing fields of Cambodia, the Ethiopian famine, the Rwandan genocide, Somalia, Kosovo, and Eritrea. And when natural disasters occurred like the Asian tsunami, Hurricane Katrina, or the earthquake in Haiti, Pat Johns was there—with energy, hope, and solutions.

In 1974, Pat joined Catholic Relief Services and was posted in Cambodia. Two years later, he was managing a staff of 400 people. To say that Pat faced a challenge in Cambodia would be a gross understatement. The Khmer Rouge Army was storming its way toward the capitol of Phnom Penh and the Vietnam war was raging next door. Pat's job included working shifts of 50 hours or more and getting food and supplies to nearly 2 million refugees seeking safe haven from the Khmer Rouge's advances. He endured miserable tropical weather and survived malaria, all while keeping tens of thousands of refugees alive. When asked about the experience, he said, "The whole experience, in Cambodia really drove home my niche in life."

Many may have quit, but not Pat Johns. Instead, he dedicated his life to

servicing those in desperate need in the most dangerous parts of the planet. In doing so, Pat Johns saved millions of people from war-torn countries, fed the starving, and promoted peace and justice all over the world—what an inspiration.

Last spring, I gave the commencement address at my nephew's high school graduation. I asked the students to think about what they wanted people to say about their lives. I asked them, "What will you be remembered for? What service did you render to your community? Your nation? Your world?" The great thing about living in America is we can choose the answers to those questions.

Pat Johns will be remembered for many things: living through war, famine, natural disasters, incredible human suffering; and for bringing hope to victims everywhere he went. But Sean Callahan, chief operating officer for Catholic Relief Services, put it best. He said, "Perhaps the greatest thing about Pat was that he was a gentleman and a greatly caring person. He could work nonstop for 50 hours in terrible conditions, but still have the heart to offer comfort and friendship to those around him." That's a legacy to be proud of.

Today, the best way we can honor Pat Johns is by continuing his life's work. We need this generation of Americans to live up to the example set by Pat Johns. We have big shoes to fill, but Pat showed us that, with the right commitment, we can get it done.

#### GUN VIOLENCE

Mr. LEAHY. Mr. President, we have all been deeply shaken by the horrific tragedies in Charleston and Roseburg and by all the mass killings that now occur with alarming regularity. The American people overwhelmingly support commonsense reforms that will keep firearms out of the hands of criminals and dangerous individuals; yet in response to mass shootings, too often Congress slips into a familiar cycle of shock, sorrow and, ultimately, inaction. Some in Congress pretend that there are no solutions; others claim that any restriction aimed at keeping guns out of the hands of dangerous people represents an affront to the Second Amendment. They are wrong.

Many, many Americans have had enough. We will not be satisfied by those who only offer their sympathies. And we will not be lulled into inaction.

While I was chairman of the Senate Judiciary Committee last Congress, we addressed gun violence head-on. In the wake of the horrifying and senseless murder of 26 people, including 20 children, at Sandy Hook Elementary in Newtown, CT, I and all Democratic members on the committee resolved to pass sensible reforms to protect our communities. We were moved by the powerful words of former Congresswoman Gabrielle Giffords calling on us

to act, and we reported out legislation that would punish criminals who traffic in firearms and would close background check loopholes. This included my bipartisan legislation to prevent criminals from using straw purchasers who exploit weak background check laws in order to funnel firearms to criminals. Our efforts were strongly supported by the American public, but Senate Republicans blocked these commonsense reforms on the Senate floor.

It has been more than 3 months since Democratic members of the Judiciary Committee called for a hearing in the wake of the tragedy in Charleston, SC. I hope the majority will soon schedule this hearing so that we can have a constructive discussion on gun violence that has shaken too many communities and too many families. But if we truly want to make a difference, we must work together to build consensus around solutions to gun violence. I will work with anyone interested in preventing these tragedies, and I will soon reintroduce my legislation to strengthen our straw purchasing and firearm trafficking laws.

Like many Vermonters, I grew up with firearms, and I have enormous respect for the freedoms the Second Amendment protects. None of the concepts put forward by the Democratic caucus threaten the Second Amendment rights of lawful gun owners. But American lives are threatened when our laws do not protect them. This need not be a partisan issue, and we must work together.

Our country desperately needs meaningful reform now. The toll that gun violence takes on our communities is too great. It is past time for Congress to act. The American people should not have to wait until the next tragedy.

#### JUSTICE FOR WAR CRIMES IN SRI LANKA

Mr. LEAHY. Mr. President, earlier this week the distinguished ranking member of the Foreign Relations Committee, Senator CARDIN, spoke about the opportunity for the United States and Sri Lanka to expand economic and security cooperation and the need for accountability for war crimes and reconciliation between ethnic and religious factions in that country. I want to join him in expressing support for the aspirations of the Sri Lankan people for reconciliation, justice, and equitable economic development.

Last week the United Nations Human Rights Council adopted a resolution which, if faithfully implemented, could be the basis for a meaningful and long overdue international role in Sri Lanka to hold accountable those involved in war crimes and crimes against humanity during that country's brutal civil war.

After so many false starts, so many investigations and reports that documented widespread atrocities by both sides in the conflict, including rape, arbitrary detention, torture, the use of

child soldiers, summary executions, shelling of civilians, and forced disappearances were ignored; and after recommendations to bring those responsible to justice were ignored, the U.N. resolution affirms that the Sri Lankan Government needs to put in place a judicial mechanism with international participation.

The resolution refers to the recent report by the U.N. Office of the High Commissioner for Human Rights, which documented horrific abuses by the Sri Lankan Armed Forces and LTTE rebels and the government's failure over decades to punish those responsible. Among the report's key recommendations is the establishment of a special court "integrating international judges, prosecutors, lawyers and investigators" with an independent Sri Lankan investigative and prosecuting body. No other mechanism would have the credibility and independence to deliver real justice.

Let me repeat that because it is so important: No other mechanism would have the credibility and independence to deliver real justice. The refusal of past Sri Lankan Governments to accept this premise and to recognize that no one, including the armed forces, is above the law, is why so far no one has been held accountable.

To its credit, President Maithrapala Sirisena's government cosponsored the resolution, which was presented initially to the U.N. Human Rights Council by the United States, United Kingdom, Montenegro, and Macedonia. The resolution, regarding a "credible judicial process," "affirms the importance of participation in a Sri Lankan judicial mechanism, including the Special Counsel's office, of Commonwealth and other foreign judges, defense lawyers, and authorized prosecutors and investigators." Having cosponsored the resolution, the government should establish without delay a special tribunal that brings together international investigators, prosecutors, and judges with Sri Lankan counterparts who are protected from outside pressure and intimidation, as well as a program to protect witnesses. The United States could provide assistance for such an effort.

The government will also need to ensure that violations of international law, including war crimes, disappearances, torture, and the concept of command responsibility, are incorporated into Sri Lankan law, so that charges brought reflect the severity of the crimes and target those most responsible.

I have spoken previously about President Sirisena's initial accomplishments, including the adoption of the 19th Amendment to the constitution, which curtails the extensive powers enjoyed by the Executive and vests more power in the parliament, limits the Presidential term to 5 years instead of 6, and allows the President to hold office only for two terms instead of an unlimited number of terms.

Unlike the previous government, which persecuted its critics and locked up after sham trials journalists who exposed corruption, President Sirisena has taken steps to reaffirm freedom of the press. Under the previous government, Sri Lanka's judicial system was politicized and corrupted. The new government is taking steps to reestablish the independence of the judiciary, which is fundamental to any democracy. And, as has been reported, the Government of Sri Lanka has accepted many recommendations to improve the human rights situation, including a repeal of the draconian Prevention of Terrorism Act and reforms to the Witness and Victim Protection Law, both long called for by victims' rights groups. The government has agreed to accelerate the return of lands confiscated by the security forces; to end the military's involvement in civilian activities in the country's north and east; to investigate allegations of attacks on civil society, the media, and religious minorities; and to work toward devolution of authority from Colombo, consistent with the 13th amendment to the constitution.

President Sirisena has sought to erase the worst excesses and abuses of his predecessor and put his country on a path to reconciliation and prosperity. For this he deserves our support. The sooner the government makes good on these commitments, the better, as the Sri Lankan people have waited a very long time for a government that is serious about reconciliation, which means addressing the ethnic, religious, social, economic, and political divisions and inequalities that were at the root of the conflict.

The U.N. resolution is far from perfect. It has been pointed out that it lacks adequate provisions for international oversight of implementation of its terms. The resolution only calls for an oral update from the High Commissioner in June 2016 and a written implementation report in March 2017. The United States should not wait until next June to report to Congress on the government's progress in complying with the terms of the resolution. Despite its shortcomings, the U.N. resolution points the way forward. A great deal of work lies ahead. More than 6 years have passed since the war ended. Physical evidence has been lost or destroyed, people's memories fade, and witnesses die. But the Sri Lankan people, and particularly those who suffered grievous losses in the war, should take solace from the fact that the international community has not forgotten them and that their own government may be ready to take the necessary steps to restore accountability and the rule of law to Sri Lanka.

#### PALESTINIAN TERRORISM

Mr. CRUZ. Mr. President, my thoughts and prayers are with the Israeli people who are enduring a new escalation of Palestinian terrorism.

Last Thursday evening, a mother and father were murdered in front of their four children ages 9, 7, 4, and 4 months when Hamas terrorists opened fire on their car. A few days later, another Jewish family was walking in the Old City of Jerusalem after praying at the Western Wall when a Palestinian terrorist went on a stabbing attack. He murdered the father, along with another courageous man who rushed to the scene to the family's aid. Both men leave behind their wives and nine children. In addition to the four murdered, many more Israelis have been seriously wounded from car-ramming, rock-throwing, and brutal knife and screwdriver stabbing attacks in what appears to be a fresh horror—an epidemic of low-tech, brutal attacks by militants who are acting on their own initiative.

These attacks have been incubated by the continued incitement and glorification of violence by the Palestinian leadership, most recently by President Mahmoud Abbas during his address at the United Nations General Assembly. He still has yet to categorically condemn these attacks. It is long past time for the United States and the international community to hold the Palestinians accountable for their incitement and support for terrorism, including through the financial payment to Palestinian terrorists who are jailed in Israel for committing acts of terrorism.

In yet another stark reminder of how closely our nations are connected in this fight, the father murdered last Thursday, Eitam Henkin, was a dual Israeli-American citizen. The terrorist who killed him did not care, as his sole intent was to kill Jews, not to engage in a political process. There is no moral equivalence between Palestinian terrorism and the obligation of Israel to act in defense of its people. To the Israeli people, especially those who are victims of terrorism and their families: I proudly stand in solidarity with you during this challenging time.

#### OBSERVING HISPANIC HERITAGE MONTH

Mr. HELLER. Mr. President, today I wish to recognize Hispanic Heritage Month, a time to honor the many traditions and contributions of America's vibrant Hispanic community. This special time is celebrated from September 15 to October 15 and honors the many Americans whose ancestors originate from Spain, Mexico, the Caribbean, Central America, and South America. I am proud to recognize this month in honor of the many Hispanic Americans who contribute so much to communities across our state and country.

Hispanic Americans make up the largest ethnic minority throughout our Nation, as well as in Nevada. This community is an integral part of our State, helping shape our economy, trade, culture, and intrinsic Nevada footprint. I am thankful for the hard work and

dedication of the many Hispanic Americans whose perseverance has greatly impacted the success of the Silver State. That is why I recently cosponsored a resolution recognizing Hispanic Heritage Month and the fundamental role Hispanic Americans have in the accomplishments of the United States. I am proud to support legislative efforts that distinguish the immense efforts brought forth by this community.

Hispanic Americans play a critical role in our Nation's identity, especially in 2015. As of August 2015, Latino workers represented nearly 17 percent of the workforce and exhibited the largest percentage of labor force participation of any ethnic group with nearly 63 percent. This community is made up of hard-working physicians, surgeons, chief business executives, lawyers, educators, and many other professionals crucial to the success of our country. Latinos represent one in four public school students and 19 percent of college students between the ages of 18 and 24. Hispanic Americans have served the United States in every war, helping bring freedom and democracy to our country. As of July 2015, 164,000 Active-Duty servicemembers from the Hispanic community served and continue to serve our country, maintaining these principal values. The vast influence this community has had on our great Nation warrants only the greatest gratitude.

I ask that today and throughout the rest of this time set aside for Hispanic Heritage Month, we recognize the many contributions that the Hispanic community brings. I join citizens across the Silver State in thanking the many Hispanic Americans who have brought greater strength to our State and our Nation.

#### OBSERVING THE 104TH NATIONAL DAY OF THE REPUBLIC OF CHINA, TAIWAN

Mr. JOHNSON. Mr. President, today I rise to recognize the 104th National Day of the Republic of China, Taiwan, to take place on October 10, 2015.

As a longstanding supporter of Taiwan, I believe the occasion of its National Day is an appropriate time for us to consider our special relationship with Taiwan and the Taiwanese people.

The United States and Taiwan have fostered a mutually beneficial relationship over the years based on shared democratic values and common strategic interests. Taiwan is a fine example of democracy in the Asia-Pacific region and is a trusted friend and trading partner to the United States. Our relationship has realized far-reaching economic and cultural benefits, and I hope that our bonds continue to grow in the years to come.

It is a sincere privilege to offer my compliments to the people of Taiwan on this very special occasion.

Mr. CASSIDY. Mr. President, I would like to take time to recognize that October 10, 2015, will be the 104th National Day of the Republic of China, Taiwan.

Over the years, the United States and Taiwan have maintained a strong relationship based on common values and global interests. I hope to see Taiwan remain a strong ally and trade partner for many years to come as we look towards a mutually prosperous future.

It is a great pleasure to extend my best wishes to the people of Taiwan on this special day.

#### OBSERVING INTERNATIONAL DAY OF THE GIRL

Mr. BOOZMAN. Mr. President, Sunday, October 11, 2015, is the International Day of the Girl. Started 4 years ago, this day is an effort to raise awareness of issues of gender inequality around the world. This year the theme is "The Power of the Adolescent Girl." As the father of three daughters and two granddaughters, I am keenly aware of the power of our girls, as well as the challenges that they face.

For these reasons, I was proud to welcome a delegation of young women from Arkansas to my office in July. These ladies were attending a leadership summit here in Washington, D.C., and came to my office to advocate on issues related to human trafficking, gender-based violence, childhood education, and more. I am very proud of them and their efforts to fight the problems girls face around the world.

Across the globe, girls and young women face incredible odds and challenges. Over the last 15 years, work by the United States and our partners has resulted in real change. Girls are now more likely than ever to enroll in primary school and receive important vaccinations and are much less likely to suffer health and nutritional problems than ever before. It is important that we continue these efforts, along with our partners, to solidify the gains that we have made and reach for even greater successes.

I thank the young women from Arkansas and across the country who are making the crucial effort to advocate for those who do not have a voice. I look forward to working with my colleagues to ensure that our children inherit a world of increased possibilities.

#### TRIBUTE TO DETECTIVE WILLIAM J. ZIMMERMAN

Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating an extraordinary public servant, Detective William "Bill" Zimmerman, as he retires from the United States Capitol Police force, USCP.

For 32 years, Detective Zimmerman has served the USCP with great distinction, including 28 years with the threat assessment section, the division responsible for investigating threats made against Members of Congress and their families.

To every challenge, Detective Zimmerman brought unparalleled skill and dedication, ultimately helping to establish programs for threat assessment

and management programs that are used by other law enforcement agencies across the United States and in Great Britain. Detective Zimmerman served as the first president of the Washington, D.C., chapter of the Association of Threat Assessment Professionals, and in 2004, he became the inaugural recipient of the association's distinguished Meritorious Service Award.

Throughout his career, Detective Zimmerman consistently went above and beyond the call of duty to protect and serve. For my office, Detective Zimmerman was often our go-to person in an emergency, and he always handled any situation with professionalism, commitment, passion, and calm. Detective Zimmerman is not only the consummate professional, he is also a wonderful human being, and his well-deserved retirement is a huge loss for Congress.

Ralph Waldo Emerson said, "To know one life has breathed easier because you have lived, that is to have succeeded." By that and every other measure, Detective Zimmerman had a remarkably successful career, and I congratulate him, thank him, and wish him all the best as he begins the next exciting chapter.

#### JOINT EMPLOYER DECISION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks to the Committee on Health, Education, Labor, and Pensions at the hearing titled, "Stealing the Dream of Business Ownership: The NLRB's Joint Employer decision."

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

#### JOINT EMPLOYER DECISION

This morning we are having a hearing about the recent National Labor Relations Board decision that threatens to steal the American dream from owners of the nation's 780,000 franchise businesses and millions of contractors.

We will also discuss the legislation I have introduced to undo this decision.

Last week, I met a man named Aslam Khan. He is an immigrant from Pakistan who started out as a dishwasher at Church's Chicken and who today has become a very successful owner of Church's Chicken franchises.

He talked about achieving the American Dream. He said it was possible because of our nation's "free enterprise, entrepreneurial spirit."

But on August 27, the National Labor Relations Board released a decision that threatens to steal the American dream from owners of the nation's 780,000 franchise businesses and millions of contractors.

It threatens to destroy that free enterprise, entrepreneurial spirit.

The labor board's new "joint employer" standard will make big businesses bigger and make the middle class smaller by discouraging larger companies from franchising and contracting work to small businesses.

It is the biggest attack on the opportunity for small businessmen and women in this country to make their way into the middle

class that we've seen in a long, long time—and I am committed to fighting it with legislation that already has 45 cosponsors in the Senate and bipartisan support in the House.

For three decades, federal labor policies have held that two separate employers are "joint employers" if both have direct and immediate control over employment terms and working conditions.

That means two employers who are both responsible for tasks like hiring and firing, setting work hours, issuing direction to employees, determining compensation and handling day to day record keeping.

Under the new "joint employer" standard adopted in August in Browning Ferris Industries, a 3-2 NLRB majority said that merely indirect control or even unexercised potential to control working conditions could make a franchisee and franchisor joint employers.

That means that for all these franchisees and contractors who have worked so hard to build businesses in their communities, hire the right people, and spend 12 hours a day serving customers, meeting a payroll, dealing with government regulations, paying taxes, and trying to make a profit—they will no longer be considered their workers' sole employer. Rather, they are just one of their workers' employers.

And for the businesses that have franchised their brand or used subcontractors to haul their waste or clean their offices—and are now considered one of the employers of those companies' workers—there will be a huge incentive to retake control of those franchises, and retake control of those contracted tasks. Because if you're going to have all the liability of being the boss, you're much better off actually being the boss.

If those businesses stop using franchisees and subcontractors, their costs go up. The system of letting other businesses invest their capital in carrying forward your business goal evaporates.

When costs go up, these businesses lose their ability to grow and create more jobs.

As joint employers, business owners will be forced to engage in collective bargaining and share liability for labor law violations.

As this new standard is applied, we will learn just how much liability an employer will face for another employer's decisions. Will she be required to contribute to healthcare costs, workers compensation and pension funds? Will this scheme mean new "joint employers" will be on the hook for notoriously underfunded multi-employer pension plans?

As if facing legal liability for another employer's labor problems isn't bad enough, the Administration is about to make it even more costly.

The President and his Department of Labor are currently in the process of finalizing regulations that will increase the impact of having labor law violations on your record if you want to contract with the federal government.

Under the Fair Pay and Safe Workplaces regulation, labor law violations will be counted against federal contractors when they bid for contracts.

This change also harms employees:

Millions of employees will lose the ability to negotiate things like pay, hours and leave time with their direct supervisor, because those decisions will now be made between the larger employer and the union.

As one employee put it in an interview with a local Denver news channel: "I would be just another number to a corporation. I'm a person to my employer now."

Franchising will be particularly impacted by this decision.

In my opinion, this is one of the biggest attacks on the opportunity for small business-

men and women in this country to make their way into the middle class that we've seen.

There are 780,000 franchise establishments across this country—and they create nearly 9 million jobs.

Last week I met with a Chattanooga, Tennessee, couple who started their own franchisee location of "Two Men and a Truck," a moving company.

With hard work and commitment, they have been able to grow that first franchisee into 6 locations. They would like to continue growing but this new NLRB decision is causing them to put those plans on hold.

The Two Men and a Truck franchisor is an excellent example of how franchising allow entry into business ownership and the middle class. It was started in Michigan by a mom who had two sons she was ready to put to work. Her first franchisee was her daughter.

It has now grown to 220 franchisees, who have created 8,000 jobs.

38 percent of their franchisees began by working on a truck.

75 percent of Two Men and Truck managers began by working on a truck.

Successfully operating a franchise business is today one of the most important ways to climb the ladder of success.

The International Franchise Association estimates that every \$1 million in lending to starting or growing franchisees creates 40 jobs.

Franchising has been a way for many women and minorities to jump into business ownership.

Women own or co-own nearly half of all franchise businesses.

Minorities own about 20 percent of all franchises.

Why would the NLRB want to cut off this business model, as well as the opportunity of millions of small, local subcontractors to work with larger companies?

The Protecting Local Business Opportunity Act (S. 2015) would roll back the NLRB ruling and reaffirm that an employer must exercise actual, direct and immediate control over essential terms and conditions of employment.

This is the commonsense standard that has been applied for decades.

We have 45 cosponsors on S. 2015 already, and 60 cosponsors on the House bill, including 3 House Democrats. I hope we will be able to add more.

This is an issue that is so important—I believe that Congress must act as soon as possible to stop this destructive policy change from damaging the middle class growth that has made this nation what it is today.

I hope my colleagues on both sides of the aisle will agree.

#### ADDITIONAL STATEMENTS

##### REMEMBERING BOB WHEELER

● Mr. HELLER. Mr. President, today we honor the life and service of Bob Wheeler, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife, M.J., and all of Mr. Wheeler's family in this time of mourning. Mr. Wheeler was a man of great wisdom, committed to his family, his country, his State, and his community. He will be greatly missed.

Mr. Wheeler joined the U.S. Air Force in November of 1962, serving in the pararescue career field. Throughout his tenure, Mr. Wheeler remained

dedicated and worked his way up to chief of pararescue. He was recognized as a true innovator in his leadership position, opening the door for free-fall parachuting and combat tactics. He led by example, working diligently and earnestly to help those around him and to protect our country.

Mr. Wheeler is credited with saving 28 lives throughout his career, including vulnerable aviators who had crashed and distressed seamen in the Vietnam war. He was distinguished in his military decorations, which included the Distinguished Flying Cross for Valor, the Airman's Medal, numerous commendation medals, 17 Air Medals, and SEA services ribbons. During the Cold War, Mr. Wheeler participated in a high-risk scuba jump mission to save civilian lives. His courage and success throughout the mission earned him not only Yugoslavia's "Nation's Life Saving Award" but also the admiration of the Government and people of Yugoslavia. Mr. Wheeler retired from the U.S. Air Force in 1982. His accolades are well deserved, and his bravery in achieving them will never be forgotten.

I had the pleasure of working with Mr. Wheeler personally, as he served on my Northern Nevada Veterans Advisory Council. We worked as a team, along with the rest of the council, to help improve resources for Nevada's veteran community. Mr. Wheeler had a vast understanding of Nevada's tight-knit veteran community and was always there to take a stand for those who served. His firsthand knowledge of combat and veterans needs could never be replicated—he was one of a kind, and I am thankful to have had him as an ally in helping Nevada's veterans.

I extend my deepest sympathies to M.J. and all of Mr. Wheeler's family. We will always remember him for his courageous contributions to the United States of America. His service to his country and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation. His legacy of unwavering bravery and genuine compassion will live on for years to come.

Throughout his life, Mr. Wheeler maintained a dedication to keeping this great Nation safe and to helping Nevada's veteran community. I am honored to commend his many contributions and achievements. His patriotism and drive will never be forgotten. Today, I join citizens across the Silver State in celebrating the life of an outstanding Nevadan, Bob Wheeler.●

#### REMEMBERING HAROLD CASKEY

● Mrs. McCASKILL. Mr. President, I wish to honor Harold Caskey, a former Missouri State senator of Butler in Bates County, MO, with whom I had the great pleasure of serving in the Missouri General Assembly. Harold was one of Missouri's most influential legislators. Harold was known by many as

"the old lion"—a reference to his doggedness in debating. A dedicated public servant, Harold will be remembered for his love of family, his community in western and west central Missouri, and the State. Harold was blind, but he never let this prevent him from succeeding. Harold was a whip smart, strategic, loyal and hard-working man who conquered adversity. The State of Missouri has lost a special man, and he will be greatly missed and never duplicated.

Harold was born in Hume, MO, in 1938. During childhood, Harold became legally blind due to a genetic condition, but this did not prevent him from being a stellar student and becoming his high school's senior class valedictorian. He attended Central Missouri State University at Warrensburg, now the University of Central Missouri, where he graduated magna cum laude with dual majors in psychology and sociology. He then earned his law degree at the University of Missouri-Columbia, where he was elected to the Order of the Coif.

After earning his law degree, Harold started practicing law in the office of former Missouri State Senator William Cason in Clinton. In 1965, Harold started his own law practice in Butler. He was elected prosecutor for Bates County in 1967 and served three terms, ending in 1973. Harold continued his public service by serving as the city attorney for the communities of Butler and Rich Hill from 1973 to 1976. Harold was also an assistant professor in law enforcement and business education at Northeast Missouri State University, now Truman State University, in Kirksville.

Harold began his tenure in the Missouri Senate after winning election in 1976 and served for 28 years before retiring in 2004 due to newly enacted term limits. He was chairman of the Senate Civil and Criminal Jurisprudence Committee and the Senate Ethics Committee and vice chairman of the Senate Judiciary Committee. In the Missouri Senate, he was a tireless advocate for rural public education and sponsored influential public school laws, such as the 1993 Outstanding Schools Act, which significantly increased state public school funding and mandated higher school standards. As a member of the Missouri Commission on Performance, Harold advised the State Department of Elementary and Secondary Education on education reform and school finance. Harold had great influence over Missouri's criminal justice laws by increasing sentences for the most violent and, at the end of his term, sponsoring a sentencing reform bill that reduced some sentences for less serious offenders. He was also a passionate leader and advocate for the visually impaired and disabled. Harold served as vice chairman of the Missouri State Capitol Commission until his passing.

Harold received numerous honors for his legislative accomplishments, in-

cluding recognitions from the Missouri Planning Council for Developmental Disabilities, the Public Telecommunications Association of Missouri, the Missouri Deputy Sheriffs Association, the Judicial Conference of Missouri, the Missouri Association of Counties, the Missouri Association of Pharmacists, the Missouri Association of Prosecuting Attorneys, the Missouri Cable Television Association, the Missouri Crime Commission, the Missouri Police Chiefs' Association, the American Business Women's Association, and the Cooperating School Districts of Suburban Kansas City.

Outside his work as an elected official, Harold's dedication to his community was passionate and unselfish as he served in countless ways, including as a member of the Rotary Club of Butler, the Missouri Bar Association, the Crescent Hill Masonic Lodge No. 368 A.F. and A.M., the Scottish Rite of Free Masonry in the Valley of Orient in Kansas City, MO, and the Ararat Shrine. He was also an honorary fellow of the Harry S. Truman Library Institute for National and International Affairs, a member of the Bates County Memorial Hospital Board of Trustees, and a member of Butler First Baptist Church.

Harold is survived by his wife, Kay; son, Kyle; sister, Velma Elaine May; and brothers, Robert, Leon, and Ray Lee. I witnessed firsthand his strong leadership and tenacious commitment to issues he cared about. I am grateful for the wisdom, knowledge, and lessons Harold shared with me. He made me a better legislator and public servant. While one might have seen Harold as intimidating or stern, he was secretly a sweet softie—kind and gentle.

I am deeply saddened by his passing and join his family and friends in reflecting on his many life accomplishments. Harold touched the lives of many and will be remembered as an invaluable public servant to the State of Missouri and an inspiration to all.

I ask that the Senate join me in honoring Harold Caskey.●

(At the request of Mr. LEE, the following statement was ordered to be printed in the RECORD.)

#### RECOGNIZING THE TAMPA BAY ESTUARY PROGRAM

● Mr. RUBIO. Mr. President, today I recognize and commend the Tampa Bay Estuary Program and its historic milestone in exceeding a 23-year goal by restoring more than 40,000 acres of sea grass in Tampa Bay. This outstanding accomplishment represents the great collaborative work to restore one of the greatest treasures this Nation has to offer, Florida's Gulf Coast. The improved estuary will have an immeasurable impact on the future of the State's environment and economy.

Since its establishment in 1991, the Tampa Bay Estuary Program has partnered with the Southwest Florida Water Management District and other state and local municipalities and local

businesses to restore and protect Florida's largest open water estuary. As the Tampa Bay region is home to a population of more than 2 million people, this valuable estuary serves as a diverse ecosystem for plant and wildlife and is an economic driver for the region.

After decades of voluntary effort, I am proud to learn how successful the Tampa Bay Estuary Program was in its environmental restoration by exceeding its original goal in recovering seagrass, to improve fish and wildlife populations, and to maintain the highest quality of water since the 1950s. From 2012 until 2014, the Tampa Bay Estuary Program's efforts were able to restore 5,000 acres of life-sustaining underwater grasses in Tampa Bay, which now total 40,295 acres of seagrasses. This amount significantly surpasses its original goal set in 1995 of harboring 38,000 acres.

Although Tampa and its surrounding cities have seen an increase in population since 1950, the Tampa Bay Estuary Program's Nitrogen Management Consortium, which includes local governments and agencies supporting voluntary environmental recovery, has invested over \$500 million since the 1990s. The strategy developed by the Consortium continues to set standards that could serve as a model for and be implemented across the nation in other estuary recovery programs.

I am proud that the Tampa Bay Estuary Program aided in recovering sea grass in Florida's Tampa Bay. I wholeheartedly commend the Tampa Bay Estuary Program on its accomplishments over the past 23 years and wish it further success in its continued endeavors to protect our natural resources.●

#### 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 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 2:35 p.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 bill, in which it requests the concurrence of the Senate:

H.R. 3192. An act to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the

Truth in Lending Act, and for other purposes.

The message also announced that pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146), the Minority Leader appoints the following individual on the part of the House of Representatives to the Commission on Care: Ms. Lucretia M. McClenney of Locust Grove, Virginia.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2165. A bill to amend title 54, United States Code, to permanently authorize the Land and Water Conservation Fund.

S. 2169. A bill to amend title 54, United States Code, to extend the Land and Water Conservation Fund.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 8, 2015, she had presented to the President of the United States the following enrolled bills:

S. 986. An act to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 1300. An act to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 2078. An act to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3085. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trans-1,3,3, 3-tetrafluoroprop-1-ene; Exemption from the Requirement of a Tolerance" (FRL No. 9934-74-OCSPP) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3086. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dimethyl sulfoxide; Exemption from the Requirement of a Tolerance" (FRL No. 9934-17-OCSPP) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3087. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cellulose Carboxymethyl Ether, Potassium Salt; Tolerance Exemption" (FRL No. 9934-45-OCSPP) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3088. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Butanedioic Acid, 2-Methylene, Homopolymer, Sodium Salt; Inert Ingredient Tolerance Exemption" (FRL No. 9933-74-OCSPP) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3089. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fee Increases for Overtime Services" (Docket No. APHIS-2009-0047) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3090. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Tomato Plantlets in Approved Growing Media From Mexico" ((RIN0579-AE06) (Docket No. APHIS-2014-0099)) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3091. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Golden Nematode; Removal of Regulated Areas in Orleans, Nassau, and Suffolk Counties, New York" (Docket No. APHIS-2015-0040) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3092. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-3093. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Promulgation of NCUA Rules and Regulations" (RIN3133-AE45) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3094. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment—Part 747" (RIN3133-AE56) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3095. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-3096. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13067 of November 3, 1997, with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC-3097. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13694 of April 1, 2015, with respect to significant malicious cyber-enabled activities; to the Committee on Banking, Housing, and Urban Affairs.

EC-3098. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran"; to the Committee on Energy and Natural Resources.

EC-3099. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" ((RIN2070-AB27) (FRL No. 9933-30)) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3100. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Butte County Air Quality Management District, Feather River Air Quality Management District, and San Luis Obispo County Air Pollution Control District; Correcting Amendment" (FRL No. 9931-19-Region 9) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3101. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District" (FRL No. 9934-04-Region 9) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3102. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision of Air Quality Implementation Plan; California; Feather River Air Quality Management District; Stationary Source Permits" (FRL No. 9933-52-Region 9) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3103. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" ((RIN2020-AA47) (FRL No. 9930-70-OECA)) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3104. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" ((RIN2060-AQ92) (FRL No. 9934-16-OAR)) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3105. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri, Limited Maintenance Plan for the St. Louis Nonclassifiable Maintenance Area for the 8-Hour Carbon Monoxide National Ambient Air Quality Standard" (FRL No. 9934-98-Region 7) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3106. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia Infrastructure Requirements for the 2008 Lead NAAQS" (FRL No. 9934-84-Region 4) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3107. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; South Dakota; Revisions to South Dakota Administrative Code" (FRL No. 9934-83-Region 8) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3108. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Pittsburgh-Beaver Valley Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard" (FRL No. 9934-82-Region 3) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3109. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Approval of Regulations Limiting Emissions of Volatile Organic Compounds and Nitrogen Oxides" (FRL No. 9932-12-Region 1) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3110. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adoption of Control Techniques Guidelines for Metal Furniture Coatings and Miscellaneous Metal Parts Coatings" (FRL No. 9934-92-Region 3) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3111. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; 2011 Base Year Inventories for the 2008 8-Hour Ozone National Ambient Air Quality Standard for New Castle and Sussex Counties" (FRL No. 9934-81-Region 3) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3112. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Approval of the Base Year Emissions Inventory for the Liberty-Clairton Nonattainment Area for the 2006 24-Hour Fine Particulate Matter Standard and Approval of Transportation Conformity Insignificance Findings for the 1997 Annual and 2006 24-Hour Fine Particulate

Matter Standards for the Liberty-Clairton Nonattainment Area" (FRL No. 9934-91-Region 3) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3113. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Volatile Organic Compounds Definition" (FRL No. 9934-11-Region 5) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3114. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; Mammoth Lakes; Redesignation; PM10 Maintenance Plan" (FRL No. 9935-05-Region 9) received in the Office of the President of the Senate on September 30, 2015; to the Committee on Environment and Public Works.

EC-3115. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Ozone, 2008 Lead, and 2010 NO<sub>2</sub> Nation Ambient Air Quality Standards; North Dakota" (FRL No. 9935-15-Region 8) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3116. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to the Minor New Source Review (NSR) State Implementation Plan (SIP) for Portable Facilities" (FRL No. 9935-04-Region 6) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3117. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky; New Sources in or Impacting Nonattainment Areas" (FRL No. 9935-22-Region 4) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3118. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky Infrastructure Requirements for the 2008 Lead NAAQS" (FRL No. 9935-19-Region 4) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3119. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia Infrastructure Requirements for the 2008 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9935-24-Region 4) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3120. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; Infrastructure

Requirements for the 2008 Lead National Ambient Air Quality Standards” (FRL No. 9935-21-Region 4) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3121. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Sulfur Content of Fuels” (FRL No. 9935-31-Region 1) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3122. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Maine; General Permit Regulations for Nonmetallic Mineral Processing Plants and Concrete Batch Plants” (FRL No. 9935-33-Region 1) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Environment and Public Works.

EC-3123. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Quality Assurance Program Description—Design Certification, Early Site Permit and New License Applicants” (NUREG-0800, Chapter 17) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Environment and Public Works.

EC-3124. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Annual Report of Continuing Disability Reviews for fiscal year 2013; to the Committee on Finance.

EC-3125. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Request for Comments on Definitions of Section 48 Property” (Notice 2015-70) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Finance.

EC-3126. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2015 Marginal Production Rates” (Notice 2015-65) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Finance.

EC-3127. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2015 Section 43 Inflation Adjustment” (Notice 2015-64) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Finance.

EC-3128. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Extension of Import Restrictions on Certain Categories of Archaeological Material From the Pre-Hispanic Cultures of the Republic of Nicaragua” (RIN1515-AE05) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Finance.

EC-3129. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare

and Medicaid Programs; Electronic Health Record Incentive Program—Stage 3 and Modifications to Meaningful Use in 2015 through 2017” (RIN0938-AS26 and RIN0938-AS58) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Finance.

EC-3130. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-032); to the Committee on Foreign Relations.

EC-3131. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Replacement Period for Livestock Sold on Account of Drought” (Notice 2015-69) received in the Office of the President of the Senate on October 1, 2015; to the Committee on Finance.

EC-3132. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Reliance Standards for Making Good Faith Determinations” ((RIN1545-BL23) (TD 9740)) received in the Office of the President of the Senate on October 1, 2015; to the Committee on Finance.

EC-3133. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at Hooker Electrochemical Corporation in Niagara Falls, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-3134. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Listing of Color Additives Exempt from Certification; Mica-Based Pearlescent Pigments” (Docket No. FDA-2015-C-1154) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3135. A communication from the Executive Analyst (Political), Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner of Food and Drugs, Food and Drug Administration, Department of Health and Human Services, received in the Office of the President of the Senate on October 5, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3136. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “2015 Edition Health Information Technology (Health IT) Certification Criteria, 2015 Edition Base Electronic Health Record (EHR) Definition, and ONC Health IT Certification Program Modifications” (RIN0991-AB93) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3137. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled “Statistical Programs of the United States Government: Fiscal Year 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-3138. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security,

transmitting, pursuant to law, the report of a rule entitled “Automated Commercial Environment (ACE) Filings for Electronic Entry/Entry Summary (Cargo Release and Related Entry)” (RIN1515-AE03) received in the Office of the President of the Senate on October 6, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3139. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to expenditures from the Pershing Hall Revolving Fund for fiscal year 2015; to the Committee on Veterans’ Affairs.

EC-3140. A communication from the General Counsel, Department of Commerce, transmitting proposed legislation; to the Committee on Commerce, Science, and Transportation.

EC-3141. A communication from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Technology Transitions, Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers, Special Access for Price Cap Local Exchange Carriers, AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services” ((RIN3060-AK32) (FCC 15-97)) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3142. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Gray Triggerfish; July Through December Season” (RIN0648-XE004) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3143. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Surfclam and Ocean Quahog Fisheries; 2016 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit” (RIN0648-XE164) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3144. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XE203) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3145. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer” (RIN0648-XE096) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3146. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648-XE095) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Commerce, Science, and Transportation.





Amdt. No. 3658" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3194. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (76); Amdt. No. 3659" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3195. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (120); Amdt. No. 3660" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3196. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 522" (RIN2120-AA63) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3197. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Jet Route J-513; North Central United States" ((RIN2120-AA66) (Docket No. FAA-2015-3601)) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3198. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Designations; Incorporation by Reference" ((RIN2120-AA66) (Docket No. FAA-2015-3375)) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2015; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-77. A communication from a citizen of the State of South Dakota memorializing the State of South Dakota's petition to the United States Congress calling for a constitutional convention for the purpose of proposing a federal balanced budget amendment; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Af-

fairs, with an amendment and an amendment to the title:

S. 1864. A bill to improve national security by developing metrics to measure the effectiveness of security between ports of entry, at points of entry, and along the maritime border (Rept. No. 114-152).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 322. A bill to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the "Sgt. Zachary M. Fisher Post Office".

H.R. 323. A bill to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the "Sgt. Amanda N. Pinson Post Office".

H.R. 324. A bill to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the "Lt. Daniel P. Riordan Post Office".

H.R. 558. A bill to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the "Richard 'Dick' Chenault Post Office Building".

H.R. 1442. A bill to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the "Staff Sergeant Robert H. Dietz Post Office Building".

H.R. 1884. A bill to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the "Officer Daryl R. Pierson Memorial Post Office Building".

H.R. 3059. A bill to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

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. 274. A resolution commemorating the 25th anniversary of the peaceful and democratic reunification of Germany.

S. Res. 278. A resolution welcoming the President of the Republic of Korea on her official visit to the United States and celebrating the United States-Republic of Korea relationship, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 1811. A bill to require the Administrator of the Small Business Administration to establish a program to make loans to certain businesses, homeowners, and renters affected by Superstorm Sandy.

S. 2126. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

\*Julie Furuta-Toy, of Wyoming, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Nominee: Julie Furuta-Toy.  
Post: Malabo, Equatorial Guinea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Steven M. Toy: None.
3. Children and Spouses: Eliot C. Toy: None; Sarah C. Toy: None.
4. Parents: Emi K. Furuta: \$200, 2010, Democratic National Committee; \$200, 2011, Democratic National Committee; \$150, 2011, Barack Obama Presidential Campaign; \$200, 2012, Democratic National Committee; \$200, 2012, Barack Obama Presidential Campaign; \$200, 2012, Democratic Senatorial Campaign Committee; \$200, 2013, Democratic Senatorial Campaign Committee; None, 2014; Tokuji Furuta: Deceased.
5. Grandparents: Deceased.
6. Brothers and Spouses: Richard K. Furuta and Ellen Ratoosh: None; Kenneth R. Furuta: None.
7. Sisters and Spouses: Joy E. Furuta: None; Lucy J. Furuta: None, 2010; \$65.50, 2011, Barack Obama Presidential Campaign; \$100, 2012, Barack Obama Presidential Campaign; None, 2013; None, 2014.

\*Dennis B. Hankins, of Minnesota, 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 Republic of Guinea.

Nominee: Dennis Bruce Hankins.

Post: Conakry, Republic of Guinea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Danu Hankins (s): None.
4. Parents: Father—D. Bruce Hankins (deceased): None; Mother—Margie Gough (deceased): None; Step-Father—Rod Gough (deceased): None; Step-Father—Russell Sawdey (deceased): None; Step-Mother—Ini Hankins (no contact): Unknown.
5. Grandparents: None living.
6. Brothers and Spouses: Brother—Knut Hankins and Ann: None; Half-Brother—Tim Hankins (no contact): Unknown; Half-Brother—Damien Hankins (no contact): Unknown; Step Brother—Steve Sawdey and Deana: None; Step Brother—Stuart Sawdey: None; Step Brother—Stanton Sawdey and Mary: None; Step Brother—David Gough (no contact): Unknown.
7. Sisters and Spouses: Step Sister—Sharon Valdez and Gil: Less than \$100, 2010, Sen Patty Murray; Step Sister—Susan Whalen and Dan: None; Step Sister—Nancy Hayes (no contact): Unknown; Step Sister—MaryAnn Yamaguchi (no contact): Unknown; Step Sister—Linda Starkenburg (no contact): Unknown; Step sister—Patty Gough (no contact): Unknown.

\*Harry K. Thomas, Jr., of New York, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe.

Nominee: Harry K. Thomas Jr.

Post: Harare.

(The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$100, 10/2012, Obama Re-election.
2. Spouse: None.
3. Children and Spouses: Mithi I. Aquino-Thomas: None; Casey M.E. Thomas: None; Nathan Rowe: None; Emmanuel Ticzon: None; Zoe Ticzon: None.
4. Parents: Harry K. Thomas, Sr.—Deceased; Hildonia M. Thomas: None.
5. Grandparents: Frank Thomas—Deceased; Mary Thomas—Deceased; Charles McClary—Deceased; Merie McClary—Deceased.
6. Brothers and Spouses: I do not have any brothers.
7. Sisters and Spouses: Nelda T. Canada: \$200, 3/2012, Obama Re-election; Daniel Canada, None.

\*Robert Porter Jackson, of Virginia, 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 Republic of Ghana.

Nominee: Robert Porter Jackson.  
Post: Republic of Ghana.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses Names: Babette Pollard Jackson (spouse): none.
4. Parents Names: Barbara Buchanan Jackson (deceased): none; Francis Marion Jackson, Jr. (deceased): none.
5. Grandparents Names: Francis Marion Jackson, Sr. (deceased): none; Nancy Melvina Winchester Jackson (deceased): none; Arthur Per Buchanan (deceased): none; Addie Vaughn Porter Buchanan (deceased): none.
6. Brothers and Spouses Names: Brother Francis Marion Jackson III: \$200, 09/28/2010, Democratic Congressional Campaign Committee; \$100, 11/16/2010, Democratic Congressional Campaign Committee; \$1,000, 09/21/2010, Democratic Senatorial Campaign Committee; \$2,000, 10/15/2010, Maine Democratic State Committee; \$1,000, 03/11/2012, Obama VictoFund 2012; \$1,000, 11/02/2012, Obama VictoFund 2012; \$1,500, 09/06/2012, Obama for America; \$1,500, 10/17/2012, Obama for America; \$300, 09/21/2014, Troy Jackson for Congress. Sister-in-law Ellen Rogers Jackson: \$175, 04/29/10, Act Blue; \$8.75, 04/29/10, Act Blue; \$500, 06/10/2014, Shenna Bellows for Senate.
7. Sisters and Spouses Names: Nancy Vaughan Jackson Gronbeck (deceased): none; David Gronbeck: none.

By Mr. GRASSLEY for the Committee on the Judiciary.

Edward L. Gilmore, of Illinois, to be United States Marshal for the Northern District of Illinois for the term of four years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself, Mr. TESTER, Mr. HEINRICH, Mrs. SHAHEEN, Mr. BENNET, Mr. LEAHY, Mr. WYDEN, and Mrs. MURRAY):

S. 2165. A bill to amend title 54, United States Code, to permanently authorize the Land and Water Conservation Fund; read the first time.

By Mr. BLUNT (for himself and Ms. STABENOW):

S. 2166. A bill to amend part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care; to the Committee on Finance.

By Mr. MURPHY:

S. 2167. A bill to amend chapter 83 of title 41, United States Code (popularly referred to as the Buy American Act) and certain other laws with respect to certain waivers under those laws, to provide greater transparency regarding exceptions to domestic sourcing requirements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself and Mr. UDALL):

S. 2168. A bill to encourage greater community accountability of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Ms. CANTWELL, Mr. HEINRICH, Mr. BENNET, Mr. LEAHY, Mrs. SHAHEEN, and Mr. DAINES):

S. 2169. A bill to amend title 54, United States Code, to extend the Land and Water Conservation Fund; read the first time.

By Mrs. ERNST (for herself, Ms. HIRONO, Mr. CORNYN, Mr. UDALL, Mr. TILLIS, Mr. SESSIONS, Mr. BOOZMAN, Mr. ROUNDS, Ms. AYOTTE, Mr. GRASSLEY, and Mr. HEINRICH):

S. 2170. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself, Mr. SCOTT, Mr. JOHNSON, and Mr. BOOKER):

S. 2171. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. TESTER, and Mr. WHITEHOUSE):

S. 2172. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself and Ms. MIKULSKI):

S. 2173. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Finance.

By Mr. KAINE (for himself, Ms. BALDWIN, Mr. PORTMAN, and Mrs. CAPITO):

S. 2174. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 2175. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. KING):

S. 2176. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 2177. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 2178. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2179. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself, Mr. CASEY, Ms. COLLINS, Mr. GRASSLEY, Mr. LEAHY, and Mr. COONS):

S. 2180. A bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN:

S. Res. 282. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. REID, Mr. SCHUMER, Mrs. MURRAY, Mr. KAINE, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. HELLER, Mr. FRANKEN, Mr. MENENDEZ, Mr. DURBIN, and Mr. KIRK):

S. Res. 283. A resolution designating October 2015 as "Filipino American History Month"; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. CASSIDY):

S. Res. 284. A resolution recognizing the importance of mental health globally and highlighting the contributions and value of mental health, psychosocial support, and human capacity, particularly in development contexts and humanitarian settings; to the Committee on Foreign Relations.

By Mr. KAINE (for himself and Mr. WARNER):

S. Res. 285. A resolution commemorating the life and accomplishments of Robert Edward Simon, Jr.; considered and agreed to.

By Mr. COONS (for himself, Mr. SESSIONS, Mr. WYDEN, Ms. COLLINS, Mr.

REED, Mr. BOOKER, Mr. CARDIN, Ms. MIKULSKI, Ms. HIRONO, Mr. PETERS, Mr. HEINRICH, Mr. MANCHIN, Mrs. SHAHEEN, Mrs. FEINSTEIN, and Mr. FRANKEN):

S. Res. 286. A resolution designating the week beginning on October 11, 2015, as “National Wildlife Refuge Week”; considered and agreed to.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 287. A resolution condemning the senseless murder and wounding of 18 individuals (sons, daughters, fathers, mothers, uncles, aunts, cousins, students, and teachers) in Roseburg, Oregon, on October 1, 2015; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 248

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 248, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 512

At the request of Mr. HATCH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 571, a bill to amend the Pilot’s Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 624

At the request of Mr. BROWN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Ten-

nessee (Mr. ALEXANDER) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 812

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1014

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1014, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1252

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1252, a bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 1378

At the request of Mr. PAUL, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1460

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1460, a bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of the Marine Gunnery Sergeant John David Fry scholarship, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1617

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a co-

sponsor of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1651

At the request of Mr. BROWN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1651, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1676

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) 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. 1711

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1711, a bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from North Carolina (Mr. BURR) 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. 1754

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1754, a bill to amend title 38, United States Code, to make permanent the temporary increase in number of judges presiding over the United States Court of Appeals for Veterans Claims, and for other purposes.

S. 1766

At the request of Mr. SCHATZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual

orientation of the member, and for other purposes.

S. 1833

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1870

At the request of Mr. MORAN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1870, a bill to amend the Small Business Act to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. RISCH), the Senator from Idaho (Mr. CRAPO) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1913

At the request of Mr. TOOMEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1913, a bill to amend title XVIII of the Social Security Act to establish programs to prevent prescription drug abuse under the Medicare program, and for other purposes.

S. 2013

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2013, a bill to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes.

S. 2021

At the request of Mr. BOOKER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2066

At the request of Mr. SASSE, the names of the Senator from Idaho (Mr. RISCH) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Maryland

(Mr. CARDIN) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2142

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2142, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes.

S. 2146

At the request of Mr. VITTER, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally re-enter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

S. 2148

At the request of Mr. WYDEN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2152

At the request of Mr. CORKER, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop and appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2161

At the request of Mr. REED, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2161, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Delaware (Mr. COONS), the Senator from Utah (Mr. HATCH) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors 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. 261

At the request of Mr. BOOZMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 261, a resolution designating the week of October 11 through October 17, 2015, as "National Case Management Week" to recognize the role of case management in improving health care outcomes for patients.

S. RES. 274

At the request of Mrs. SHAHEEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 274, a resolution commemorating the 25th anniversary of the peaceful and democratic reunification of Germany.

At the request of Mr. CORKER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 274, supra.

AMENDMENT NO. 2626

At the request of Mr. WHITEHOUSE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 2626 intended to be proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. SCOTT, Mr. JOHNSON, and Mr. BOOKER):

S. 2171. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today with my colleagues Senator RON JOHNSON, Senator TIM SCOTT, and Senator CORY BOOKER to introduce the Scholarships for Opportunity and Results Act, bipartisan legislation to extend the D.C. Opportunity Scholarship Program.

I am a long-time supporter of this important program, which provides low-income students residing in the District of Columbia the opportunity to improve academically by attending a private school of their choice.

Without this platform, D.C.'s most disadvantaged students would not have access to a high-quality education, including smaller class sizes and effective curriculum. That is not right. All

students should have the same opportunity to learn and thrive.

The Opportunity Scholarship is a successful and transformative program. It has shown promising results in raising student achievement. According to data released by the program administrator for the 2014-2015 school year, 90 percent of scholarship students graduated from high school and 88 percent of those graduates are enrolled in a 2- or 4-year college or university. The Opportunity Scholarship Program's graduation rate is more than 30 percentage points higher than D.C. Public Schools' rate, which stands at only 58 percent, well below the national average of 81 percent.

For the 2015-2016 school year, there were more than 8,500 names on waiting lists at D.C. charter schools, an 18 percent increase over last year. This shows the demand for high-quality education in this city and unfortunately, the shortage to meet that demand.

I have worked on this legislation with my House colleague, Speaker JOHN BOEHNER, for many years. I also had my staff visit schools and talk to administrators and parents about ways to improve the program so that it can fully meet the goal of providing a better education to low-income families in the District's lowest-performing schools.

I am pleased that this legislation strengthens the program by requiring participating schools to acquire and maintain accreditation, and by ensuring that an evaluation study truly assess the effectiveness of the scholarship, including how it affects academic achievement for scholarship recipients.

I am pleased that Senators JOHNSON, SCOTT and BOOKER have joined me as original cosponsors of this bill. I remain fully committed to the success of the program, and I believe this reauthorization bill makes critical improvements to ensure that scholarships continue to transform the lives of the District's most vulnerable students.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. TESTER, and Mr. WHITEHOUSE):

S. 2172. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, great progress has been made in improving oversight of health insurance companies, holding them accountable for how premium dollars are spent, and increasing access to affordable health insurance. Even so, there is still work to be done to protect consumers from unreasonable and excessive health insurance rate increases.

Through the Affordable Care Act, health insurance rate increases greater than 10 percent must be publicly posted and include an explanation for the increase. The increases are reviewed by

States, and the Federal Government steps in when States opt out from participating in the review process.

This is a good first step, which has helped reduce increases, but it isn't enough. The enforcement authority to block or modify unreasonable rate increases is key to providing strong consumer protection.

In 2011, 43 percent of requested rate increases for health insurance rates on the individual market were larger than 10 percent. In 2013, 25 percent of plans had an increase greater than 10 percent.

This shows progress, but not enough. Health insurance companies can still get away with putting profits before patients. Affordability of health insurance is vital in continuing to decrease the number of uninsured Americans, and to ensure that families can access coverage.

Currently, 13 States still have little or no authority to block or modify excessive rate increases in the individual and small group markets. Even when regulators in these States find an increase to be unreasonable and unjustified, they have no ability to block or modify the increase.

The Protecting Consumers from Unreasonable Rates Act creates a Federal fallback option for States currently lacking this authority. This will protect consumers regardless of the State they live in, and improve accountability for insurance companies attempting to raise premium prices without adequate justification.

This solution is simple: in States where the insurance regulator does not have or use authority to block unreasonable rate increases, the Secretary of Health and Human Services can do so.

In some States, like California, companies are not required to get prior authorization for rate increases to go into effect. California insurance regulators with the Department of Insurance and Department of Managed Care review rates, but when they find rate increases to be unjustified and unreasonable, they have no authority to stop or adjust the price increases.

Just a few months ago, Aetna raised rates for a small business plan that, on average, was an increase of 21 percent and affected approximately 13,000 people. The California Department of Managed Care had found the increase to be unreasonable, but couldn't stop it from going into effect.

In many States we can already see that this type of authority is working, and this bill doesn't interfere at all with what they are doing.

For example, in New York, insurers requested an average of a 13.5 percent increase for 2016 premiums. Regulators disagreed and reduced the increase by nearly half, so consumers in that State will see a 7.1 percent increase instead.

In Connecticut, a UnitedHealthcare plan wanted to raise rates by 12.4 percent for 2016. After regulators reviewed the request, they approved a 5.5 per-

cent increase instead. For one plan in the State offered by ConnectiCare, a small increase was denied and consumers will actually see a reduction in their premiums for 2016.

Regulators in Vermont reduced the increase that 65,000 residents of the State would have faced in 2016—the proposed hike was 8.6 percent and the approved rate increase was 5.9 percent.

Any unreasonable rate increase that perpetuates year after year is unacceptable, and makes a big impact on a family's budget.

All consumers deserve to have fully effective health insurance rate review and enforcement. This bill closes the final gap in this process and ensures that these protections are available for the entire country.

I urge my colleagues to join me in supporting the Protecting Consumers from Unreasonable Rates Act.

By Mr. KAINE (for himself, Ms. BALDWIN, Mr. PORTMAN, and Mrs. CAPITO):

S. 2174. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, in today's increasingly competitive global economy, America's success will depend on the talent of its workforce. In cultivating the workforce necessary to succeed, we need to look at ways to expand opportunities for students, and refocus our Nation's education strategy to meet the demands of the industry in the 21st century. Career and technical education, CTE, programs play a vital role in increasing student engagement, continuing our nation's economic competitiveness, and building the skills of our country's workforce.

We are beginning to see a renaissance of student interest in career and technical education, but school districts across the Nation are facing critical shortages in high-quality CTE teachers. While the Higher Education and Opportunity Act of 2008 provides grants for teacher residency partnership programs to colleges and universities who work with high-needs school districts to train prospective teachers, no CTE-focused partnerships exist.

That is why I am introducing with my colleagues, Senator BALDWIN, Senator PORTMAN and Senator CAPITO the Creating Quality Technical Educators Act, which would create a CTE teacher-training grant partnership to give aspiring CTE teachers the experience necessary to mirror their success in the business world with that in the classroom. This legislation would foster teacher training partnerships between high-needs secondary schools and post-secondary institutions to create a 1-year residency initiative for teachers and includes teacher mentorship for a minimum of 2 years. When CTE teachers have work experience in a related industry before entering the classroom, students not only

benefit from their hands-on knowledge, but also look to them as career models.

The Creating Quality Technical Educators Act would amend the Higher Education and Opportunity Act to give aspiring CTE teachers real-world experience and develop credible skills to apply in the classroom. This bipartisan bill takes a proactive approach to recruiting and training more high-quality CTE teachers. In addition to mid-career professionals in related technical fields, CTE teacher residencies would target teacher candidates who are recent college graduates, veterans, and currently licensed teachers with a need for technical skills training who seek to become transition into CTE fields.

As co-chair of the Senate CTE Caucus, I am proud to introduce this commonsense, bipartisan legislation to recruit and train talented teachers to meet the rising need for CTE. The Creating Quality Technical Educators Act takes an important step to ensure students in communities of all sizes have access to high-quality CTE teachers and career-training programs.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. KING):

S. 2176. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. 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. 2176

*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 "Affordable College Textbook Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The high cost of college textbooks continues to be a barrier for many students in achieving higher education.

(2) According to the College Board, during the 2014-2015 academic year, the average student budget for college books and supplies at 4-year public institutions of higher education was \$1,225.

(3) The Government Accountability Office found that new textbook prices increased 82 percent between 2002 and 2012 and that although Federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs.

(4) The growth of the Internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public.

(5) Using open educational resources in place of traditional materials in large-enrollment college courses can reduce textbook costs by 80 to 100 percent.

(6) Federal investment in expanding the use of open educational resources could significantly lower college textbook costs and reduce financial barriers to higher education, while making efficient use of taxpayer funds.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) EDUCATIONAL RESOURCE.—The term "educational resource" means an educational material that can be used in postsecondary instruction, including textbooks and other written or audiovisual works.

(2) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) OPEN EDUCATIONAL RESOURCE.—The term "open educational resource" means an educational resource that either is in the public domain or is made available under a permanent copyright license to the public to freely adapt, distribute, and otherwise use the work with attribution to the author as designated.

(4) OPEN TEXTBOOK.—The term "open textbook" means an open educational resource or set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at an institution of higher education.

(5) RELEVANT FACULTY.—The term "relevant faculty" means both tenure track and contingent faculty members who may be involved in the creation of open educational resources or the use of open educational resources created as part of the grant application.

(6) SECRETARY.—The term "Secretary" means the Secretary of Education.

#### SEC. 4. GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—From the amounts appropriated under subsection (i), the Secretary shall make grants, on a competitive basis, to eligible entities to support pilot programs that expand the use of open textbooks in order to achieve savings for students.

(b) ELIGIBLE ENTITY.—In this section, the term "eligible entity" means an institution of higher education or group of institutions of higher education.

(c) APPLICATIONS.—

(1) IN GENERAL.—Each eligible entity desiring a grant under this section, after consultation with relevant faculty, shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the project to be completed with grant funds and—

(A) a plan for promoting and tracking the use of open textbooks in postsecondary courses offered by the eligible entity, including an estimate of the projected savings that will be achieved for students;

(B) a plan for evaluating, before creating new open educational resources, whether existing open educational resources could be used or adapted for the same purpose;

(C) a plan for quality review and review of accuracy of any open educational resources to be created or adapted through the grant;

(D) a plan for disseminating information about the results of the project to institutions of higher education outside of the eligible entity, including promoting the adoption of any open textbooks created or adapted through the grant; and

(E) a statement on consultation with relevant faculty, including those engaged in the creation of open educational resources, in the development of the application.

(d) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to applications that demonstrate the greatest potential to—

(1) achieve the highest level of savings for students through sustainable expanded use

of open textbooks in postsecondary courses offered by the eligible entity;

(2) expand the use of open textbooks at institutions of higher education outside of the eligible entity; and

(3) produce—

(A) the highest quality open textbooks;

(B) open textbooks that can be most easily utilized and adapted by faculty members at institutions of higher education;

(C) open textbooks that correspond to the highest enrollment courses at institutions of higher education; and

(D) open textbooks created or adapted in partnership with entities, including campus bookstores, that will assist in marketing and distribution of the open textbook.

(e) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds to carry out any of the following activities to expand the use of open textbooks:

(1) Professional development for any faculty and staff members at institutions of higher education, including the search for and review of open textbooks.

(2) Creation or adaptation of open educational resources, especially open textbooks.

(3) Development or improvement of tools and informational resources that support the use of open textbooks.

(4) Research evaluating the efficacy of the use of open textbooks for achieving savings for students.

(5) Partnerships with other entities, including other institutions of higher education, for-profit organizations, or nonprofit organizations, to carry out any of the activities described in paragraphs (1) through (4).

(f) LICENSE.—Educational resources created under subsection (e) shall be licensed under a non-exclusive, permanent license to the public to exercise any of the rights under copyright conditioned only on the requirement that attribution be given as directed by the copyright owner.

(g) ACCESS AND DISTRIBUTION.—The full and complete digital content of each educational resource created or adapted under subsection (e) shall be made available free of charge to the public—

(1) on an easily accessible and interoperable website, which shall be identified to the Secretary by the eligible entity; and

(2) in a machine readable, digital format that anyone can directly download, edit with attribution, and redistribute.

(h) REPORT.—Upon an eligible entity's completion of a project supported under this section, the eligible entity shall prepare and submit a report to the Secretary regarding—

(1) the effectiveness of the pilot program in expanding the use of open textbooks and in achieving savings for students;

(2) the impact of the pilot program on expanding the use of open textbooks at institutions of higher education outside of the eligible entity;

(3) educational resources created or adapted under the grant, including instructions on where the public can access each educational resource under the terms of subsection (g); and

(4) all project costs, including the value of any volunteer labor and institutional capital used for the project.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of the 5 succeeding fiscal years after the enactment of this Act.

#### SEC. 5. PRICE INFORMATION.

Section 133(b) of the Higher Education Act of 1965 (20 U.S.C. 1015b(b)) is amended—

(1) by striking paragraph (6); and

(2) in paragraph (9);

(A) by striking subparagraphs (A) and (B); and

(B) by striking “a college textbook that—” and inserting “a college textbook that may include printed materials, computer disks, website access, and electronically distributed materials.”.

**SEC. 6. SENSE OF CONGRESS.**

It is the sense of Congress that institutions of higher education should encourage the consideration of open textbooks by faculty within the generally accepted principles of academic freedom that establishes the right and responsibility of faculty members, individually and collectively, to select course materials that are pedagogically most appropriate for their classes.

**SEC. 7. REPORT TO CONGRESS.**

Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives detailing—

- (1) the open textbooks created or adapted under this Act;
- (2) the adoption of such open textbooks; and
- (3) the savings generated for students, States, and the Federal Government through the use of open textbooks.

**SEC. 8. GAO REPORT.**

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives on the cost of textbooks to students at institutions of higher education. The report shall particularly examine—

- (1) the change of the cost of textbooks;
- (2) the factors that have contributed to the change of the cost of textbooks;
- (3) the extent to which open textbooks are used at institutions of higher education; and
- (4) the impact of open textbooks on the cost of textbooks.

SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 282—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH**

Mrs. SHAHEEN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 282

Whereas according to the Centers for Disease Control and Prevention (referred to in this preamble as the “CDC”), in the United States—

- (1) nearly 30,000,000 individuals have diabetes; and
- (2) an estimated 86,000,000 individuals aged 20 years and older have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that Hispanics, African Americans, Asian Americans, and Native Americans are disproportionately affected by diabetes and suffer from the disease at rates that are much higher than the general population of the United States;

Whereas according to the CDC, an individual aged 20 years or older is diagnosed with diabetes every 19 seconds;

Whereas approximately 4,660 individuals in the United States aged 20 years or older are diagnosed with diabetes each day;

Whereas the CDC estimates that approximately 1,700,000 individuals in the United States aged 20 years and older were newly diagnosed with diabetes in 2012;

Whereas a joint study carried out by the National Institutes of Health and the CDC found that in the United States during 2008 and 2009, an estimated 18,436 youth were newly diagnosed with type 1 diabetes and 5,089 youth were newly diagnosed with type 2 diabetes;

Whereas according to the CDC, the prevalence of diabetes in the United States increased by more than 300 percent between 1980 and 2010;

Whereas the CDC reports that 27.8 percent of individuals with diabetes in the United States have not been diagnosed with the disease;

Whereas in the United States, more than 12 percent of adults aged 20 years or older and 25.9 percent of individuals aged 65 years or older have diabetes;

Whereas as many as 1 in 3 adults in the United States will have diabetes in 2050 if the present trend continues;

Whereas after accounting for the difference of the average age of each population, data surveying individuals aged 20 years or older in the United States between 2010 and 2012 indicates that 7.6 percent of non-Hispanic whites, 13.2 percent of non-Hispanic blacks, 12.8 percent of Hispanics, and 9.0 percent of Asian Americans suffered from diagnosed diabetes;

Whereas after accounting for the difference of the average age of each population, data surveying Hispanic individuals aged 20 years or older in the United States between 2010 and 2012 indicates that 8.5 percent of individuals of Central and South American descent, 9.3 percent of individuals of Cuban descent, 13.9 percent of individuals of Mexican descent, and 14.8 percent of individuals of Puerto Rican descent suffered from diagnosed diabetes;

Whereas according to the American Diabetes Association, in 2012, the United States spent an estimated \$245,000,000,000 on cases of diagnosed diabetes;

Whereas the American Diabetes Association reports that 20 percent of the funds that the United States spent on health care in 2012 went towards caring for individuals with diabetes;

Whereas a study carried out by Mathematica Policy Research found that total expenditures for individuals with diabetes receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in fiscal year 2005 comprised 32.7 percent of the budget for the Medicare program in that fiscal year;

Whereas according to the CDC, in the United States in 2010, diabetes—

- (1) was the seventh leading cause of death; and
- (2) contributed to the death of more than 234,051 individuals;

Whereas as of November 2015, a cure for diabetes does not exist;

Whereas there are successful means to reduce the incidence and delay the onset of type 2 diabetes;

Whereas with proper management and treatment, individuals with diabetes live healthy, productive lives; and

Whereas individuals in the United States celebrate American Diabetes Month in November: Now, therefore, be it

*Resolved*, That the Senate—

- (1) supports the goals and ideals of American Diabetes Month, including—
  - (A) encouraging individuals in the United States to fight diabetes through public awareness of prevention and treatment options; and

- (B) enhancing diabetes education;
- (2) recognizes the importance of early detection, awareness of the symptoms, and understanding the risk factors of diabetes, including—

- (A) being over the age of 45 years;
- (B) having a specific racial and ethnic background;
- (C) being overweight;
- (D) having a low level of physical activity;
- (E) having high blood pressure; and
- (F) having a family history of diabetes or a history of diabetes during pregnancy; and

- (3) supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through increased research, treatment, and prevention.

**SENATE RESOLUTION 283—DESIGNATING OCTOBER 2015 AS “FILIPINO AMERICAN HISTORY MONTH”**

Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. REID of Nevada, Mr. SCHUMER, Mrs. MURRAY, Mr. KAINNE, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. HELLER, Mr. FRANKEN, Mr. MENENDEZ, Mr. DURBIN, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 283

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first “Luzones Indios” arrived in Morro Bay, California, on board the *Nuestra Senora de Esperanza*, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to United States history by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas, with a population of approximately 3,416,840 individuals, the Filipino American community is the second largest Asian American and Pacific Islander group in the United States;

Whereas from the Civil War to the Iraq and Afghanistan conflicts, Filipino American servicemen and servicewomen have a long-standing history of serving in the Armed Forces;

Whereas 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific theater;

Whereas Filipino Americans continue to demonstrate a commendable sense of patriotism and honor;

Whereas 9 Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that can be bestowed on an individual serving in the Armed Forces;

Whereas the late Thelma Garcia Buchholdt, born in Claveria, Cagayan on the island of Luzon in the Philippines—

- (1) moved with her family to Alaska in 1965;
- (2) was elected to the House of Representatives of Alaska in 1974;

(3) was the first Filipino woman elected to a State legislature; and

(4) authored a comprehensive history book entitled “Filipinos in Alaska: 1788-1958”;

Whereas Filipino American farmworkers and labor leaders such as Philip Vera Cruz

and Larry Itliong played an integral role in the multiethnic United Farm Workers movement alongside Cesar Chavez, Dolores Huerta, and other Latino workers;

Whereas Filipino Americans play an integral role in the United States healthcare system as nurses, doctors, and other medical professionals;

Whereas Filipino Americans have contributed greatly to music, dance, literature, education, business, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the landscape of the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of United States history;

Whereas it is imperative for Filipino American youth to have positive role models to instill in Filipino American youth—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas Filipino American History Month is celebrated during the month of October 2015: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 2015 as “Filipino American History Month”;

(2) recognizes the celebration of Filipino American History Month as—

(A) a study of the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States—

(i) to learn more about Filipino Americans; and

(ii) to appreciate the historic contributions of Filipino Americans to the United States; and

(3) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

**SENATE RESOLUTION 284—RECOGNIZING THE IMPORTANCE OF MENTAL HEALTH GLOBALLY AND HIGHLIGHTING THE CONTRIBUTIONS AND VALUE OF MENTAL HEALTH, PSYCHOSOCIAL SUPPORT, AND HUMAN CAPACITY, PARTICULARLY IN DEVELOPMENT CONTEXTS AND HUMANITARIAN SETTINGS**

Mr. MURPHY (for himself and Mr. CASSIDY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 284

Whereas on October 10, 2015, World Mental Health Day is observed;

Whereas mental health is essential to achieve the full potential of an individual and mental health disorders can affect the ability of an individual to carry out daily tasks, establish or maintain relationships, or pursue other fundamental endeavors;

Whereas mental health disorders and substance use disorders are the leading causes of disability globally;

Whereas depression is the third leading cause of disease burden globally, and by 2030, depression will be the highest cause of disease burden in low-income countries and the second highest cause of disease burden in middle-income countries;

Whereas depression has a particularly negative impact on women, for whom depression is the leading cause of disease burden independent of the income level of their countries of residence;

Whereas approximately 3,000 suicide deaths occur each day globally;

Whereas for each completed suicide, 20 more individuals attempt to commit suicide;

Whereas up to 90 percent of individuals who commit suicide have a diagnosable mental health disorder;

Whereas serious and persistent mental illness, such as schizophrenia and bipolar disorder, affects up to 7 percent of the population of the world and is extremely debilitating;

Whereas the global cost of mental health disorders was \$2,500,000,000,000 in 2010, and is projected to increase to more than \$6,000,000,000,000 by 2030, but the total amount of development assistance for global mental health was only \$134,000,000 between 2007 and 2013, less than 1 percent of all development assistance;

Whereas in high-income countries, approximately ½ of individuals afflicted with mental health disorders do not receive appropriate mental health care;

Whereas in low-income countries, approximately 85 percent to 90 percent of individuals afflicted with mental health disorders do not receive appropriate mental health care;

Whereas traumatic events and losses are common experiences, especially among refugees and internally displaced individuals, and may—

(1) double the incidence of mental health disorders;

(2) result in intense suffering and dysfunction; and

(3) require mental health treatment;

Whereas integrating mental health and psychosocial support into health and social sectors improves the health, economic development, and political stability of the population, builds the capacity of staff and health facilities, and creates non-stigmatizing mental health services; and

Whereas there is an urgent need to create readily-accessible, high-quality mental health services in line with national and global guidelines by designing and implementing comprehensive programs that are culturally, developmentally, and linguistically appropriate, building local human resource capacity, and strengthening health systems: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the importance of World Mental Health Day;

(2) affirms the continued support of the United States for making resources available to provide mental health services and build capacity across countries and income levels, in particular in countries affected by conflict and crisis;

(3) honors the importance of trained mental health workers as they enhance human well-being and mental health, restore functioning, and save lives by ensuring the availability of high-quality, context-relevant mental health and psychosocial support services;

(4) calls on the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other relevant agencies to integrate mental health and psychosocial support services into programs, funding opportunities, and budget allocations in order to improve the

overall quality of life of individuals living with mental health disorders; and

(5) commends the dedication of organizations, professionals, and volunteers globally who work to improve the mental health of all individuals, and the important contributions and bravery of individuals globally who live with or have overcome mental health disorders.

**SENATE RESOLUTION 285—COMMEMORATING THE LIFE AND ACCOMPLISHMENTS OF ROBERT EDWARD SIMON, JR.**

Mr. KAINE (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 285

Whereas in 1961, Robert Edward Simon, Jr. (referred to in this preamble as “Bob Simon”) purchased 6,750 acres of undeveloped land in Northern Virginia and in 1964, established on the land the town of Reston, Virginia;

Whereas the vision of Bob Simon for economic development—

(1) involved communities that integrate jobs, residential housing, commercial business, recreational resources, outdoor space, accessible transportation, and pedestrian-friendly geography; and

(2) was a vision that, in 2015, is known as “smart growth”;

Whereas the vision of Bob Simon for a community was a community that included residents of all income levels and racial backgrounds at a time during which, in Virginia, housing was segregated and interracial marriage was banned;

Whereas Bob Simon is credited with mainstreaming the idea of robust citizen participation in local development plans through community associations;

Whereas Bob Simon returned to live in Reston from 1993 until his passing on September 21, 2015, at 101 years of age; and

Whereas, as of September 2015, Reston, Virginia is a 62,000-citizen town in the Northern Virginia Dulles Corridor, which continues to develop along the lines that Bob Simon envisioned: Now, therefore, be it

*Resolved*, That the Senate recognizes the contributions of Robert E. Simon, Jr.—

(1) in founding Reston, Virginia;

(2) in setting a trend of vibrant urban development in Virginia; and

(3) in inspiring and empowering citizens across the United States.

**SENATE RESOLUTION 286—DESIGNATING THE WEEK BEGINNING ON OCTOBER 11, 2015, AS “NATIONAL WILDLIFE REFUGE WEEK”**

Mr. COONS (for himself, Mr. SESSIONS, Mr. WYDEN, Ms. COLLINS, Mr. REED of Rhode Island, Mr. BOOKER, Mr. CARDIN, Ms. MIKULSKI, Ms. HIRONO, Mr. PETERS, Mr. HEINRICH, Mr. MANCHIN, Mrs. SHAHEEN, Mrs. FEINSTEIN, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 286

Whereas, in 1903, President Theodore Roosevelt established the first national wildlife refuge on Pelican Island in Florida;

Whereas, in 2015, the National Wildlife Refuge System, administered by the United States Fish and Wildlife Service, is the premier system of lands and waters to conserve

wildlife in the world, and has grown to approximately 150,000,000 acres, 563 national wildlife refuges, and 38 wetland management districts in every State and territory of the United States;

Whereas national wildlife refuges are important recreational and tourism destinations in communities across the United States, and these protected lands offer a variety of recreational opportunities, including 6 wildlife-dependent uses that the National Wildlife Refuge System manages: hunting, fishing, wildlife observation, photography, environmental education, and interpretation;

Whereas, in 2015, 336 units of the National Wildlife Refuge System have hunting programs and 275 units of the National Wildlife Refuge System have fishing programs, averaging approximately 2,500,000 hunting visits and nearly 7,000,000 fishing visits each year;

Whereas the National Wildlife Refuge System experienced nearly 30,000,000 wildlife observation visits during fiscal year 2014;

Whereas national wildlife refuges are important to local businesses and gateway communities;

Whereas, for every \$1 appropriated, national wildlife refuges generate nearly \$5 in economic activity;

Whereas visitation to the National Wildlife Refuge System increased by nearly 27 percent from 2005 to 2014;

Whereas the National Wildlife Refuge System experiences over 47,000,000 visits each year, which generated more than \$2,400,000,000 and more than 35,000 jobs in local economies during fiscal year 2011;

Whereas the National Wildlife Refuge System encompasses every kind of ecosystem in the United States, including temperate, tropical and boreal forests, wetlands, deserts, grasslands, arctic tundras, and remote islands and spans 12 time zones from the Virgin Islands to Guam;

Whereas national wildlife refuges are home to more than 700 species of birds, 220 species of mammals, 250 species of reptiles and amphibians, and more than 1,000 species of fish;

Whereas national wildlife refuges are the primary Federal lands that foster production, migration, and wintering habitat for waterfowl;

Whereas, since 1934, the sale of the Federal Duck Stamp to outdoor enthusiasts has generated more than \$850,000,000 in funds, which has enabled the purchase or lease of more than 5,700,000 acres of habitat for waterfowl and numerous other species in the National Wildlife Refuge System;

Whereas the recovery of 386 threatened and endangered species is supported on refuge lands;

Whereas national wildlife refuges are cores of conservation for larger landscapes and resources for other agencies of the Federal Government and State governments, private landowners, and organizations in their efforts to secure the wildlife heritage of the United States;

Whereas nearly 36,000 volunteers and approximately 200 national wildlife refuge "Friends" organizations contribute more than 1,400,000 hours annually, the equivalent of nearly 700 full-time employees, and provide an important link to local communities;

Whereas national wildlife refuges provide an important opportunity for children to discover and gain a greater appreciation for the natural world;

Whereas, because there are national wildlife refuges located in several urban and suburban areas and a refuge located within an hour drive of every metropolitan area in the United States, national wildlife refuges employ, educate, and engage young people from all backgrounds in exploring, connecting

with, and preserving the natural heritage of the United States;

Whereas, since 1995, refuges across the United States have held festivals, educational programs, guided tours, and other events to celebrate National Wildlife Refuge Week during the second full week of October;

Whereas the United States Fish and Wildlife Service will continue to seek stakeholder input on the implementation of "Conserving the Future: Wildlife Refuges and the Next Generation", an update to the strategic plan of the United States Fish and Wildlife Service for the future of the National Wildlife Refuge System;

Whereas the week beginning on October 11, 2015, has been designated as "National Wildlife Refuge Week" by the United States Fish and Wildlife Service; and

Whereas the designation of National Wildlife Refuge Week by the Senate would recognize more than a century of conservation in the United States, raise awareness about the importance of wildlife and the National Wildlife Refuge System, and celebrate the myriad recreational opportunities available to enjoy this network of protected lands: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning on October 11, 2015, as "National Wildlife Refuge Week";

(2) encourages the observance of National Wildlife Refuge Week with appropriate events and activities;

(3) acknowledges the importance of national wildlife refuges for their recreational opportunities and contribution to local economies across the United States;

(4) pronounces that national wildlife refuges play a vital role in securing the hunting and fishing heritage of the United States for future generations;

(5) identifies the significance of national wildlife refuges in advancing the traditions of wildlife observation, photography, environmental education, and interpretation;

(6) recognizes the importance of national wildlife refuges to wildlife conservation and the protection of imperiled species and ecosystems, as well as compatible uses;

(7) acknowledges the role of national wildlife refuges in conserving waterfowl and waterfowl habitat pursuant to the Migratory Bird Treaty Act (40 Stat. 755, chapter 128);

(8) reaffirms the support of the Senate for wildlife conservation and the National Wildlife Refuge System; and

(9) expresses the intent of the Senate—

(A) to continue working to conserve wildlife; and

(B) to manage the National Wildlife Refuge System for current and future generations.

**SENATE RESOLUTION 287—CONDEMNING THE SENSELESS MURDER AND WOUNDING OF 18 INDIVIDUALS (SONS, DAUGHTERS, FATHERS, MOTHERS, UNCLES, AUNTS, COUSINS, STUDENTS, AND TEACHERS) IN ROSEBURG, OREGON, ON OCTOBER 1, 2015**

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 287

Whereas on October 1, 2015, an armed gunman opened fire on the Umpqua Community College campus in Roseburg, Oregon, killing 9 individuals and wounding 9 other individuals;

Whereas deceased and surviving victims demonstrated acts of heroism and sacrifice for the safety and sake of others;

Whereas the first responders were swift and professional in their response to the initial call, which avoided even more bloodshed; and

Whereas, local, State, and Federal law enforcement, firefighter, and medical service professionals performed their duties with utmost skill and coordination: Now, therefore, be it

*Resolved*, That the Senate—

(1) offers condolences to the families and friends of individuals who were murdered by an armed gunman on the Umpqua Community College campus in Roseburg, Oregon, on October 1, 2015;

(2) expresses hope for the swift and complete recovery of individuals who were wounded by the gunman;

(3) applauds the swift response and professional conduct of—

(A) the first responders to the scene; and

(B) the investigating officers following the neutralization of the gunman, including local, State, and Federal officials and others who offered their support and assistance; and

(4) remains committed to reducing the likelihood of this kind of event happening again.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2711. Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the concurrent resolution S. Con. Res. 21, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th Anniversary of the ratification of the 13th Amendment.

**TEXT OF AMENDMENTS**

**SA 2711.** Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the concurrent resolution S. Con. Res. 21, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th Anniversary of the ratification of the 13th Amendment; as follows:

On page 1, lines 8 and 9, strike "July 8" and insert "December 8".

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 8, 2015, at 9:30 a.m.

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

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 8, 2015, at 10 a.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled "Consumer Product Safety and the Recall Process."

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

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 8, 2015, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 8, 2015, at 9:45 a.m.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 8, 2015, at 10 a.m., to conduct a hearing entitled "Securing a Prosperous and Democratic Future for Ukraine."

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

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 8, 2015, at 10 a.m., to conduct a hearing entitled "Threats to the Homeland."

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

## COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 8, 2015, at 10:30 a.m., in the President's Room of the Capitol.

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

## SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 8, 2015, at 2:30 p.m.

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

## SUBCOMMITTEE ON THE CONSTITUTION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate on October 8, 2015, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Theft by Another Name: Eminent Domain Ten Years After Kelo v. City of New London."

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

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS,  
AND MINING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Com-

mittee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on October 8, 2015, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON STATE DEPARTMENT AND  
USAID MANAGEMENT, INTERNATIONAL OPERATIONS,  
AND BILATERAL INTERNATIONAL DEVELOPMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development be authorized to meet during the session of the Senate on October 8, 2015, at 2:30 p.m., to conduct a hearing entitled "Ensuring an Efficient and Effective Diplomatic Security Training Facility for the Twenty-first Century."

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

## PRIVILEGES OF THE FLOOR

Mrs. CAPITO. Mr. President, I ask unanimous consent that Sharon Haggett, a detailee in Senator ALEXANDER's office, have the privileges of the floor for the duration of today's session of the Senate.

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Mark Mendenhall, a detailee to the Appropriations Committee have floor privileges for the remainder of the debate on the Energy and Water appropriations bill.

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

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that Dan Podair, a legal fellow in my office, be granted floor privileges for the remainder of the day.

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

Mr. COONS. I yield the floor.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Tuesday, October 20, the Senate proceed to executive session to consider the following nomination: Calendar No. 139; that the time until 11 a.m. be equally divided for debate on the nomination in the usual form; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nomination; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in

order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

## EXECUTIVE SESSION

NOMINATION OF STEPHEN C.  
HEDGER TO BE AN ASSISTANT  
SECRETARY OF DEFENSE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 210, Stephen Hedger; that the Senate vote without intervening action or debate on the nomination; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Stephen C. Hedger, of New York, to be an Assistant Secretary of Defense.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise and consent to the nomination of Stephen C. Hedger, of New York, to be an Assistant Secretary of Defense?

The nomination was confirmed.

The PRESIDING OFFICER. The President shall be notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING USE OF  
EMANCIPATION HALL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Rules and Administration Committee be discharged from further consideration of S. Con. Res. 21 and the Senate proceed to its consideration.

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

The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 21) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th Anniversary of the ratification of the 13th Amendment.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a Booker amendment, which is at the desk, be agreed to; that the concurrent resolution, as amended, be agreed to; and that the motion to reconsider be laid upon the table with no intervening action or debate.

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

The amendment (No. 2711) was agreed to, as follows:

(Purpose: To amend the resolving clause to correct the date of the ceremony)

On page 1, lines 8 and 9, strike "July 8" and insert "December 8".

The concurrent resolution (S. Con. Res. 21), as amended, was agreed to.

The concurrent resolution, as amended, reads as follows:

S. CON. RES. 21

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO COMMEMORATE THE 150TH ANNIVERSARY OF THE RATIFICATION OF THE 13TH AMENDMENT.**

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on December 8, 2015, for a ceremony to commemorate the 150th Anniversary of the ratification of the 13th Amendment to the Constitution of the United States, which abolished slavery in the United States.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

**COMMEMORATING THE LIFE AND ACCOMPLISHMENTS OF ROBERT EDWARD SIMON, JR.**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 285, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 285) commemorating the life and accomplishments of Robert Edward Simon, Jr.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 285) was agreed to.

Mr. KAINE. Mr. President, just over a year ago, I attended a dual celebration in the Town of Reston, VA—50 years since the town's founding and 100 years since the birth of its founder. That founder, Robert E. Simon, Jr.,

whose initials were the basis for naming the town, passed away on September 21st at the age of 101.

Bob Simon was a visionary who recognized that all humans ought to be able to live together and be neighbors. His vision was of a community in which people could live, work, and play in the same general area. He believed that features like natural landscaping, open plazas, and public art were important to building a vibrant community and fostering a sense of place. Today we would call that "smart growth," but to Bob, it was simply common-sense. His vision was ahead of its time in another way. It was a vision of a community in which people of all races and income levels could coexist—a vision that was not yet shared by all in the segregated Virginia of the early 1960s.

The legacy of Bob Simon will live on in the community he created and loved. I and my Virginia colleague Senator MARK WARNER ask the Senate to formally commemorate Bob and the ideals he championed in his life's work of a better and more just America.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**NATIONAL WILDLIFE REFUGE WEEK**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 286.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 286) designating the week beginning on October 11, 2015, as "National Wildlife Refuge Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 286) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**WELCOMING THE PRESIDENT OF THE REPUBLIC OF KOREA ON HER OFFICIAL VISIT TO THE UNITED STATES**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 278.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 278) welcoming the President of the Republic of Korea on her official visit to the United States and celebrating the United States-Republic of Korea relationship, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 278) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in the RECORD of October 6, 2015, under "Submitted Resolutions.")

**MEASURES READ THE FIRST TIME—S. 2165 AND S. 2169**

Mr. MCCONNELL. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 2165) to amend title 54, United States Code, to permanently authorize the Land and Water Conservation Fund.

A bill (S. 2169) to amend title 54, United States Code, to extend the Land and Water Conservation Fund.

Mr. MCCONNELL. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will receive their second reading on the next legislative day.

**ORDERS FOR FRIDAY, OCTOBER 9, 2015, THROUGH MONDAY, OCTOBER 19, 2015**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Friday, October 9, for a pro forma session only with no business being conducted; further, that when the Senate adjourns on Friday, October 9, it next convene for a pro forma session only with no business conducted on the following dates and times: Tuesday, October 13, at 10:30 a.m., and Friday, October 16, at 10 a.m.; further, that when the Senate adjourns on Friday, October 16, it next convene at 4 p.m. on Monday, October 19; 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; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 2146.

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

ADJOURNMENT UNTIL 10 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 5:49 p.m., adjourned until Friday, October 9, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

DANA J. BOENTE, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE NEIL H. MACBRIDE, RESIGNED.

ROBERT LLOYD CAPERS, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE LORETTA E. LYNCH, RESIGNED.

JOHN P. FISHWICK, JR., OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE TIMOTHY J. HEAPHY, RESIGNED.

CHANNING D. PHILLIPS, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS, VICE RONALD C. MACHEN, JR., RESIGNED.

EMILY GRAY RICE, OF NEW HAMPSHIRE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS, VICE JOHN P. KACAVAS, RESIGNED.

RANDOLPH J. SEILER, OF SOUTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF FOUR YEARS, VICE BRENDAN V. JOHNSON, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

TARNJIT S. SAINI

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

TERRY A. PETROPOULOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

JESSICA L. MORERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

KARI J. TEREICK

DEPARTMENT OF STATE

AMOS J. HOCHSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES), VICE JOHN STERN WOLF.

DAVID MCKEAN, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LUXEMBOURG.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 8, 2015:

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019.

DEPARTMENT OF DEFENSE

STEPHEN C. HEDGER, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF STATE

SARAH ELIZABETH MENDELSON, OF THE DISTRICT OF COLUMBIA, TO BE REPRESENTATIVE OF THE UNITED

STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

UNITED NATIONS

SARAH ELIZABETH MENDELSON, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

PENSION BENEFIT GUARANTY CORPORATION

W. THOMAS REEDER, JR., OF VIRGINIA, TO BE DIRECTOR OF THE PENSION BENEFIT GUARANTY CORPORATION.

DEPARTMENT OF STATE

LUCY TAMLYN, OF NEW YORK, 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 REPUBLIC OF BENIN.

JEFFREY J. HAWKINS, JR., OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CENTRAL AFRICAN REPUBLIC.

DAVID R. GILMOUR, OF TEXAS, 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 TOGOLESE REPUBLIC.

EDWIN RICHARD NOLAN, JR., OF MASSACHUSETTS, 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 REPUBLIC OF SURINAME.

CAROLYN PATRICIA ALSUP, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

DANIEL H. RUBINSTEIN, OF VIRGINIA, 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 REPUBLIC OF TUNISIA.

SUSAN COPPEDGE AMATO, OF GEORGIA, TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE.