

The State of Wyoming is the largest coal-producing State in the Nation. Coal represents almost 40 percent of our share of electricity generation across the United States. My county provides 40 percent of all of the coal in the United States. It is abundant, it is affordable, and it is stockpilable. It is the only energy that is stockpilable. This is an energy source which has the potential to power our country for hundreds of years, to support jobs for thousands of people, and doesn't put us at the mercy of unstable regimes overseas, but this administration continues to denigrate and regulate coal out of existence.

Since 2012, two EPA rules—the mercury and air toxic standards rule and the ozone rule—are estimated to have cost in the tens of billions of dollars.

Let me talk just about the mercury and air toxic standards. That is supposed to help save, with benefits—without seeing any scientific evidence where these benefits come from—over a period of years, maybe \$500 million. What is the cost? The cost is \$73 billion a year. Why would anyone go for that small of a benefit at that big of a cost?

We are an inventive country. If we put incentives of just a couple billion dollars out there, people will solve the problem and get those benefits permanently for a very small number, not \$43 billion to \$73 billion a year. Those two rules don't include the billions of dollars lost to thousands more rules imposed by the EPA and other agencies every year.

If all those rules weren't onerous enough, in August the EPA doubled down on its war on coal when it released the final rule on the Clean Power Plan. With an estimated price tag of at least \$366 billion, this rule will not only devastate the coal industry by mandating unrealistic carbon reductions, it will also distress American families by causing double-digit electric rate increases in more than 40 States.

The coal industry in Wyoming is feeling the impact. The coal industry and businesses and the people who work there and rely on it are facing higher regulatory costs at the same time as energy producers are seeing a tougher market than they have in years. This is a bad combination for economic growth and job creation. At the end of July, Wyoming had 15 percent fewer energy industry jobs than it did a year earlier, and these are good-paying jobs. That is according to the U.S. Department of Labor and Bureau of Labor Statistics. Most of those lost jobs are in coal, oil, and gas, and the businesses that rely on them. We forget about that ripple effect. Given that close to half of Wyoming's GDP comes from this sector, and that nearly half of our State is federally owned and much is removed from development activity, we have always been concerned about any unnecessary government intrusion in our economic livelihood.

Why do we provide 40 percent of the Nation's coal? It is because it is a

cleaner coal, lower in sulfur and other chemicals, than any other State in the Nation. We ship coal to other coal States so they can mix it with their coal to meet the clean air standards. But that is not good enough.

The economic impact of the EPA and other Federal regulations is not just hurting Wyoming's economy and costing my State jobs. They are a major reason why the economy nationwide is not operating at its full potential for economic growth, and it has been stuck around 2 percent since the beginning of the so-called economic recovery. We are doing it to ourselves. Remember, a 1-percent reduction in the gross national product is \$400 billion less in taxes.

The onslaught of Federal regulations targeted directly at the coal industry are not just concerns; they are real threats to people's economic livelihood—the ability to support their families, the ability to support education in most of these States, and the ability to support entire communities across the country. With our \$18 trillion in debt, we can't afford to accept the notion that we are in what some are calling a new normal of economic anemic growth. We need to help our economy reach its potential, which will help each and every American. This cannot be done if the number and cost of significant Federal regulations continues to rise.

The Obama administration continues to push Federal regulations, such as the waters of the United States rule, which significantly expands Federal authority under the Clean Water Act. That rule has been taken to three courts already, and in each of those cases, it has been ruled illegal.

They are still pursuing other avenues. The recent National Labor Relations Board rulemaking redefined the meaning of an employer.

These regulations, taken by themselves, have the potential to impose billions of dollars in economic costs—on family farms, ranches, and particularly small businesses—which hinder the growth of America's entrepreneurial spirit, not to mention the Consumer Financial Protection Bureau. It sounds like a great entity, but in banks alone, they have had to hire twice as many people to do paperwork as they used to have to have, just to keep from getting fined by an agency that has no control. I tried to get an inspector general to be over the Consumer Financial Protection Bureau. After we got him, he said: You know, I don't have any authority to look at any of this stuff.

Where are the fines going?

We don't know. We are not allowed to see that.

That is because they get their money from the Federal Reserve before the money from the Federal Reserve comes from the U.S. Government. We shouldn't have anything as out of control as that.

I was meeting with some community bankers. I said: Well, my wife is kind of

interested in expanding our kitchen in Gillette, and I was thinking maybe we ought to get a loan and do that. The house is all paid for. I was wondering how long it would take.

They said: Well, about 78 days, and then you get 1 week. In case you don't like the deal you made, you can rescind it. I remember the last time we needed to do something in the house before it was paid for. I had to get a second mortgage, and I got it in a matter of a couple of days. They could just write the check so I could go ahead and do it. Now it is 78 days plus another week. That is what government regulations are doing. That doesn't speed up the economy. There isn't a contractor that can go to work until they get an assurance of being paid.

Over the next few months and weeks, I am going to share with my colleagues new information from leading economists that shows there is a real relationship between the growth of regulations and our struggling economy. This is a relationship that is clear to the people who experience the difficulties of complying with more and more regulations that make it harder to succeed. I hope that what is clear to business owners, to their employees, and to the communities across the country can be understood here in Washington.

I will share new statistics and data showing the lost income and jobs due to Federal regulations, the effects of regulation on key industries, the breakdown of how specific Federal agencies are impacting our economy, and the regulatory burden the Federal Government has placed on hard-working Americans in economic sectors in every State. It is crucial for lawmakers and hard-working Americans to understand the true cost of the regulations that are being issued by this administration. Shining a light on these regulations and the burden they impose on each and every American is the only way to hold government accountable and to begin the process of reining in out-of-control agencies so we can halt the flood of regulations choking our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

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#### MIDDLE EAST REFUGEE CRISIS AND UKRAINE

Mrs. SHAHEEN. Mr. President, 2 weeks ago, I left for Greece with a Senate delegation that included DICK DURBIN from Illinois, AMY KLOBUCHAR from Minnesota, and ELIZABETH WARREN from Massachusetts. In my capacity as lead Democrat on the Senate Foreign Relations Subcommittee on Europe and Regional Security Cooperation, I was honored to head our delegation. We were there to witness firsthand the plight of refugees arriving by sea on the island of Lesbos. In Greece and later in Germany, we received in depth

briefings on the refugee crisis and Europe's response to it. In Kiev, we conferred with the Ukrainian Prime Minister and President about their country's struggle to create a stable democracy in the face of ongoing Russian aggression.

Nearly a quarter of a million Syrians have been killed during the current conflict in the Middle East. An estimated 8 million Syrians have been displaced internally. Another 4 million have left the country. They are fleeing hunger, unspeakable violence, and a land that no longer offers any hope for their children. They have endured barrel bombs, chemical attacks, indiscriminate shelling, the barbarity of ISIS, and now a military offensive sponsored by Russia and Iran.

To reach Europe, these refugees have been preyed upon by traffickers and other criminals, some selling refugee children for sex, for slavery, or for organs. The refugees have risked drowning at sea and suffocation in locked vans, and they will soon confront the freezing temperatures and snows of winter.

While we were traveling, we heard accounts from the refugees of paying smugglers thousands of dollars to get on small boats with motors that barely work, boats built for a few but loaded with 40 to 50 refugees. I use the term "boats" loosely. What I am talking about are rubber rafts that were built to hold maybe 10 to 15 people and were loaded with 40 to 50 refugees. The Greek Coast Guard told us that refugees pay exorbitant prices for life preservers that are more like the children's inflatables that you see at swimming pools. When refugees set off from Turkey across the Aegean to Lesbos, they are instructed by the smugglers to puncture their raft with a knife if they encounter the Greek Coast Guard so that the Greeks will be forced to rescue them.

I was profoundly moved by my conversations with refugees from Syria and other conflict zones in the Middle East. It is one thing to hear about millions of Syrian refugees fleeing the war; it is something else entirely to actually meet and talk with individual refugees, including children who have been separated from their parents.

I was struck by the fact that many of these refugees have endured extreme hardship for weeks, if not years. Their future is filled with extreme uncertainty. Yet so many of them were filled with optimism and hope. In Athens, we met a 6-year-old Afghan boy who had made the trip to Greece with his 13-year-old cousin. This boy proudly gave us all sticks of gum. In Germany, we met young men from Syria—a former English teacher, a Ph.D. student, and an engineer. One young man looked ahead to a brighter future and said one day he wanted to be the President of Syria. These refugees were weary and they were anxious, but they were also deeply grateful and hopeful about their future lives in a safe, secure Europe.

Altogether, we met and talked with a couple dozen refugees. They are men, women, and children who are no different from loved ones in our own families and citizens in our own communities. They aspire to the very same things, including a decent life for their children. They told us about the desperation and despair they left behind in Syria, Iraq, and other conflict areas. Multiply these desperate stories by countless thousands of refugees—up to 10,000 entering Europe daily and more than 1 million so far this year. It adds up to a humanitarian crisis of staggering dimensions.

Now, to be sure, Europe is being challenged, but this crisis also challenges the United States and the world. At critical moments in history, the international community has faced similar challenges: Jews seeking refuge from persecution and later genocide in Nazi Germany; famine killing millions in Biafra in the late 1960s; the genocides in Cambodia, Rwanda, Darfur, and Bosnia. Faced with these crises, the world confronted a stark choice: to turn away or to engage.

The United States cannot turn away from the refugee crisis unfolding in the Middle East and Europe. On Lesbos last week, we talked with Greeks who operate small businesses that depend on tourism, which has dried up because of the crisis. They said that the refugees must be their first priority, that Greeks must help people who are in need.

In Athens, we visited a facility for refugee children run by a group called Praxis. Praxis workers told us about Afghan children being sold in Europe as sex slaves for as much as \$10,000. Praxis and scores of similar organizations are doing everything possible, with very limited means, to meet the refugees' desperate needs.

In Germany, we met with officials at the Finance Ministry and the Chancery, as well as people in and out of government who are rising to the challenge of the refugee crisis. Chancellor Angela Merkel has demonstrated extraordinary moral leadership in addressing this crisis. Millions of ordinary German citizens—indeed, people all across Europe—have mobilized to meet the needs of the refugees.

However, it was clear to me and to the other Senators in our delegation that these noble efforts are not enough. The refugee crisis is too big; the scale of human suffering and needs is overwhelming.

President Obama has offered to take in 10,000 refugees over the next year. But Germany is taking in as many as 10,000 refugees in a single day—day after day, week after week, with no end in sight. My State of New Hampshire has been welcoming to refugees fleeing conflict, as have other States. I think people are eager to do more across this country. Turkey needs to secure its borders, and it needs to crack down on smugglers and criminal gangs exploiting and trafficking in refugees. Front-

line countries, including Greece and Italy, need more resources to help process and register refugees. In fact, the same is true of Turkey, Jordan, and Lebanon, which have taken in millions of refugees.

As I said, Germany has earned our admiration for its leadership, offering to take in as many as 1 million refugees this year. But for all its resources, Germany can't do this alone. It is already reaching a point where its communities can't keep up with the influx.

We are confronting the greatest humanitarian crisis of our time. Europe is responding. The European Union will use the coming winter months, when the flow of refugees will slow, to come up with a more effective plan to share the burden and address this challenge. However, European nations, Turkey, Jordan, and other frontline states, such as Lebanon, can't meet this challenge alone. The international community must give more generous support to humanitarian efforts by the World Food Program and others. By all means, the United States, as leader of the Atlantic Alliance, must play a more robust role in addressing the refugee crisis.

I am heartened by the bipartisan bill that is sponsored by Senator GRAHAM of South Carolina and Senator LEAHY of Vermont, which would provide \$1 billion in assistance to meeting the needs of refugees. The Obama administration has proposed taking in 10,000 Syrian refugees over the next year. That is a start. It is not enough given the scale of this crisis. We have the resources to safely vet and process more refugees for asylum in the United States, even as we need to do so more efficiently.

As Senator GRAHAM said recently, "I don't see how you can lead the free world and turn your back on people who are seeking it." To turn away families fleeing violence, says Senator GRAHAM, is to "take the Statue of Liberty and tear it down . . . because we don't mean it anymore."

We also need to deal with the root of the problem, the violence in Syria. We must redouble our diplomatic efforts as well as our campaign against the Islamic State in both Syria and Iraq. Unfortunately, there is a new dimension to the chaos and conflict in Syria. In recent weeks, Russia has sent combat planes, heavy armor, and military personnel to support the regime of Bashar al-Assad. Russia is threatening to send thousands of so-called volunteer troops to Syria to fight on the frontline.

A newly aggressive and reckless Russia is a problem not only in the Middle East but also in Ukraine, where our Senate delegation visited after leaving Greece. The Ukrainians are struggling to fight corruption and build a stable democracy. But those efforts have been severely undermined by Russian subversion and aggression. President Putin was not content to invade and annex Crimea. He has also sponsored the establishment of Russian-controlled provinces in eastern Ukraine.

This conflict in the east of Ukraine is designed by Russia to destabilize democratic Ukraine and to drain its resources.

While in Kiev, our delegation met with senior government officials, including Prime Minister Yatsenyuk and President Petro Poroshenko. We were briefed on Russia's efforts on many fronts to destabilize the country. We were also briefed on Ukraine's efforts to boost its economy and to root out corruption in the country's government and institutions.

The European Union and the United States are standing by Ukraine, and this solidarity is making a difference. It appears to have moderated Russia's ambitions, at least for now. The countries of Western Europe and the United States have demanded that Russia fully implement the Minsk II agreement to contain the conflict, and we heard some encouraging signs. Elections in the breakaway provinces—elections that might have led to succession—have been delayed. Russia is redeploying light armor away from the region. But, of course, this is not adequate.

Sanctions on Russia must remain in place until President Putin and the rebels he backs fulfill all of their obligations under the Minsk II agreement. I left Ukraine with a strong sense that despite living under an ever-present threat from Russia, this is a nation that continues to stand strong and move forward. It was an honor to personally reaffirm to Ukraine's leadership and citizens that the United States is an ally and partner and that we strongly support the government's agenda of reform and modernization.

Our European allies are confronting an array of challenges unprecedented since the end of the Second World War: not only the refugee crisis but also rising threats from Russia, economies that continue to be held back by debt and austerity, and a resurgence of nationalistic and nativist political parties. However, our delegation witnessed firsthand a creative and resourceful Europe that is capable of meeting these challenges. Europe needs and deserves American support and partnership, beginning with a more robust U.S. response to the refugee crisis, which is the greatest humanitarian challenge of our time. I hope we in this Chamber and in Congress will rise in response to that challenge to do our part.

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

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

#### CYBERSECURITY INFORMATION SHARING ACT

Mr. FRANKEN. Mr. President, I rise today to talk about the Intelligence

Committee bill we are currently debating, the Cybersecurity Information Sharing Act of 2015, or CISA.

This Chamber sees its fair share of disagreements, so it is worth noting when there is something we can all agree on, and I think we can all agree on the need for congressional action on cyber security. We face ever-increasing cyber attacks from sophisticated individuals, organized crime syndicates, and foreign regimes. These attacks pose a real threat to our economy and to our national security. It is clear that we must respond to these new threats because the cost of complacency is too high, but it is critical, in deciding how we protect our information networks, that we also continue to protect the fundamental privacy rights and civil liberties of Americans. In short, there is a pressing need for meaningful, effective cyber security legislation that balances privacy and security. Unfortunately, as it now stands, the Cybersecurity Information Sharing Act falls short.

Since this legislation was first introduced, I and a number of my colleagues on both sides of the aisle have raised serious concerns about the problems the bill presents for Americans' privacy and for the effective operation of our Nation's cyber defense. My colleagues and I are not alone. Serious concerns have been raised by technologists and security experts, civil society organizations from across the political spectrum, and major tech companies, such as Apple, Dropbox, Twitter, Yelp, salesforce.com, and Mozilla. Neither the Business Software Alliance nor the Computer & Communications Industry Association supports CISA as written.

In a letter I received from the Department of Homeland Security this summer, the agency—which has a leading role in cyber security for the Federal Government—expressed concern about specific aspects of CISA. DHS explained that under the bill's approach, “the complexity—for both government and businesses—and inefficiency of any information sharing program will markedly increase.” The letter explained that CISA would do away with important privacy protections and could make it harder, not easier, to develop “a single, comprehensive picture of the range of cyber threats faced daily.”

Senator BURR and Senator FEINSTEIN, the bill managers, have worked very hard over the last months to improve various aspects of the bill, and their substitute amendment offers a significantly improved version of CISA. I really appreciate their efforts, but it is clear to me and others that the improvements did not go far enough. Major concerns raised in the letter from DHS and voiced by security experts, privacy advocates, and tech companies still have not been resolved. Let me briefly describe three of them.

First, the bill gives companies a free pass to engage in network monitoring

and information sharing activities, as well as the operation of defensive measures, in response to anything they deem a “cyber security threat,” no matter how improbable it is that it constitutes a risk of any kind.

The term “cyber security threat” is really the linchpin of this bill. Companies can monitor systems, share cyber threat indicators with one another or with the government, and deploy defensive measures to protect against any cyber security threats. So the definition of “cyber security threat” is pretty important, and the bill defines “cyber security threat” to include any action that “may result in an unauthorized effort to adversely impact” cyber security. Under this definition, companies can take action even if it is unreasonable to think that security might be compromised.

This raises serious concerns about the scope of all of the authorities granted by the bill and the privacy implications of those authorities. Security experts and advocates have warned that in this context, establishing the broadest possible definition of “cyber security threat” actually threatens to undermine security by increasing the amount of unreliable information shared with the government.

I have written an amendment, which is cosponsored by Senators LEAHY, WYDEN, and DURBIN, which would set the bar a bit higher, requiring that a threat be at least “reasonably likely” to result in an effort to adversely impact security. This standard gives companies plenty of flexibility. They don't need to be certain that an incident or event is an attack before they share information, but they should have at least determined that it is a plausible threat.

The definition of a cyber security threat isn't the only problematic provision of the bill. This brings me to the second concern that I would like to highlight. The bill provides a blanket authorization that allows companies to share information “notwithstanding any other provision of law.” As DHS explained this past summer, that statutory language “sweeps away important privacy protections.” Indeed, it means that CISA would override all existing privacy laws, from the Electronic Communications Privacy Act, ECPA, to HIPAA, a law that protects sensitive health information.

Moreover, this blanket authorization applies to sharing done with any Federal agency. Companies are free to directly share with whomever they may choose, including law enforcement and military intelligence agencies. This means that, unbeknownst to their customers, companies may share information that contains customers' personal information with NSA, FBI, and others. From a security perspective, it also means we are setting up a diffuse system. I want to emphasize this. This is setting up a diffuse system that, as DHS's letter acknowledged, is likely to be complex and inefficient, where it is