



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, THURSDAY, JANUARY 29, 2015

No. 15

House of Representatives

The House was not in session today. Its next meeting will be held on Friday, January 30, 2015, at 2 p.m.

Senate

THURSDAY, JANUARY 29, 2015

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

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord of our life, You are a shield for America. Because of Your mercy and power, we lift our heads with optimism. When we cry aloud to You during our moments of exasperation, You answer us from Your Holy mountain. We remain unafraid of what the future holds because You continue to sustain us.

Lord, pour Your blessings upon our lawmakers so they will do Your will. Begin a spiritual awakening in our Nation and let it begin with us. Help us to know You better that we might love You more and thus be more useful to the advancement of Your Kingdom on Earth.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, today we will have two stacks of votes culminating in passage of S. 1, the Keystone bill. Senators should be expected to stay close to the floor as these will be 10-minute votes. We will have five or six votes at 11 a.m. and four or five votes kicking off at 2:30 p.m.

The Senate will be in session tomorrow morning but no votes are expected. The first vote of next week will be at 5:30 p.m. on Monday.

KEYSTONE ENERGY DEBATE

Mr. MCCONNELL. Mr. President, in the past few weeks we had a whirlwind, but the Keystone jobs debate has been important for the Senate and for our country. We took about one dozen more rollcall votes on amendments yesterday. That means the Senate has now taken more than twice as many of these amendment votes on this bill alone than were offered or allowed all of last year.

We obviously had a busy afternoon yesterday, and we will continue it again today. It has been an instructive exercise, too, because we learned about more than just the lesser prairie-chicken. We also discovered something about this body. We learned that open floor debates and open amendment processes require hard work, they require dedicated Members, and they require constructive cooperation from across the aisle.

I thanked Senators HOEVEN and MURKOWSKI for their work before. I thank them again now. I note the efforts,

once again, of colleagues such as Senator CANTWELL.

The debate over these American jobs has shown that with bipartisan cooperation, it is possible to get Washington functioning again. This debate is also proving the new Congress is ready to work and work hard for the middle class, even in the teeth of opposition from powerful special interests.

Let's notch one more win for the middle class by passing this important infrastructure project. Constructing Keystone would pump literally billions into our economy. It would support thousands of good American jobs. As the President's own State Department has indicated, it would do this with minimal environmental impact.

The Keystone infrastructure project has been studied endlessly—endlessly—from almost every possible angle. The same general conclusion keeps becoming clear, build it. We need to build it.

Let's make some progress for the American people by voting to pass the Keystone jobs and infrastructure bill.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The acting minority leader is recognized.

A CONSTRUCTIVE RELATIONSHIP

Mr. DURBIN. Mr. President, let me say at the outset while the majority leader is still on the floor, it is true we have had a constructive relationship during the last several weeks as we have considered this bill. Although

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



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those of us on the Democratic side don't want to get comfortable in our minority status, we are determined to make sure it is, as described, a constructive relationship.

To that end we have not used some of the tactics we have seen in past years. We have not insisted on burning 30 hours and 60 hours at a time, causing people who subscribe to C-SPAN to call their cable operators and say why am I paying for the Senate; nothing is happening. Instead, we have tried to use that time to put together packages, bipartisan packages of amendments and we have been successful.

I hope we can continue with that. As long as there is mutual respect, good faith, and cooperation, I look forward to in my role—as soon as Senator REID returns—as the whip on the Democratic side to do our best to continue this constructive relationship.

I have said it before and I will say it again. What we have seen over the last several weeks is the Senate I remember, the Senate I was elected to, the Senate where there was active debate, deliberation, amendments. For some Members, it is a new experience. I hope in our role as the minority we can work with the Senators with a feeling of mutual respect to achieve at least debate on the floor, if not some significant legislation.

Mr. MCCONNELL. If the Senator would yield.

Mr. DURBIN. I would be happy to yield.

Mr. MCCONNELL. I thank the Senator from Illinois for his comments. I agree, this has been good for the Senate, good for both parties, and good for America. We are getting back to normal, and I thank the Senator for his comments and for his cooperation.

Mr. DURBIN. I thank the majority leader.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, 29 days from today, on February 27, the Department of Homeland Security of the United States of America will run out of money. The only way to prevent this is for Congress to pass legislation to fund this Department. We should not even be debating whether we are going to fund the Department that protects America from terrorism threats, but that is fact.

Republicans in the House, when we did the budget bill, insisted that we would fund the entire Federal Government through September 30, except for the Department of Homeland Security. The reason they withheld regular budget funding for that Department was they wanted to make a political point. They are angered at President Obama for stepping forward with Executive orders on the issue of immigration, even though the same House Republicans have refused for over a year and a half to call the comprehensive immigration reform bill that passed this Senate on

a bipartisan basis and refused for over a year and a half to address any aspect of immigration. In a fit of pique they said: We are so angry President Obama is going to do something by way of Executive order, we are going to withhold regular funding from the Department that protects America from terrorism.

What were they thinking? Look at the world we live in: a world of Charlie Hebdo, a world of beheading of Japanese journalists, a world that is in danger of terrorist threat, and the United States has felt that danger. We will never forget what happened on 9/11. After that experience, we made the Department of Homeland Security a critical, viable part of America's defense against terrorism.

The Republicans have said: No, before we fund this agency, we have to have five riders on the appropriations bill that attack President Obama. Then we might consider giving regular funding to this Department. One aspect of those riders is particularly troubling.

It was 14 years ago that I introduced the DREAM Act, a simple concept. Children brought to the United States by their parents who are undocumented should be given a chance—simple. Children who were brought to the United States as infants and toddlers and had no voice in the decision of their family and end up here undocumented should be given a chance—a chance to complete school, to be good citizens, to go on to college, to serve in the military, and then a path to legal status. It is not a radical idea.

At times many Republicans have openly supported the DREAM Act. When we couldn't pass it I appealed to the President, at least protect these DREAMers from being deported. These kids did nothing wrong. They were brought here by their parents. Why hold these children accountable? The President agreed and 2½ years ago created DACA.

DACA is an Executive order that says to these young people who would otherwise qualify for the DREAM Act, you come forward, you identify yourself, you let us make sure you have no criminal record that would be of worry to anyone, pay your fee, and we will allow you to temporarily stay in the United States as a student or a worker without being deported. It is just that simple.

We estimate 2 million young children are eligible for the DREAM Act—2 million—and 600,000 have already registered under DACA, the President's Executive order.

What did the House Republicans say? They said, before we will fund the Department of Homeland Security protecting America against terrorism, you have to deport the DREAMers, refuse to renew the DACA protection for 600,000 who have signed up, and refuse to allow any new young person to sign up for this protection.

I have come to the floor for a long period of time and I will continue to be because I want people to know what the

DREAM Act means. It is something, I guess, of significance to stand and give a speech, but it truly doesn't touch people until they hear actual stories.

The story I wish to tell today is of a young woman whom I know. I was just with her in Chicago. Her name is Karen Villagomez. She was brought to the United States at the age of 2. Incidentally, that was the same age my mother was brought to the United States as an immigrant.

Karen was brought here at the age of 2 from Mexico. She grew up in Chicago. She was an outstanding student, and she always had an interest in public service. In May of 2012 she graduated from the University of Rochester in New York with a major in political science. She was not only the first person in her family to graduate from a 4-year college—because Karen Villagomez is undocumented, she didn't receive one penny of government assistance. She made it through college on her own without any help because as an undocumented young woman that was the only chance she had.

Just 1 month after she graduated, President Obama created the DACA Program. After she applied and cleared and received DACA protection from deportation, she found a job as a paralegal in a law firm in Chicago, where she has been working for the last 2 years.

I saw her 1 week ago Friday. She was in Chicago, and she is amazing. She served as an intern in my office. She is one of the brightest, most engaging people one could meet. She looked me in the eye and said: Senator, I am going to law school. I have just been accepted. She is supposed to start this fall. But if the House Republicans have their way, this fall she will find herself being deported from the United States of America.

Think about it. All we have invested in her, all we have put into her life in terms of education, not only K-12 but a college degree now, and the House Republicans would say to Karen Villagomez: Thank you for being part of America, but no thanks, leave. Take whatever skills you have, whatever determination you have to make a difference and take it someplace else. America doesn't need your idealism, the House Republicans say.

I couldn't disagree with them more. If they have their way, Karen would never attend law school. She will never be an attorney. She will be deported back to Mexico, a country she hasn't lived in since she was 2 years old.

Karen got up every morning in the classroom—just as we do on the Senate floor—and pledged allegiance to that flag. That is the only flag she knows. When she sings the national anthem, it is not the national anthem of Mexico, it is the national anthem of the United States of America. Karen wants to be part of the future of this country.

Two weeks ago when she joined me at Erie House in Chicago for a press conference, this is what she said:

DACA represents the values and heritage of this country of immigrants; it was the right thing to do and it has changed my life by replacing fear with hope. This executive action gave me an overwhelming sense of relief and hope. It lifted me from the shadows.

Karen's is one of 2 million stories of eligible young people who want to be part of the future of America.

It is time for the Senate to say no to the House on a bipartisan basis. It is time for us to reject this hate-filled amendment process they engaged in that put five riders on this appropriations bill to penalize young people such as Karen Villagomez.

Is that the face of the Republican Party of America—deporting Karen Villagomez and saying to her and others: You are not welcome in America. Leave.

I don't think so. There are many Republicans who come to me and say: I support the DREAM Act. So let's support the DREAM Act. This is their chance. Step up and defeat these horrible riders that were attached to this appropriations bill by the House Republicans. Step up and give us a chance as a nation to renew our commitment to our diversity, to our heritage as a nation of immigrants, and to renew our commitment to young people such as Karen, whom we have told: If you work hard against the odds and succeed, we want you to be part of our future.

CUBA

Mr. DURBIN. Mr. President, earlier this month I had a chance to visit Cuba with a delegation of Senators and House Members. We met with Cuban Archbishop Jaime Ortega, who shared the wonderful story of Pope Francis's efforts to improve relations between the United States and Cuba and to secure the release of American prisoner Alan Gross.

We met with many Cuban reformers and activists, Cuban Foreign Minister Bruno Rodriguez, foreign ambassadors from many countries, various ministry officials, agriculture, telecommunications, science and technology, and the environment—all areas of considerable potential for the greater U.S.-Cuban cooperation.

Our visit came 1 month after President Obama secured the release of Alan Gross and made the historic decision to restore full diplomatic relations with Cuba and begin rolling back over 50 years of failed policies toward that island.

As I have said many times, I am not a fan of the Castro regime. It has a troubling history of human rights abuse and suppressing peaceful political dissent. It has squandered the talents of so many of its own people with a frozen economic and political system, and it has refused to provide a full accounting of the tragic death of Cuban activist and patriot Oswaldo Paya.

But I have also argued that our policy toward Cuba, which has spanned 11 different U.S. Presidents, has failed—

and failed miserably—to bring reform and change in Cuba. Our policy toward Cuba has also hurt the United States and our diplomatic standing in the rest of Latin America and the Caribbean, where many—fairly or unfairly—regard U.S.-Cuban policy as an outdated relic of the Cold War.

So I was delighted and fully supportive when President Obama took this bold move. During my visit I could already see the dividends, most notably in the expressions of hope by the Cuban people. If you go down the streets of Havana, on their pedicabs there are American flags. That would have been unthinkable 2 months ago. Now it is part of their statement that it is time for a new relationship between Cuba and the United States.

As one Cuban activist starkly told me, her talks with others around the island highlighted something she thought had been lost to the Cuban people—a sense of hope.

We need to do all we can to fulfill the hopes of the Cuban people, and one easy way is to provide greater engagement with America, with ideas, with energy, with the vibrancy that our Nation can offer.

I am going to join today with my colleagues: Republican Senators FLAKE, ENZI, MORAN, and BOOZMAN, as well as Democratic Senators LEAHY, UDALL, and WHITEHOUSE, to introduce legislation that will lift the remaining travel restrictions on American travel to Cuba. Representatives SANFORD and MCGOVERN will have a similar bill in the House.

President Obama recently eased these restrictions, but we need to do our part in Congress. It is not only the right thing for the Cuban people; it is the right thing for America. Americans shouldn't have restrictions on their freedom to travel. We don't restrict Americans from traveling to nations with whom we fought wars such as Vietnam, and we don't restrict Americans from traveling to countries with troubling regimes—North Korea, Iran, and Uzbekistan.

During the height of the Cold War, Americans were allowed to travel to the Soviet Union. So why not Cuba? Why do we still isolate this country? Some say that this is a repressive regime, and we don't want to show recognition to this regime.

It is just within this week that our President visited Saudi Arabia to attend the memorial service for the late King of that country. I would daresay there are aspects of the human rights policy of Saudi Arabia which aren't even close to American standards, and yet we consider them a valuable ally.

There is also a lesson in history. When the Soviet Union started to come down, it was cracking on the edges, in the Baltics, and in the Warsaw Pact. As the other republics saw the outside world, they saw the opportunity and the need for change.

We have not prevailed with isolation. Let's engage the Cuban people. Let's

engage their economy. Let's engage their minds in thinking about a 21st century far different than the dark days of communism which they have lived under for so many decades.

I know that several of my colleagues here—particularly those of Cuban descent—have strong, strong personal and family feelings about our relationship with Cuba. I don't diminish that one bit. There is real suffering that has taken place by their families and many others.

But I hope we can look to the future, look to the next generation, and look to the possibility that we can engage Cuba in a positive way. Ultimately, it will be this new flow of American engagement and ideas that will help open Cuba and improve the lives of their people.

Certainly, we ought to try something different. There have been 50 years of isolation, and those 50 years have not worked. Today we are taking the first few steps on a path which I strongly support.

I yield the floor.

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 for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Democrats controlling the first half and the Republicans controlling the final half.

The Senator from Delaware.

CUBA

Mr. CARPER. Mr. President, while Senator DURBIN is still on the floor, I wish to say very briefly that we came to the House of Representatives a few years ago in 1983, and we didn't get a lot of time to speak on the House floor—maybe 1 minute a day if we were lucky. We would say when we were debating, when we agreed with somebody: I would like to be associated with the remarks of the gentleman from Illinois.

I would very much like to be associated with the remarks of the Senator from Illinois.

I served three tours in Southeast Asia during the Vietnam war. We have most-favored-nation trading status, and they enjoy most-favored-nation trading status with us today.

I like to work out and run. I like to run in the mornings. The mornings I stay here, I run down to the Lincoln Memorial, come back by the Vietnam Veterans Memorial, and I am reminded of the 55,000 lives that we lost in that war. Yet we enjoy normal diplomatic relations with that country, and they

enjoy most-favored-nation status with us. If we can come to this point with Vietnam—after all the loss of life and cost—we should certainly be able to move things along with Cuba. So I applaud what the Senator has said.

Mr. President, I ask unanimous consent that I be added as a cosponsor to S. 299.

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. CARPER. Mr. President, I urge my colleagues to bring a clean fiscal year 2015 bill for the Department of Homeland Security to the Senate floor as soon as possible.

Earlier this month the world watched in horror as terrorists massacred journalists and other innocent civilians in and around Paris. In December we were stunned as computers at a major corporation, Sony Entertainment, were attacked by North Korea. Over the past year, as recently as last week, in fact, we witnessed brutal executions at the hands of the Islamic State of Iraq and the Levant.

These events illustrate all too well that the threats faced today by America and by our allies are real. As a former chairman and now ranking member of the Homeland Security and Governmental Affairs Committee, I know this to be the case.

Nearly 12 years ago, in the wake of the terrorist attacks of 9/11, Congress created the Department of Homeland Security—we call it DHS—to help secure our Nation and to help ensure that our Nation is protected against these continuing and evolving threats.

Given the origins of the Department, the work the men and women do there every day to keep us safe, and the grave nature of the threats our country faces, it is shocking to me and disappointing to me that we are here today having this debate.

We are now discussing ways we can make the Department and its employees more effective. We are not discussing how we can enable them to work better. Senator Coburn and those with whom we served in the last Congress did that throughout the year.

Senator JOHNSON and I did that just yesterday with our first hearing on the Homeland Security and Governmental Affairs Committee this year. Unbelievably, as we focused on cyber security attacks, we are debating whether to give this key national security agency funding for the remainder of the fiscal year.

In order for that Department to efficiently and effectively carry out its critical role, it needs adequate and reliable funding. They need it. Another short-term budget—or even worse, another shutdown—would be bad for the Department and bad for employee morale—very bad. More importantly, though, it would pose a grave threat to our security.

Instead of sending us a straightforward clean funding bill for the Department, the House has unfortunately sent us a bill that includes a number of amendments aimed at undermining the President's immigration policies.

Many of our colleagues on both sides have significant concerns with these amendments, and the President has indicated that he would veto the funding bill if the amendments stay attached to it. Thus, these amendments jeopardize passage of the bill, and they threaten to prolong the crippling budget uncertainty the Department of Homeland Security has operated under.

The Department of Homeland Security already has a lot to say grace over. We do them no favor by playing games with their budget.

I understand why some of our colleagues are upset about the President's immigration policies, and we should have a debate about those concerns. But first we should be doing what we have been asked to do by giving the Department of Homeland Security the resources that it needs to keep Americans safe in an ever more dangerous world.

Two of our colleagues, Senator JEANNE SHAHEEN and BARBARA MIKULSKI, have introduced a clean appropriations bill that mirrors funding provisions of the House bill. Overall, funding provisions in their bill, S. 272—which I understand both Democrats and Republicans on the Appropriations Committee agreed to last year, last December—in fact, provides for \$39.6 billion in discretionary funding for the Department of Homeland Security. That is an increase of \$400 million above last year's funding, but this measure is more than just a funding bill.

To my colleagues who want to do what we can now to protect our country from the kinds of attacks we have been seeing around the world of late, I say: Support a clean DHS funding bill.

To our colleagues who want reforms at the U.S. Secret Service, I say: Support a clean DHS funding bill. A clean bill would provide the resources the Secret Service needs to carry out much-needed reforms in the wake of the most recent White House fence-jumper incident and other security lapses.

To my colleagues whose States need to recover from this week's blizzards or to prepare for the next storm, let me just say: Support a clean DHS funding bill.

We need to ensure that FEMA and our States have access to nearly \$2.6 billion in grants to respond to future disasters—both natural and manmade.

To my colleagues who want stronger border security and immigration enforcement, a clean DHS funding bill is what we ought to be rallying around. The clean bill put forward by Senator SHAHEEN and MIKULSKI would take additional measures to secure our border and enforce our immigration laws, something I know is a priority to me and, I think, to all of our colleagues. In fact, most of the funding increase in

the Shaheen-Mikulski bill would go to border security and immigration enforcement.

The bill our colleagues have put forward contains a little more than \$10 billion for Customs and Border Protection, an increase of approximately \$118 million above last year's enacted level. This funding level would support the largest operational force level for the Agency in its history—maintaining over 21,000 Border Patrol agents and supporting the new funding level for nearly 24,000 officers.

The Shaheen-Mikulski bill would also enable Customs and Border Protection to fly more patrols along our maritime and land borders and to continue purchasing new force-multiplying gear and equipment. It would also increase funding for critical surveillance technologies along our border, especially along areas such as the Rio Grande Valley, by some \$20 million.

As our colleagues will recall, last year our Nation saw tens of thousands of unaccompanied minors and families from Central America come to our southern border. This clean full-year funding bill would provide Immigration and Customs Enforcement \$689 million more than last year's funding to help address the additional needs associated with that surge. Specifically, it includes \$3.4 billion for immigration detention and funds 34,000 adult detention beds.

The Shaheen-Mikulski bill would also fully fund the employment eligibility verification system, known as E-Verify, which helps businesses to ensure they are hiring legal employees.

Homeland Security Secretary Jeh Johnson recently said—and I fully agree with him—that to deny his Department full-year funding would actually hurt our border security.

We cannot continue to default to short-term continuing resolutions and force the Department to cut corners and scramble to fund its highest priorities. As we have learned over these years, stopgap crisis budgeting is an egregious waste of money. Let me say that again—an egregious waste of money. By shutting down the Department or keeping it on a continuing resolution, we will waste tens of millions of taxpayer dollars, including the cost of renegotiating contracts, lost employee and contractor productivity, and lost training. For example, it would delay the award of a \$600 million contract to build a national security cutter that the Coast Guard needs.

But there is more than just a financial impact. The dramatic consequences of failing to provide full-year funding for the Department will be felt throughout our country. While most of the Department's workforce will continue to perform essential functions in the event of a shutdown, the bulk of its management and administrative support activities would cease and front-line personnel would not receive the support they need. It would be like trying to fight a war without planners,

without logistics, and without supplies. It would be like us here in the Senate working without our staffs. We might be able to find a way to get our work done, but we wouldn't be as effective. And those at DHS who are required to come to work if a shutdown were to occur would not be paid until Congress restores funding. Essentially, a large part of our Federal homeland security efforts would be operating under an IOU.

A stopgap budget or a shutdown would also further degrade employee morale at the Department of Homeland Security. As many of us know, the Department continues to rank dead last—dead last—among all other large Federal agencies when it comes to workforce morale.

While Secretary Johnson, Deputy Secretary Mayorkas, and their team are taking important steps to make the agency a better place to work—and we are helping them—the Department still lacks a strong sense of cohesion and a sense of team. But Congress too has a responsibility. Providing this large and complex agency the funding it needs would be a terrific next step.

If my colleagues and I expect the Department of Homeland Security and other Federal agencies to show improved outcomes, we cannot continue to play games with their budgets and expect them to not feel the negative consequences. No business owner or manager could be expected to be effective and efficient under these conditions. The leadership of the Department of Homeland Security is no exception.

A clean Homeland Security funding bill for the rest of the fiscal year is the fiscally responsible step to take. If we deny them that funding, we will not be punishing the President. In a sense, we will be punishing a number of the employees. But most of all we will be punishing taxpayers because we are wasting their money and we are diminishing and reducing the kind of security they need in this country today.

Let me just say, don't take my word for this. Our good friend Tom Ridge, the first Secretary of Homeland Security and a former Republican Governor, with whom I served, said:

I would be very, very disappointed if I were Secretary, and the Democrats did it to me . . . It's pretty difficult to plan long term when you don't know exactly how much you're going to have available and what strings might be attached to it. Give them the funding they need.

And I would say to our Republican colleagues, give them the funding they need.

For these reasons, I urge our colleagues in the Senate to join me in doing the right thing in supporting passage of a clean full-year appropriations bill for the Department of Homeland Security and rejecting the amendments approved by the House. It would be irresponsible for us to continue kicking the can down the road when it comes to national security, and we cer-

tainly cannot afford to let this vital agency's funding run out.

I ask my colleagues to think about what we are trying to accomplish by failing to provide the Department of Homeland Security with the funds they need to operate. The American voters sent Congress a clear message on election day. This is what they said: They want us to work together. They want us to get things done. And they especially want us to enhance our economic recovery. Given recent events around the world, they also want us to do all we can to keep them and their families safe. We need to show Americans through our actions here in Washington that we have heard them.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

Mr. CARDIN. Mr. President, let me first thank Senator CARPER for his comments on the need for us to pass a homeland security appropriations bill.

I think our constituents would be surprised to learn that we have not passed an appropriations bill that funds for this fiscal year the Department of Homeland Security, a critically important agency that keeps us safe.

We know the challenges around the world. We know the challenges to our homeland. Yet we haven't passed a full-year Homeland Security bill. Instead, we have legislation that has come over from the House that is more interested in picking political fights on immigration policy—when we should be together on immigration policy—and holding up the funding for Homeland Security.

I thank Senator CARPER, who is the ranking Democrat on that committee, for bringing to our attention that the best thing for us to do is to take up the Shaheen-Mikulski bill, which is a clean reauthorization of the appropriations for this year, so we can get through this year, and then we can debate immigration on an immigration bill, debate next year's budget on a budget bill, and not have the politics of the House interfere with the funding for Homeland Security.

70TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ AND BIRKENAU

Mr. CARDIN. Mr. President, I take this time to bring to my colleagues' attention that January 27 represented the 70th anniversary of the liberation of Auschwitz and Birkenau—Auschwitz, the concentration camp that became a death camp; and Birkenau, a death camp, located in Poland, that was liberated by the Allied Forces on January 27, 1945.

There were 1.3 million Jews, Poles, and other minorities who were deported to Auschwitz and Birkenau between 1940 and 1945. Of that 1.3 million, 1.1 million died in these camps.

I had a chance in 2004 to visit both Auschwitz and Birkenau, and it was

emotionally draining. It was a site that is hard to imagine, to see the cruelty and the barbaric activities of humans against other humans. From looking at the rooms in which medical experiments were done on human beings, who ultimately died, to seeing the gas chambers, it very much affected my perspective on humanity and life.

In the United States we are blessed. I can practice my religion and don't have to fear losing my head. I can disagree with my government and know I am not going to be locked up for doing it. We should never take those liberties for granted. I think our freedoms give us a special responsibility to make sure that when we say never again, that it becomes a reality, that it becomes real.

We also have a responsibility to remember the victims of the Holocaust. In the Jewish religion, we have Yom Hashoah, a separate day set aside to recognize that. We need to learn from the survivors. I will always remember the times I had a chance to talk to Leo Bretholz. He was a constituent of mine who escaped the trains taking him to Auschwitz. He was an inspiration to all of us who learned more about the circumstances surrounding the Holocaust. Unfortunately, he passed away last year. Leo advocated for the repatriation of victims, particularly from the French railway SNCF, and we were ultimately successful in getting those funds.

This all underscores the importance of Holocaust education. When we say never again, let's always remember what happened over 70 years ago under Nazi rule. Let's have Holocaust education so young people understand the consequences of the cruelty and the consequences of not getting engaged.

Let's also help the survivors. I very much want to acknowledge that in the United States we have many survivors from the Holocaust, and over half of them live under the Federal poverty line. They are so fearful of being institutionalized, and we can understand that. I thank Senator MIKULSKI and the appropriators for putting money in the omnibus appropriations bill last year to help provide assistance so these survivors can get the services they are entitled to under our law. Sometimes they can't work their way through it. I was proud to help in those efforts.

I also thank Vice President BIDEN for his leadership in the Obama administration.

I thank those on the Health, Education, Labor and Pensions Committee in the Older Americans Act reauthorization that was acted on this week because they include services for Holocaust survivors so that they will have easier access to government services.

Lastly, let me thank Senators MIKULSKI and KIRK. I joined both of them in a Senate resolution to commemorate the 70th anniversary of the liberation of Auschwitz and Birkenau. The Senate Foreign Relations Committee that I serve on unanimously approved that resolution for consideration on

the Senate floor, and I thank Senators CORKER and MENENDEZ for their help.

As I think most Members of this body know, I have been an active participant in the Helsinki Commission. I am the democratic leader, working with Senator WICKER. The Helsinki Commission is known for its participation in the Organization for Security and Co-operation in Europe, but I think it is best known because we put a spotlight on human rights issues. We try to live up to that motto “never again.” We try to say we will not let violations of basic human rights go unchallenged.

So on this 70th anniversary of the liberation of Auschwitz and Birkenau, which are the iconic symbols today of the Holocaust, let's rededicate ourselves to making sure that “never again” becomes a reality.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise first to thank my colleague from Maryland for his eloquent words on the Holocaust and the survivors of the Holocaust and the compelling voices that came out of those death camps.

In addition, my colleague has always been a champion for human rights, whether it is on the Helsinki Commission, whether it is his advocacy to let Soviet Jews get out of the Soviet Union. Where people are repressed or facing attacks or persecution, he has always been on their side, and also actually meeting with the Holocaust survivors in our own community to bring a lot of attention to what we can do and to actually putting money in the Federal checkbook.

With all that effort at survival and making it to the United States, the survivors of the Holocaust, who were children then and would now be in their eighties and nineties—imagine that—should not live in poverty, they should not fear institutionalization, and they should not fear destitution. So I thank my colleague for his advocacy, and I look forward to working with him on this and also say “never again.”

DEPARTMENT OF HOMELAND SECURITY FUNDING

Ms. MIKULSKI. Mr. President, I come to the floor as the ranking member of the Appropriations Committee, and I come to ask my colleagues to bring to the floor and pass a clean Homeland Security appropriations bill for fiscal year 2015.

This isn't just Senator BARB MIKULSKI calling for this but also the former heads of Homeland Security under President Bush and also under President Obama. The very first head of that agency, Gov. Tom Ridge, along with Mr. Chertoff and Janet Napolitano, have written to HARRY REID and MITCH MCCONNELL and said: Please, as former Secretaries of Homeland Security, we write to you today to respect-

fully request that you consider decoupling critical legislation to fund the Department of Homeland Security for fiscal year 2015 from a legislative response to President Obama's actions on immigration.

They feel that:

... by tethering a bill to fund DHS in FY 2015 to a legislative response to the President's executive actions on immigration ...

—it could lead to a shutdown of Homeland Security.

We don't want a shutdown.

I won't go through the entire letter. They conclude with:

It is imperative that we ensure that DHS is ready, willing, and able to protect the American people. To that end, we urge you not to risk the funding for the operations that protect every American and to pass a clean DHS funding bill.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

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

HON. MITCH MCCONNELL,
U.S. Senate Majority Leader,
Washington, DC.

HON. HARRY REID,
U.S. Senate Minority Leader,
Washington, DC.

As former U.S. Secretaries of Homeland Security, we write to you today to respectfully request that you consider decoupling critical legislation to fund the Department of Homeland Security (DHS) in Fiscal Year (FY) 2015 from a legislative response to President Obama's executive actions on immigration.

As the recent terrorist attacks in Paris and the cyber-attacks on a major American corporation and on the U.S. Military's Central Command remind us, the threats facing the U.S. are very real. The national security role that DHS plays, and by extension the funding that allows it to carry out its vital national security mission, is critical to ensuring that our nation is safe from harm. Funding for the DHS is used to protect our ports and our borders; to secure our air travel and cargo; to protect the federal government and our nation's information, technology, and infrastructure from cyber-attacks; to fund essential law enforcement activities; to guard against violent extremists; to mobilize response networks after emergencies; and to ensure the safety of the president and national leaders.

Moreover, we appreciate that Congress possesses the authority to authorize and appropriate funds expended by the federal government. We do not question your desire to have a larger debate about the nation's immigration laws. However, we cannot emphasize enough that the DHS's responsibilities are much broader than its responsibility to oversee the federal immigration agencies and to protect our borders. And funding for the entire agency should not be put in jeopardy by the debate about immigration. The President has said very publicly that he will “oppose any legislative effort to undermine the executive actions that he” has taken on immigration. Therefore, by tethering a bill to fund DHS in FY 2015 to a legislative response to the President's executive actions on immigration, the likelihood of a Department of Homeland Security shutdown increases.

It is imperative that we ensure that DHS is ready, willing, and able to protect the American people. To that end, we urge you not to risk funding for the operations that protect every American and to pass a clean DHS funding bill.

Sincerely,

MICHAEL CHERTOFF.
TOM RIDGE.
JANET NAPOLITANO.

Ms. MIKULSKI. Mr. President, the Department of Homeland Security was established right after the terrible attack on the United States of America on September 11, 2001.

The Department of Homeland Security is a big agency, but protecting the homeland is a big job, and DHS employees are on the job every day: the Coast Guard safeguarding our waterways; Secret Service, not only protecting the President, the First Family, the Vice President, but also doing other important tasks; the Border Patrol and ICE—Immigration and Customs Enforcement—securing our borders against smugglers, traffickers, and other illegal immigrants; cyber warriors—people protecting us against bio and nuclear threats, and then also working with the first responders; FEMA—everything to protecting us in the event of an attack on the homeland, to having readiness and response and shelters and so on, to helping us now in hurricanes and blizzards such as we are facing in the northeast. It all helps State and local responders to have the resources they need to be able to respond at the local level.

The Firefighters Grant Program is so beloved in our communities where, through competitive exercise, they can go for grants to buy respiratory equipment, the new firetrucks and so on that they need. In my community, they can't come up with this equipment on just fish fries and pancake breakfasts. We need a government on our side. Unfortunately, the Department of Homeland Security funding runs out on February 27.

Now let me give the background.

When we came back in September, facing the fact we had to have a continuing resolution to get us through the fiscal year and the election cycle, the Congress passed legislation, and then on December 13 when we did the omnibus, we passed an omnibus bill for every single agency with the exception of Homeland Security. So every single agency, from the Department of Defense to the Department of Health and Human Services, Education, the weather services, all of these important programs, NIH, were funded through the fiscal year. But we put Homeland Security on a CR because there was an intense and actually very prickly concern over the President's Executive action on immigration. So rather than hold up the whole funding of the United States of America over tantrum politics over Obama's Executive action on immigration, we went to a CR, a continuing resolution, on Homeland Security. The Homeland Security was to take us to February 27, where wiser heads—and now complete control by the Republican Party—would be able to move this for full funding.

So where are we? Well, during that time in December, as the chair of the

Committee on Appropriations, with my vice chairman Senator RICHARD SHELBY, Senator DAN COATS, and the Subcommittee on Homeland Security, Senator DAN COATS and Senator Mary Landrieu, we came up with a fiscal framework. So did the House. They came up with it. So the very money that we put into the CR and the clean bill that Senator SHAHEEN—now the ranking member—and I had, has the funding for Homeland Security that Homeland Security says it needs and we have arrived at on a bipartisan basis.

If in fact we are allowed to bring up a clean bill, we have agreed on the money. There is no dispute over the money. We have looked very carefully at it. We worked on a bipartisan basis. We worked on a bicameral basis. We are ready to go. What will slow us down is if we get into an intense debate on immigration and riders to try to stop the activities of President Obama.

I strongly recommend to my colleagues: Do not play politics with the security of the United States of America. We were all horror stricken at what happened in Paris. We are repulsed at what is going on with ISIL. We are very concerned about lone-wolf attacks. We worry—and the chair of the authorizing committee on Homeland Security in the House has said: They are coming here, they are coming here, they are on their way. We have got to be ready. Well, one of the ways we have got to be ready is to make sure the resources in Homeland Security are funded and that they are not worried about a shutdown, showdown, slamdown politics over a fight on immigration.

Should we have a discussion on immigration? You bet. Should we even have an outright robust debate on it? I am all for it. But leave Homeland Security alone. Pass the money bill. If you disagree with the money, argue over that. But if you want to fight over immigration policy, that is another debate for another day in another way.

The Nation faces growing threats where Americans are endangered at home and abroad. Terrorists are threatening us with bombs and guns, and lone wolves in Ottawa, organized radicals in Paris, cyber criminals with backing from nation states and organized crime.

In terms of the Secret Service, we have the need to reform the Secret Service. We have fence jumpers at the White House, drones landing on the White House lawn.

In the face of these threats, the Republican majority's response is to hold the funding of Homeland Security up to pick a fight with the President over immigration. Uncertainty undermines security. Let's give the Agency certainty of funding.

We are 4 months into the fiscal year. Another continuing funding resolution would be the fifth continuing resolution. That is no way to run an agency so big, so complicated.

Senator COATS and Senator Landrieu and our House colleagues worked so well to come up with the bill. They provide resources for DHS, with the total funding of \$39.7 billion, an increase of over \$400 million above the fiscal year 2014. We could pass that today. We could pass it on Monday, we could pass it on Tuesday.

All of my Democratic colleagues and I wrote a letter to Senator MCCONNELL asking him to schedule an immediate vote on a clean vote on Homeland Security. Well, let's see where we go on that.

What we have here, the clean bill offered by Senator SHAHEEN—now the ranking member on the Homeland Security Subcommittee on Appropriations—and I have a compromise funding bill that gives certainty to the people who work on the front lines to secure the Nation, whether it is securing the border, whether it is building capacity to meet agricultural and biological threats, whether it is replacing aging nuclear detection equipment, also helping our Coast Guard build their national security cutter so the Coast Guard can protect us against drug runners, pirates, terrorists.

More than any other specific increase, enacting a clean Homeland Security bill shows the Congress and the Nation value. We do value security, and we value the men and women who work every day to provide us with that security. Uncertainty jeopardizes security. We value them.

I urge my colleagues to put their money where their mouths are to enact a clean homeland security bill, and not to get into this whole debate with immigration.

I look forward—as we wrap up the debate on the Keystone Pipeline, we then take up Homeland Security and we take up a clean bill.

I yield the floor.

I suggest the absence of a quorum.

Mr. BOOZMAN addressed the Chair.

The PRESIDING OFFICER. Will the Senator withhold?

Ms. MIKULSKI. Mr. President, I would say to the Senator from Arkansas, my time was delayed. I hope I have not slowed the Senator down this morning. I didn't realize you were here.

Mr. BOOZMAN. No, No. I thank the Senator. Everything is fine. We appreciate the Senator, as always.

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING LIEUTENANT COLONEL STEVE GRAY, RETIRED

Mr. BOOZMAN. Mr. President, I wish to take a few moments to honor a true champion of veterans, retired Lt. Col. Steve Gray, who is set to retire from public service at the end of this month after nearly 16 years of helping his fellow veterans in Arkansas.

Since I came to Washington 13 years ago, Steve has served on my staff advocating for the needs of servicemembers and veterans across the Nation.

He has been a trusted aide whose reputation in Arkansas's veterans community is second to none. His passion and advocacy has resulted in better service offerings at veterans facilities across Arkansas. It is reflected in the lives that he has helped make better by solving an individual's problems at the VA.

If Steve was able to track down military medals a veteran earned but never received, those medals weren't just dropped in the mail. Steve would crisscross the State, personally delivering them, dressed in his Air Force blues, and present them with the stories of the veteran's time in service.

A veteran himself, Steve served honorably in the Air Force as a tactical air controller, with assignments as director of operations and commander in Virginia, Vietnam, California, Utah, Florida, Colorado, Kansas, and Iceland.

He also served as national director for the National Guard recruiting, retention, and advertising at the Pentagon. His final assignment before retiring with the rank of lieutenant colonel was in Germany where he served as an adviser to the commander and chief of the Air Force in Europe.

Along with the work he does in an official capacity, Steve is active in a number of veterans service organizations, including the American Legion and the Wounded Warrior Program.

He has served as vice president of the Arkansas Council of Military Officers Association of America.

I am excited for Steve as he embarks on the next chapter of his life, but we are losing a fantastic advocate for Arkansas veterans. However, I know that my staff will continue to provide the best possible service to Arkansas's veterans as we have the blueprint on how to do it right, thanks to Steve. He has literally set the gold standard on how to deliver for veterans.

I know also that in retirement Steve does not mean to fade from sight. Steve is not the slowing-down type of personality. Certainly he will take some time to travel with his wife Sharon in their retired life. But along with the relaxation, Steve has grand plans to travel the country singing at veterans retirement homes, and he intends to stay active with the Arkansas Veterans Coalition. This is his calling, his passion, and I am quite certain Steve will continue to work with the veterans community for years to come.

Thank you, Steve, for your service in uniform, your dedication to your fellow veterans, and most of all thank you for your friendship.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The senior Senator from South Dakota.

HELPING THE MIDDLE CLASS

Mr. THUNE. Mr. President, last week President Obama came over to Congress to deliver his annual State of the Union Address. His speech focused heavily on something Republicans have

been talking about for the last 6 years: helping the middle class. Occasionally the President even sounded as if he had stolen a line from Republicans, which I can assure you Republicans were happy to provide.

Seriously, Republicans were glad to hear the President pivoting back to the middle class. Providing relief for the middle class is the Republican priority in the new Congress and we are eager to work with the President to get things done for American families.

Unfortunately the President's speech didn't show the same willingness to work together. In fact, Wolf Blitzer from CNN said: "I don't remember a State of the Union Address where I heard a President issue so many veto threats to the opposite party in the United States Congress."

While it was good to hear the President focus on the middle class, his actual proposals for helping them left much to be desired, because unfortunately they were more of the same top-down, big government policies that have failed to help Americans over the past 6 years. For example, the President proposed a new tax on middle-class families' college savings accounts—the last thing families need when they want to save for their children to go to college. Fortunately, the President because he received so much pressure has been forced to withdraw this particular proposal, but his speech contained a lot of other proposals that would not provide the help American families need.

If there is anything the past 6 years have shown, it is that big government is not the solution to our economic challenges. In fact, it is the cause of many of our economic problems.

Take a look at ObamaCare. A Gallup poll released last week found that health care costs are one of American families' top two concerns. It is no wonder. ObamaCare was supposed to help our Nation's health care problems. It was supposed to drive down premiums and make health care more affordable. Instead, it has generally done the opposite.

Since ObamaCare became law in 2010, health care premiums have risen. Millions of Americans have lost their health insurance plans. Others have lost access to doctors or to convenient hospitals. Still others are stuck in insurance plans paying more for less coverage. Then of course there are all the problems the law has created for workers and businesses and the pain millions of Americans will be feeling this tax season when they discover they owe the government money from their ObamaCare subsidies or that they must pay a tax penalty for failing to have government-approved health insurance.

The American Action Forum recently ran the numbers and estimated that 6,000 people in South Dakota will have to pay the ObamaCare tax penalty for not having government-approved health insurance. According to a calculator on the Wall Street Journal's Web

site, the average individual in South Dakota will pay a \$394 penalty this year, while the average family of four in South Dakota will pay a \$650 penalty. Now that is a lot of money. That is a lot of money for a family in South Dakota, and it is only going to go up because the tax penalty will rise in 2016.

As we can see on this chart, South Dakotans could be spending that tax money on a number of essential items if they didn't have to pay the penalty. In fact, for \$394 in South Dakota you can buy 201 gallons of gas at current South Dakota prices, buy 6 weeks of groceries or make 1.1 car payments with that amount of money. That is for an individual and the amount they can be basically hit with in terms of the tax penalty.

If we look at how this impacts a typical South Dakota family—and the distinguished Chair knows exactly what I am talking about—if they didn't have to pay that \$650 tax penalty, it could be used for 332 gallons of gas in South Dakota at South Dakota prices, 3 weeks of groceries or almost two car payments. If we think about 332 gallons of gas in South Dakota, that would cover a lot of trips to school or to football practice or to dance practice. These are real-world impacts on real people. As ObamaCare has demonstrated, big government is not the answer.

While it is great the President wants to focus on helping the middle class who suffered for years under his policies, he cannot help them if he insists on pushing more of the same failed top-down, big government policies. The last few years have involved laying a lot of burden on American workers and on the American economy to fund big government programs and the President's pet projects.

Take the ObamaCare tax on life-saving medical devices such as pacemakers and insulin pumps. This tax was put in place to help pay for the President's health care law, but it has ended up negatively affecting jobs in this industry. Even Democrats who voted for the President's health care law are pushing to get rid of this tax.

Take the Obama Interior Department's recent decision to push for closing off large swaths of Alaska to energy development that would create jobs and benefit Alaska's economy, as well as strengthen America's energy independence or take the crippling new energy rules the President's EPA has proposed, such as a new tax on coal-fired powerplants that could result in the loss of tens of thousands of jobs and devastate entire communities; likewise, the EPA proposal to lower the ozone standard that would be the most expensive EPA regulation in history.

I intend to reintroduce my bill, the bipartisan CASE Act, to make sure we tackle places with the worst smog in the country before forcing cleaner areas to meet what is an impossible standard.

If we want to fix the economy, we have to stop weighing it down with taxes and regulations. We have to reject yesterday's stale policies with their focus on taxing, spending, and regulating. Instead of pushing big government solutions, we need to rebuild our economy from the bottom up.

Republicans are focused on the future that embraces and fights for the potential of the people, not government. That means passing legislation to free businesses to create jobs. It means reforming our Tax Code to put more money in the pockets of American families and to make it easier for American businesses to compete around the globe. It means eliminating the kind of heavy Washington spending that is weakening the economy and piling up debt on the backs of the next generation of Americans. It means getting rid of redtape and regulations that are stifling energy development and the jobs that go along with it and preventing more American businesses from growing and hiring new workers. It means opening new markets abroad for American manufacturing and American farm products.

The past 6 years have not been kind to American families. A recent Reuters story opened by saying, "Barack Obama enters the final 2 years of his legacy with a blemish on his legacy that looks impossible to erase: the decline of the middle class he has promised to rescue."

Household income has fallen by more than \$2,000 on the President's watch, according to Sentier Research. Meanwhile, prices have gone up. Millions of Americans are unemployed while millions more are stuck with part-time jobs because they cannot find more work. Millions of other Americans are so discouraged with not finding work over the past 6 years that they gave up looking and dropped out of the labor force entirely. Wage growth has remained stagnant during the Obama Presidency. As a CNN headline put it after the President's State of the Union Address, "Obama says wages are growing. They're not."

It is no surprise middle-class families aren't feeling an economic recovery or that Americans list lack of money and low wages as one of their top financial concerns.

A New York Times headline from Sunday read "Middle Class Shrinks Further As More Fall Out Instead of Climbing Up."

It doesn't have to stay this way. Republicans don't believe in a permanent middle-class decline. If we stop government from weighing down our economy with taxes and regulations and start freeing businesses to create new jobs and opportunities for American workers, our economy will rebound and the middle class will feel the effects.

Republicans are already working on legislation to help the middle class and we will be sending our first job-creating bill with legislation to approve the Keystone XL Pipeline and the

42,000 jobs it will support during construction to the President very shortly. We hope the President will sign it.

American families have had to spend 6 years in this economy. They shouldn't have to wait any longer for relief.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Thank you, Mr. President. I would like to thank my distinguished colleague from South Dakota, Senator THUNE, for his very comprehensive review of where we are with the economy and the need for the Keystone Pipeline to pass. As always, Senator THUNE in a very articulate manner made the case for our country to become more energy independent and also touched on national security and the stagnant situation we face with our economy.

I thank the Senator for his remarks.

INTERNAL REVENUE SERVICE

Mr. ROBERTS. Mr. President, in this new Congress we have an opportunity and a responsibility to address an issue of utmost importance to every American: the current dysfunction at the Internal Revenue Service.

I do not use the word "dysfunction" lightly, but I reach that conclusion when I see the agency systematically suppress the political activity and free speech rights of American citizens. I also reach that judgment when I see the agency unable to effectively police its personnel, as seen in the tax delinquency levels of the agency's staff, when bonuses have been awarded to these same employees. These are critical issues we must address, particularly as we in Congress face our obligation to reform our tax system.

The IRS targeting of conservative and other groups that came to light way back in May 2013 is neither a trivial issue, nor one we can ignore—no more back burner. This is a front-burner issue.

We have hit many roadblocks in this investigation, and it is certainly premature for us to reach any conclusions or to make concrete recommendations on how to address the IRS targeting. That being said, we have a pretty clear sense of what happened. In my view, this egregious conduct and the condescending response by the top IRS officials should come to a screeching halt. For over 2 years the IRS targeted conservative and many other groups applying for tax-exempt status with inappropriately intrusive information requests. The IRS also delayed processing these applications, and according to recent reports has continued to delay processing applications. It hasn't stopped—amazing, simply amazing.

When the targeting came to light, senior members of the agency tried to cover up the IRS' actions by providing incomplete and misleading information to Congress about what was being done. Very recently we learned the

agency has found tens of thousands of pages of information relating to the targeting. The review of these documents has not yet begun.

The good news is that the inspector general for the IRS has these records now. The bad news is that there are technical difficulties processing those records. The Senate Finance Committee has yet to receive this information as the investigation continues. There is no doubt the review will lead to further interviews with officials in the IRS and other government agencies.

The actions of the IRS and its leadership have profound implications for reform of our overly complex and antiquated Federal tax system. Let me quote from the Internal Revenue Service mission statement: The IRS tries to provide America's taxpayers "top quality service" by helping them understand and meet their tax responsibilities. They are meant to do all this—this is the underlying, this is the one statement the IRS should remember every day—"with integrity and fairness to all." With integrity and fairness to all.

Now in the targeting scandal, I believe the IRS is no longer the neutral tax collector its mission states it to be and that the IRS is inappropriately open to a partisan political agenda of the White House and its allies, if not to working as a direct tool or means of suppression to the right of free speech.

The other issue with the IRS also showing its dysfunction relates to the tax compliance of IRS employees and in fact the compliance level of Federal employees all across our government. As of September 2013, Federal employees were delinquent on \$3.4 billion in taxes. Yes, that is right—1,500 Treasury employees were delinquent, owing close to \$10 million. While in the grand scheme of Federal finances it is a very small amount, it is tremendously galling and sends a terrible message to taxpayers to know that many of these employees were awarded bonuses—they were awarded bonuses—even though they owed back taxes.

Let me be perfectly clear. Any employee who deliberately ignores the process and procedures for fulfilling their tax obligations like every other American must be held accountable. This is a basic principle upon which I think we can all agree. When these public employees serve at the IRS, their lack of willingness to pay their tax obligations calls into question the integrity of the agency. It is unconscionable that there are tax delinquents working as tax collectors.

In these two matters, it is very clear that the IRS is again not conducting itself with integrity and fairness—far from it. The crux of the issue is that neither the Congress nor the tax-paying public can have any confidence that the agency acts in an evenhanded manner or with the best interest of the taxpayer at heart.

This is a very troubling at a time when the IRS's role in the economy

and in people's lives has been greatly expanded by ObamaCare. From the very first, the idea of using the IRS to implement and enforce ObamaCare is an anathema to common sense.

It is bad enough now when taxpayers are audited. Nobody likes to hear that knock on the door or receive a telephone call or email after being targeted for their political beliefs and blocked from exercising their free speech rights. But to expand the role of this agency into everyone's health care decisions is just plain wrong. That is a box canyon we should not ride into.

Tax reform presents us with the opportunity to look at these issues much more closely. When we have completed these investigations and have issued reports, I will review the results very carefully to see what legislative fixes to the IRS and the Tax Code may be necessary. Make no mistake about it, I am not going to let this slip from the radar, and we should not let this slip from the radar with regard to the Senate Finance Committee. There are too many blips on the screen—large blips.

I hear from Kansans every day who are fed up with the IRS. I think most Members in this body feel the same way. There is a lot of discontent with the tax system and its enforcement, and there are regular calls for even scrapping the whole collection apparatus. I agree we need to take a hard look at tax reform in the agency.

Of course we have an immediate obligation to take up tax reform, and the Finance Committee will do so, but the question remains: If we are successful in reforming the Tax Code—truly climbing that mountain—how can we turn a reformed code over to an IRS that is so rife with scandal?

The other action we must take immediately is to block the IRS from taking any further steps to restrict constitutional free speech rights. This is why just yesterday I joined with my colleague from Arizona Senator FLAKE to again introduce legislation to prevent the IRS from moving forward with a regulation project on the political activities of social welfare groups, the 501(c)(4) regulations.

It is completely inappropriate for the agency to move forward with this project until we understand what went on and what structural and procedural changes are needed at the Internal Revenue Service to prevent the targeting of political opponents from ever happening again. Senator FLAKE and I have proposed a very straightforward and commonsense approach to this challenge. We simply halt further action on the proposed regulations until the congressional investigations into the IRS actions are completed.

The bill we have introduced freezes further IRS actions for 2 years and would make it clear the IRS can only enforce the regulations that were in place before all the targeting began.

I also wish to make it clear that we can no longer tolerate rewarding government workers who cannot be bothered to comply with our tax laws.

So today I am offering legislation to block Federal employees who are delinquent on their Federal taxes—here is the key—and making no effort to pay their tax liability; we will block them from receiving a bonus or award from the Federal Government. If someone is a Federal employee, they should not be receiving a bonus if they are not making an effort to pay back taxes.

I think the purpose of my bill is very simple. If someone is a Federal worker, they should be making a good-faith effort to pay their taxes like everybody else or at least work with the IRS to pay down their debt. Holding Federal employees accountable for their tax debt may even foster public confidence again in our tax system.

Amazingly there are Federal employees at almost every agency, including the Internal Revenue Service, who are significantly delinquent in their taxes and not working to pay their debts. That is wrong. That is not fair. It is not good government practice. That is an understatement. My bill will put a stop to this practice.

It is no wonder, given the IRS's behavior and the behavior of these Federal tax delinquents, that Kansans and virtually every American doubt that the government can administer the tax laws in good faith. The lack of faith in the Internal Revenue Service is an important reason why Congress must rewrite the Tax Code, simplify how we pay taxes, and reduce the government's intrusion into economic and other affairs of the public.

We don't need the IRS regulating constitutionally guaranteed free speech and muzzling lawful political activity. We also do not need to reward Federal employees who do not even make the most minimal effort to pay their tax debt and then give them bonuses. The hypocrisy of IRS agents getting bonuses when they don't pay their taxes has to stop.

Finally, there are other issues at the Internal Revenue Service. There was a recent statement by the IRS Commissioner warning—threatening—the tax-paying public, during tax-filing season no less, that the agency is drastically cutting taxpayer service functions. I am talking about answering calls, tax return help, and other programs that assist the average American to fulfill their tax obligation.

The Commissioner blames the budget sequester. I understand that. Every Federal agency is now upset about the sequester. I am upset about the sequester with regard to our national security and the spending caps setting these cuts. The IRS Commissioner is upset about that as well. That is beyond amazing when we have learned that the agency has made so many poor decisions, such as entering into a contract with the IT company that was just fired by Massachusetts, Vermont, and the Department of Health and Human Services for its failure in implementing the healthcare.gov Web site. The historic rollout was a total

disaster. I expect we will get into this in detail next week when the Commissioner comes before the Finance Committee. I am going to be asking him questions about the same topics I brought up in these remarks.

In the meantime, just a suggestion to the IRS—from the Commissioner on down—take a hard look at the mission statement, concentrate on serving the taxpayer, stop threatening the American public with the loss of service, and try to do the best you can in a most difficult budget environment.

We have an obligation to have the IRS serve with integrity and fairness to the American public, and that is not happening now. Let's work together to make sure it does happen.

I yield the floor, and after careful inspection, it appears to me we do not have a quorum present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. UDALL. Mr. President, I ask unanimous consent to speak in morning business. I know the managers will be here shortly, and when they arrive I will obviously yield the floor to them.

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

RENEWABLE ELECTRICITY STANDARD

Mr. UDALL. Mr. President, today we are voting in the 11 o'clock series on the renewable electricity standard—a bill to promote 25 percent of our electricity to come by renewable sources by 2025.

From what we have heard these past few weeks, we are either on the floor debating an energy bill or a jobs bill. This is what my Republican friends and colleagues have been saying.

The Keystone Pipeline fits neither one of these descriptions. The Keystone Pipeline is not an energy bill. The bill lacks a comprehensive energy policy; it lacks even trying to set one. This is not a “do it all, do it right” energy bill. It isn't even a “drill, baby, drill” bill. This is the “drill, Canada” bill.

If we are going to debate energy policy, we need to debate and adopt a renewable electricity standard. The Keystone Pipeline is an investment in doing things the old way—importing foreign oil. Instead of doubling down on foreign oil, we should be talking about how we can move America forward by investing in homegrown energy for the future. The renewable electricity standard is such a bill.

I wish to point out that States already recognize this fact significantly. Colorado has a 30-percent target by 2020. Nevada has a 25-percent target by

2025. Oregon has a 25-percent target by 2025. A number of other States have renewable electricity targets. Twenty-nine States, in fact, are developing a national market. There are many States that are meeting these goals and moving forward aggressively.

In 2013, the State of Iowa produced 27 percent of its electricity alone with wind power.

I see the chairwoman of the Energy and Natural Resources Committee on the floor. I promise to yield. I only have a couple of more minutes. I thank the chairwoman.

This amendment—the renewable electricity standard—is a start to a comprehensive energy policy for the United States.

We are told the Keystone Pipeline is a jobs bill. We are told Keystone will create jobs. Of course, we are all for that. But how many jobs? We are talking about 2,000, 3,000 construction jobs, but the permanent jobs are in the range of 50. How about a renewable electricity standard that promotes long-lasting manufacturing and installation jobs—American jobs, permanent jobs—jobs that can't be outsourced?

The renewable electricity standard could create an additional 274,000 to 297,000 jobs in the United States in such areas as construction, operations, and engineering. Over 50 percent of these jobs would be created in the manufacturing sector. These are hundreds of thousands of 21st century American jobs in my State and across the country. We owe it to all Americans to consider this and other amendments that would improve the bill.

Right now, we are losing out to other countries in both solar and wind. China has the largest market share. A national renewable electricity standard would help us move forward aggressively to get our market share in those two areas.

It is clear to me a national renewable electricity standard would combat global warming while creating hundreds of thousands of jobs across the country. It will help maximize our energy potential while strengthening our economy and our energy security.

Let's vote on that. Let's move forward to meet the real energy needs of American families.

I thank the chairwoman for being so gracious and for her courtesy.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

KEYSTONE XL PIPELINE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The legislative clerk read as follows: A bill (S. 1) to approve the Keystone XL Pipeline.

Pending:

Vitter/Cassidy further modified amendment No. 80, to provide for the distribution of revenues from certain areas of the outer Continental Shelf.

Murkowski (for Sullivan) amendment No. 67 (to amendment No. 2), to restrict the authority of the Environmental Protection Agency to arm agency personnel.

Murkowski amendment No. 98 (to amendment No. 2), to express the sense of Congress relating to adaptation projects in the United States Arctic region and rural communities.

Flake amendment No. 103 (to amendment No. 2), to require the evaluation and consolidation of duplicative green building programs.

Boxer amendment No. 130 (to amendment No. 2), to preserve existing permits and the authority of the agencies issuing the permits to modify the permits if necessary.

Merkley amendment No. 174 (to amendment No. 2), to express the sense of Congress that the United States should prioritize and fund adaptation projects in communities in the United States while also helping to fund climate change adaptation in developing countries.

Cantwell/Boxer amendment No. 131 (to amendment No. 2), to ensure that if the Keystone XL Pipeline is built, it will be built safely and in compliance with United States environmental laws.

Tillis/Burr amendment No. 102 (to amendment No. 2), to provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing.

Markey amendment No. 178 (to amendment No. 2), to ensure that products derived from tar sands are treated as crude oil for purposes of the Federal excise tax on petroleum.

Booker amendment No. 155 (to amendment No. 2), to allow permitting agencies to consider new circumstances and new information.

Burr modified amendment No. 92 (to amendment No. 2), to permanently reauthorize the Land and Water Conservation Fund.

Cardin amendment No. 124 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Cantwell (for Peters/Stabenow) amendment No. 55 (to amendment No. 2), to require a study of the potential environmental impact of by-products of the Keystone XL pipeline.

Murkowski (for Barrasso) amendment No. 245 (to amendment No. 2), to clarify that treaties with Indian tribes remain in effect.

Daines amendment No. 246 (to amendment No. 2), to express the sense of Congress that reauthorizing the Land and Water Conservation Fund should be a priority.

Udall amendment No. 77, to establish a renewable electricity standard.

The PRESIDING OFFICER. Under the previous order, there will now be 15 minutes of debate equally divided in the usual form.

Ms. MURKOWSKI. Mr. President, as we just heard, the House has sent over legislation they have moved through that body that would allow for export of LNG. As we speak, in the Energy and Natural Resources Committee downstairs, the committee is considering a bipartisan LNG measure. Five Republicans and five Democrats are coming together with an LNG export proposal that they have not only worked with the administration on, but the administration is actually carrying out, without the law being in place. Certainly we are getting to a place with

our LNG and our natural gas opportunities where there are good, substantive developments being made in our laws and in how we can provide for not only certainty through the regulatory process—efficiency, expediency—but assurance to the public—to families, to businesses, to manufacturers—that pricing issues will be addressed and the opportunity for jobs in this country is put first and foremost. So I think there is good news going on today.

There is further good news as we begin the glidepath toward passage of the Keystone XL Pipeline. We have had a host of measures come before us in the form of some 35 amendments that we have considered as a body over the course of these several weeks. I think it has been good debate. I think it has been a good process. We are now getting to the final closeout.

AMENDMENT NO. 80, AS FURTHER MODIFIED

Some very important issues have been raised in this debate. I wish to thank Senator VITTER for bringing the very important issue of revenue sharing to the attention of the Senate. He offered an amendment that has been before us for consideration. He has been very steadfast in ensuring that there is a continued commitment to America's energy security and increasing offshore energy production.

The American energy revolution has provided us with high-paying jobs for millions of workers. It has led to lower gas prices. It has provided a real stimulus to the pocketbooks of just about every American. It is fundamentally changing our role on the international stage, which is so important.

The amendment Senator VITTER has offered to the underlying bill, which would increase access to our offshore energy resources and provide revenue sharing for coastal producing States, is a very important one. Again, I thank him for that.

One of my top priorities as chairman of the Energy and Natural Resources Committee is to help ensure the exploration and the development of Alaska's Outer Continental Shelf—OCS—which holds an estimated 236 billion barrels of offshore oil and 132 trillion cubic feet of offshore natural gas. This is clearly an amazing resource base. It is going to take a while—more than a decade—to develop, but it will provide substantial government revenues for generations to come.

With the benefits that come with this resource development, there are also impacts. There will be impacts both to the State of Alaska and to coastal communities. It will require major investment in new infrastructure, whether it be ports or pipelines or roads. That just comes with this kind of resource production.

I look forward to working with Senator VITTER to address the revenue sharing not only for my State but for the gulf States and other States that host energy development off of their coastline in legislation that the energy

committee will consider later this year.

I appreciate the continued support of my colleague from Louisiana and for providing a fair share of the revenue from offshore oil and gas activity to the States that are most affected. His State most clearly has experienced the benefits of offshore activity. I have seen this for myself when I have gone down to visit.

He is also working hard to ensure that others enjoy those benefits as well. Again, we are having a great debate over energy policy. We are seeing many good amendments with ideas that could be included in future bills, and I certainly look forward to working on revenue sharing with my colleagues from Louisiana, Senator VITTER and Senator CASSIDY, and with other Members of the Senate as we go forward in this Congress.

I will now yield to my colleague from Louisiana for any comments he may choose to make.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Thank you, Mr. President.

I want to thank the Senator for her kind words and continuing commitment to work on revenue-sharing measures. As her new role as the Chair of the Energy and Natural Resources Committee, that is going to happen this year, which is exciting.

As the Senator mentioned, I filed an amendment to this bill with regard to revenue sharing and worked very closely with my new Senate colleague, BILL CASSIDY, and others. This is important now more than ever, particularly in light, unfortunately, of the Obama administration's recently announced 5-year OCS plan. That plan is grossly inadequate. It really chops up and goes down even lower than we have been with regard to the development of our Outer Continental Shelf.

Revenue sharing is one key way to reverse that trend and produce more American energy in a safe and environmentally sensitive way and have all of this benefit, including, by the way, the Federal Treasury. My revenue-sharing amendment and other revenue-sharing ideas—certainly including those Senator MURKOWSKI is working on—would do just that. We have three fundamental goals in mind.

First of all, we need to expand production activity on our U.S. Outer Continental Shelf.

Secondly, we need to treat host States right. They have benefits like the economic benefits we enjoy in Louisiana, but there are also costs and burdens. There are absolutely impacts to coastal communities. That requires that some portion of that revenue from that production stay in the host States. That is what revenue sharing is all about. We need that in Alaska. We need that in the gulf. We need that when we start production on the east coast.

Finally, we need that revenue sharing because it is the most powerful incentive tool out there to significantly

boost production, to get more States into the act, to get more production online working toward American energy independence and an economic renaissance. Revenue sharing, properly formulated, will do all of that.

I really do appreciate Senator MURKOWSKI's focus on this issue and commitment to proceeding with this issue in the Senate Energy and Natural Resources Committee in legislation this year.

AMENDMENT NO. 80, AS FURTHER MODIFIED
WITHDRAWN

With that having been said, I will withdraw my Vitter amendment No. 80 on this bill and certainly will actively partner with Senator MURKOWSKI, Senator CASSIDY, and others to advance revenue sharing this year.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank my colleague from Louisiana.

I do think this is an area where those of us from coastal States can sit down together to truly map out a proposal that is fair and equitable, truly taking advantage of the benefits of accessing our offshore resources while recognizing those States that bear the responsibility of these production and development activities should share in some of the benefit there as well. I am looking forward to working with him as well as members of the Energy and Natural Resources Committee.

At this time I ask unanimous consent that the votes on the Barrasso amendment No. 245 and the Cardin amendment No. 124 occur after the disposition of the Udall amendment No. 77, with all other provisions of the previous order remaining in effect, and there be 2 minutes equally divided before the vote on the Daines amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Just for Members' information, we will be prepared very shortly to commence votes. The good news for Members is the list of amendments that we had scheduled prior to the lunchtime has actually been winnowed down somewhat. Some Members, such as we have just seen from the Senator from Louisiana, have chosen to withdraw. We may be in a position to take some by voice. We will be having votes commencing here very quickly. But the good news is there will be fewer than there were when we started out this morning.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I assume there is a little bit of time to make a couple of comments as we are waiting.

I would commend the chairwoman of the Energy and Natural Resources Committee, for she and the ranking Member have done an excellent job of

moving us through. I think we all appreciate it when we hear the words "an amendment has been withdrawn" in terms of being able to move the process forward.

I did want to mention a couple of things. One, just to remind everyone, when we talk about this Canadian oil company bringing a pipeline through the United States down to the Gulf—putting it on a ship and sending it to China—they are not paying into the oilspill liability trust fund. Our amendment to say the oil should stay here if Americans are taking all the risk was voted down. The amendment that would require American steel was voted down. Any commitment to make sure these were all American jobs has also been voted down.

I did also—because the distinguished Chair of the committee mentioned a bill that came over from the House—want to take a moment to say as we look at energy policy in the energy committee today we are, in fact, considering what I consider to be one of the most fundamental questions for us moving forward with this new energy source in abundance called natural gas.

It is incredibly important we get this right. As opposed to the pipeline going through the middle of our country, this is something that can greatly increase our ability to have manufacturing jobs across the country, to continue to lower and keep down the prices of heating and other energy costs for our citizens. If it is done right—the committee, I believe, dramatically does it the wrong way. The bill that came from the House is very much, in my judgment, a China-first policy and not an America-first policy. I say that because right now China is willing to pay more than three times for natural gas than we are. I understand that the gas and oil industry wants to rush it on ships over to China. But to add insult to injury for us, they were willing to pay, last year, \$16 and then turn around and subsidize their industry that is competing with us and only give it to them for I believe it was \$1.78. Our folks who are forced to pay \$16 because we don't have a prudent export policy—they just throw open the doors to send it to China. Our folks pay \$16. The folks competing with us for our jobs are paying \$1.78.

I realize we have a lot more discussion on that at a later point. I do want to say there will be a great debate on what I believe is one of the most important issues in front of us in terms of continuing to having manufacturing renaissance and the ability to create good middle-class jobs in this country. I am hopeful in the end we will have an America-first policy, not a China-first policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, we are just about ready to begin our votes. Again, it was a very productive day processing amendments yesterday, and

we have some good provisions included in the bill. We were able to adopt by voice the provision of the Senator from Maine to better coordinate energy retrofitting assistance for schools. That was good for us. I think we have been available to reach agreement on several of the measures that will allow the process to go quickly this morning.

I am certainly prepared to yield back any time here so we can commence with the voting, although I want to recognize my ranking member and partner in this weeks-long effort if she wants to make any comments before the vote.

Ms. CANTWELL. I know originally we pushed the bill back, so I am happy to move it back to reclaim some of that time and help us. I know there are a few things which have been worked out, and we very much appreciate that.

I yield back our time.

AMENDMENT NO. 246

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 246, offered by the Senator from Montana, Mr. DAINES.

Who yields time?

The Senator from Colorado.

Mr. BENNET. Mr. President, I rise to oppose the Daines amendment. While I respect the perspective of my colleague from Montana, this amendment does nothing to support the Land and Water Conservation Fund. If you really want to support LWCF, you ought to support the bipartisan Burr amendment which we will consider in a few minutes. Instead of actually solving the problem, the Daines measure creates more delay for delay's sake and says LWCF should be a priority but undermines the very notion by suggesting there is something wrong with the program.

For once we have a program where there actually is nothing wrong with it. It has been one of our Nation's most successful conservation programs for 50 years, funding projects in every State and literally every single county in the United States. These are projects that range from creating new parks for inner city kids, to providing new access to sportsmen, to protecting the Nation's historic battlefields. We don't need to overhaul LWCF, we just need to reauthorize it and let the program's proven track record of success continue.

I would urge my colleagues to vote no on the Daines amendment before us now, but vote yes on the bipartisan Burr amendment to follow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I believe Senator DAINES is still in the Energy and Natural Resources Committee so I will attempt to speak on his behalf in support of his amendment.

Reauthorizing the LWCF is something that I have said we plan to take up in the energy committee. We are going to make it a priority. But I agree

the sense-of-the-Senate, in order to ensure that this program can be an effective tool for management structural improvements to the program, is going to be needed.

For example, I know the LWCF has been used to acquire inholdings in existing national parks, our national forests, and wildlife refuges. Acquiring inholdings can improve management. We should do more of these kinds of targeted land acquisitions.

Another structural change I know some are interested in making is setting aside some of the LWCF funding to address the maintenance backlog facing our Federal land management agencies. We have combined maintenance backlogs, as much as \$22 billion, according to CRS reports. We have issues. We have to do that.

I will support the Daines amendment.

Mr. DAINES. Mr. President, the Land and Water Conservation Fund has been instrumental in increasing access to our public lands, growing opportunities for outdoor recreation, and protecting wildlife. And there is great potential for the program to be used to increase access to our existing Federal lands.

My amendment expresses the sense of Congress that the Land and Water Conservation Fund serves an important role in improving wildlife habitat, increasing outdoor recreation opportunities, and facilitating economic development on our public lands.

It will also convey that funding and reauthorizing the Land and Water Conservation Fund should be a priority for Congress and as we consider its reauthorization, we should also look for improvements to the structure of the program. The benefits and opportunities for improvement to the Land and Water Conservation Fund should be thoroughly evaluated in a transparent legislative process.

My amendment would support authorization through the legislative process and allow for oversight and transparency in improving the program. My amendment is not intended to undermine the integrity of the program.

Montana's outdoors heritage is of great importance to our State's economy and thousands of Montanans' way of life. Supporting and improving the Land and Water Conservation Fund will help us ensure that this legacy is continued for future generations.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Daines amendment, No. 246.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—47

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kirk	Sullivan
Cotton	Lankford	Thune
Crapo	Manchin	Tillis
Daines	McCain	Toomey
Donnelly	McConnell	Vitter
Enzi	Moran	Wicker
Ernst	Murkowski	

NAYS—51

Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Graham	Paul
Booker	Heinrich	Peters
Boxer	Heitkamp	Reed
Brown	Hirono	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Lee	Tester
Collins	Markey	Udall
Coons	McCaskill	Warner
Cruz	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NOT VOTING—2

Reid Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. VITTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 92, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 92, as modified, offered by the Senator from North Carolina, Mr. BURR.

The Senator from North Carolina.

Mr. BURR. Madam President, I will be brief, but I would like my colleagues' attention because we have an opportunity today to take a program that functions well, that this body designed, funded from royalties off of exploration of energy, that has never been fully funded at what the statute said we would do, and every so often it comes up for reauthorization. That is sort of stupid.

What this amendment does is it makes permanent the Land and Water Conservation Fund. I say to my friends and colleagues, if you want to change the makeup of the fund—what it does, how it works—that still exists, but let's not have the debate as to whether this is going to continue. Let's con-

tinue it permanently, and let's make sure that what they do in their work, where they leverage a few Federal dollars with a lot of private dollars, not to acquire massive amounts of lands or create parks but to put adjoining lands together that stops encroachment on some very sensitive areas—this is a smart investment, and it is an investment we make off of the production of energy in this country.

I urge my colleagues to support amendment No. 92.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I would suggest that legislative proposals such as reauthorizing the LWCF should be considered under regular order, beginning with hearings in the Energy and Natural Resources Committee. Obviously, this is an issue in which many of us are interested. We have just had a measure before this which spoke to some of the proposed policy changes that might be considered.

So whether we are seeking to reauthorize permanently or considering different set-asides of funds that come in for different programs, I would like to think we could do it through regular order. But I certainly understand where the Senator from North Carolina is coming from, and I look forward to working with him.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 92, as modified.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—59

Alexander	Donnelly	McCaskill
Ayotte	Durbin	Menendez
Baldwin	Feinstein	Merkley
Bennet	Franken	Mikulski
Blumenthal	Gardner	Murphy
Blunt	Gillibrand	Murray
Booker	Graham	Nelson
Boxer	Heinrich	Peters
Brown	Heitkamp	Portman
Burr	Hirono	Reed
Cantwell	Kaine	Sanders
Capito	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Collins	Manchin	Tester
Coons	Markey	Thune
Corker	McCain	

Tillis	Warner	Whitehouse
Udall	Warren	Wyden

NAYS—39

Barrasso	Flake	Paul
Boozman	Grassley	Perdue
Cassidy	Hatch	Risch
Coats	Heller	Roberts
Cochran	Hoeven	Rounds
Cornyn	Inhofe	Sasse
Cotton	Isakson	Scott
Crapo	Johnson	Sessions
Cruz	Lankford	Shelby
Daines	Lee	Sullivan
Enzi	McConnell	Toomey
Ernst	Moran	Vitter
Fischer	Murkowski	Wicker

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment, as modified, is rejected.

Ms. MURKOWSKI. Madam President, I move to reconsider the vote.

Mr. CORNYN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 77

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 77, offered by the Senator from New Mexico, Mr. UDALL.

The Senator from New Mexico.

Mr. UDALL. Madam President, this amendment creates a national market for renewable energy. A bill similar to this has passed the Senate three times and also passed the House once. These are the jobs of the future—renewable energy jobs. More than half of the new generation of energy in the world is in renewables, and this amendment—it is estimated by the people who have studied it and the experts—would create about 300,000 new jobs.

So I ask my colleagues to support it. It is a good complement to the bill we are on, and it would create a lot of new jobs.

I yield back.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, this amendment is an issue that Congress has considered many times over the past 16 years, but we declined to impose a renewable electricity standard.

We called it several different names. We called it a renewable portfolio standard. Then it moved to renewable electricity standard. It was later rebranded the clean energy standard. Now it is back to the RES. But this latest proposal that 25 percent of electricity supplied by a retail provider be generated by certain renewable resources by 2025 is really no different than the EPA's move to impose a 30-percent reduction in greenhouse gases from existing powerplants by 2030 under this proposed CPP regulation.

I would encourage Members to oppose this amendment.

Further, I would note to colleagues that we are very close to finishing up

these amendments. If we move quickly, if we stay on the floor and stick to 10-minute votes, we can finish them all before lunch. I think that would be good, but it is going to require the cooperation of all Members.

With that, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to Udall amendment No. 77.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 45, nays 53, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—45

Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Bennet	Heinrich	Peters
Blumenthal	Heller	Reed
Booker	Hirono	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Kirk	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Collins	McCaskey	Warner
Coons	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NAYS—53

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

NOT VOTING—2

Reid	Rubio
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MURKOWSKI. Madam President, I move to reconsider the vote.

Mr. PORTMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 245

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 245, offered by the Senator from Wyoming, Mr. BARRASSO.

The Senator from Alaska.

Ms. MURKOWSKI. Madam President, this is an amendment Senator BARRASSO and Senator CARDIN have been working on together. This amendment provides that the Federal Government must consult with the relevant Indian nations before modifying or breaking any trust or treaty obligation. This obligation is already required by Executive order. The Federal Government has been fulfilling its government-to-government consultation responsibilities on the Keystone XL Pipeline project for over 6 years.

I think it is important for colleagues to recognize that this amendment does not create any new law; it is merely an additional guarantee that the Federal Government will live up to its existing obligations to consult with the Indian nations, which is a matter I think we should all be able to agree on.

This is an issue Senator BARRASSO has been working on with the Senator from Maryland, and they have indicated that they will accept a voice vote on this amendment.

AMENDMENT NO. 245, AS MODIFIED

I ask unanimous consent that Barrasso amendment No. 245 be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. ____ . CONSULTATION WITH INDIAN TRIBES.

Nothing in this Act relieves the United States of its responsibility to consult with Indian nations as required under executive order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

Ms. MURKOWSKI. I ask unanimous consent that the 60-vote affirmative threshold be vitiated, and I urge its adoption by voice vote.

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

Is there further debate on this amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 245), as modified, was agreed to.

Ms. MURKOWSKI. Madam President, I move to reconsider the vote.

Mr. BARRASSO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 124

Mr. CARDIN. Madam President, I ask unanimous consent that I take a few minutes to debate the next amendment and save a little bit of time at the end by withdrawing the amendment.

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

Mr. CARDIN. Madam President, as we consider both the Barrasso and Cardin amendments, I wish to remind my colleagues of the unique history the United States has with Indian nations. This history includes over 300

treaties that were negotiated with individual tribes and nations which remain in effect today.

For over two centuries our Nation disregarded the concerns of tribal nations with respect to expansion and development that affected their communities. This often included abrogating treaty rights and disregarding trust obligations this country has to Indian nations and individual Indians. But this is no longer how we work with Indian nations in our country. We now have laws and Executive orders requiring deliberate and meaningful consultation on any actions taken by the Federal Government that affect tribal interests. We have also signed on to the United Nations Declaration Rights of Indigenous Peoples, which states that the rights of indigenous peoples cannot be abrogated without their free and informed consent.

I want to make it crystal clear that nothing in this bill is meant to abrogate the rights of any Indian nation or any individual Indian. So while I believe we could say more to affirm these policies in this bill, I am happy that at a minimum, Senator BARRASSO's amendment guarantees that Indian nations continue to have a voice through meaningful consultation on this project.

It has been necessary to have this discussion because the Great Plains Tribal Chairman's Association does not believe that the consultation required is occurring with respect to KXL. It is helpful to remind the executive branch agencies involved in this process just what their obligations are. I would like to quote from a letter the association recently sent to Interior Secretary Jewell, which states in part:

As our Trustee, DOI has a specific duty to insure that its comments and positions on this National Interest Determination accurately reflect the very real potential impacts that this Project may have on our historical Tribal homelands, sacred sites, cultural resources and water rights, all of which are protected by applicable federal law and our Treaties with the United States. While many of our Tribes have submitted comments on this document, the State Department's unwillingness to sit down with us on a government to government basis to discuss our concerns has led us to question whether that Department really respects our legal roles as elected officials of federally recognized sovereign tribes. These concerns are so serious that the Standing Rock Sioux Tribe, the Cheyenne River Sioux Tribe, the Rosebud Sioux Tribe, and the Yankton Sioux Tribe have all become party interveners in the South Dakota Public Utility Commission's proceedings challenging its 2010 action permit for this project.

Madam Secretary, we know that you have many important demands on your schedule, but meaningful government to government consultation, especially on matters of this importance, is assured to us by President Obama's Tribal Consultation policy of November 5, 2009, as well as by Executive Order 13175. President Clinton issued that Executive Order to "establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications [and] to strengthen the United States government-

to-government relationship with Indian tribes". President Obama re-committed federal agencies to this duty through a Memorandum for the Heads of Executive Departments and Agencies issued on November 5, 2009, in which he declared: "My Administration is committed to regular and meaningful consultation and collaboration with tribal officials in policy decisions that have tribal implications including, as an initial step, through a complete and consistent implementation of Executive Order 13175". To prepare final DOI comments on a document of this magnitude without affording us the opportunity for a meaningful face to face/government to government meeting is a flagrant violation of President Obama's directive in 2009 and of the commitments President Obama has made to us as recently as last December.

Now, what is meant by the term "consultation"? When the world community of nations, including the United States, worked with Indigenous Peoples over a 15-year period to develop the United Nations Declaration on the Rights of Indigenous Peoples, they used the consultative standard of "free, prior and informed consent" in Article 11, 2: which reads: "States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs."

This language was necessary because the Federal Government and the States once ran roughshod over the rights of Native peoples and simply took and used land and other property of Native nations and persons, and there was a need to make sure that this would not happen in the future. In the late 1800s and early 1900s, Native peoples were confined to reservations and could not leave without permission of the Federal Indian agent. Even in the 1950s and 1960s, Native delegations to Washington were not supposed to go to Capitol Hill without checking in at the Bureau of Indian Affairs, BIA. Native people tell me that they used to think BIA stood for "boss Indians around." Out of this sorry past have come new policies that give true meaning to the nation-to-nation relationship. Key to this relationship is ongoing consultation that is meaningful and worthy of trust, and agreements that are made are transparent and consensual.

There are many laws mandating consultation with Indian tribes and persons, regarding areas on tribal, individual trust and original lands, among them the American Indian Religious Freedom Act, the Archaeological Resources Protection Act, the Native American Graves Protection & Repatriation Act, and the National Historic Preservation Act. Unless the consultation required under these and other statutes is open and based on informed consent, it is not meaningful and cannot lead to a good end. When we refer to consultation in the modern era, we do not mean some sleight of hand;

rather, we intend fair, good faith dealings that honor the high standards of the United States' treaty and trust relationship with the Native peoples.

I will close my remarks simply by including excerpts from just two recent judicial decisions regarding the nature of Federal-tribal consultation. First, from the U.S. District Court for the Southern District of California ruling in the case of Quechan Tribe v. United States Department of the Interior, et al (December 15, 2010), citing the National Historic Preservation Act: "The consultation requirement is not an empty formality; rather, it 'must recognize the government-to-government relationship between the Federal Government and Indian tribes' and is to be 'conducted in a manner sensitive to the concerns and needs of the Indian tribe.'"

Second, from the case of Comanche Nation, et al v. USA, et al (September 23, 2008), involving the Army's failure to consult with the Comanche Nation regarding a sacred place, Medicine Bluff, the U.S. District Court for the Western District of Oklahoma found that the National Historic Protection Act, NHPA:

... requires an agency to make a reasonable and good faith effort to identify historic properties that may be impacted, and to identify ... issues in connection with such potential impact. ... The reasonable and good faith efforts requirement extends to consultation with Native American tribes which may attach religious and cultural significance to potentially affected property ... It has been said that, in a general sense, the NHPA requires agencies to 'stop, look, and listen' before commencing actions which could impact historic or culturally significant properties. ... The evidence submitted during the preliminary injunction hearing substantially demonstrates Defendants' actions were contrary to the letter and the spirit of the NHPA and its implementing regulations. ... Defendants virtually ignored the concerns regarding the viewscape up to the Bluffs from the southern approach. ... Contrary to the direction of the Ft. Sill Garrison Commander ... to 'get with the tribes' about their viewscape issues, that same day the Section 106 letter was sent out without a reference to Medicine Bluffs and without mentioning the potential impact on viewscape. Instead, the details of the TSC project were buried in technical attachments, and the consulting parties were left to ferret out for themselves the adverse impact on viewscape then known by Defendants to exist. ... Moreover, the requirement of good faith consultation suggests that the consulted Native American tribes would have considered it important to know, and therefore should have been told, that the TSC warehouse was the tip of the iceberg regarding plans to build within the southern approach to the Bluffs. ... In reality, the area in question is also slated for construction of a DRMO facility (which will occupy about 20 acres), construction of a fire station, and a widening of Randolph Road on its north side. Had this cumulative impact been disclosed to the area tribes, their initial reaction may well have been different. As it was, the Comanche Nation began complaining in earnest in the fall of 2007 and early 2008. These protests, asserted after the close of the 30-day comment period announced in the August 10, 2007 Section 106

letter, were brushed off by defendants as untimely. Having concluded that they technically complied with the Section 106 process, Defendants decided to proceed with the TSC project despite the mounting objections from the Comanche Nation. . . . it has been said that the NHPA requires an agency to 'stop, look and listen' Coliseum Square Ass'n, Inc., 465 F.3d at 225; the evidence in the present case suggests that Defendants merely paused, glanced, and turned a deaf ear to warnings of adverse impact. Thus, Defendants' efforts fell short of the reasonable and good faith efforts required by the law. Where a plaintiff shows that an agency failed to comply with the NHPA requirements, injunctive relief may issue.

The bottom line is that for over two centuries, our Nation disregarded the concerns of tribal nations with respect to projects affecting tribal communities. We now have laws and executive orders requiring deliberate and meaningful consultation on any actions taken by the Federal Government that affect tribal interests. This certainly applies to the Keystone pipeline.

I want to thank Senator BARRASSO for working with us on the amendment we just approved that makes it very clear that the consultation obligations must be adhered to. I also want to thank Senator HEINRICH, Senator TESTER, and Senator CANTWELL for their incredible help on this issue so we could get a compromise.

The work that Senator BARRASSO and I have done in consultation with other Members, with the amendments that have been filed, to try to find common ground exemplifies what I hope we would do more of here in the Senate: finding common ground.

So I am pleased we were able to adopt the Barrasso amendment.

AMENDMENT NO. 124 WITHDRAWN

With that, I ask unanimous consent to withdraw my amendment.

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

The amendment is withdrawn.

Under the previous order, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on S. 1 is agreed to, and the motion to reconsider is also agreed to.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1, a bill to approve the Keystone XL pipeline.

Mitch McConnell, Lisa Murkowski, Richard Burr, Jerry Moran, John Thune, Marco Rubio, Johnny Isakson, Kelly Ayotte, Ben Sasse, Deb Fischer, John Boozman, David Vitter, Tim Scott, Roger F. Wicker, Richard C. Shelby, Michael B. Enzi, 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 S. 1, a bill to approve the Keystone XL pipeline, shall

be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) and the Senator from Nevada (Mr. REID) are necessarily absent.

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

The yeas and nays resulted—yeas 62, nays 35, as follows:

[Rollcall Vote No. 45 Leg.]

YEAS—62

Alexander	Enzi	Moran
Ayotte	Ernst	Murkowski
Barrasso	Fischer	Paul
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Carper	Heitkamp	Sasse
Casper	Heller	Scott
Cassidy	Hoeven	Sessions
Coats	Inhofe	Shelby
Cochran	Isakson	Sullivan
Collins	Johnson	Tester
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	Manchin	Vitter
Cruz	McCain	Warner
Daines	McCaskill	Wicker
Donnelly	McConnell	

NAYS—35

Baldwin	Heinrich	Peters
Blumenthal	Kaine	Reed
Booker	King	Sanders
Boxer	Klobuchar	Schatz
Brown	Leahy	Schumer
Cantwell	Markley	Shaheen
Cardin	Menendez	Stabenow
Coons	Merkley	Udall
Durbin	Mikulski	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NOT VOTING—3

Hirono	Reid	Rubio
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The PRESIDING OFFICER (Mr. COTTON). On this vote, the yeas are 62, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, upon reconsideration, the motion is agreed to.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 15 minutes, and that following me, the Senator from North Carolina be recognized for up to 15 minutes.

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

Mr. ALEXANDER. Mr. President, I am advised by the highly competent floor staff that Senators NELSON and COLLINS will be worked in to be able to speak shortly after we have because I know they both are hoping to do that.

AMENDMENTS NOS. 67, 98, 103, 174, 102, AND 55
WITHDRAWN

Mr. ALEXANDER. I ask unanimous consent that the following amendments be withdrawn: Sullivan No. 67, Murkowski No. 98, Flake No. 103, Merkley No. 174, Tillis No. 102, and Peters No. 55.

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

INNOVATION FOR HEALTHIER AMERICANS REPORT

Mr. ALEXANDER. The Senator from North Carolina, Senator BURR, and I are here to speak about an important and exciting development that is about to occur in our Health, Education, Labor, and Pensions Committee. What we are talking about and we will describe in our remarks today is a report entitled "Innovation for Healthier Americans" which will launch a bipartisan effort to look at how Congress can help to get cutting-edge treatments, drugs, and devices to America's patients more quickly while still preserving this Nation's gold standard for safety and quality. This report and the actions we hope to take will affect virtually every American.

I am especially glad today to be here with the Senator from North Carolina. While there are a number of Senators on this body who worked hard on these issues—which in our government are usually dealt with by the Food and Drug Administration and by the National Institutes of Health—no one has been more effective, no one has worked harder, and no one has had more foresight and vision on these issues than RICHARD BURR, the Senator from North Carolina. The report today is substantially his work product, and he will be deeply involved in the next year as we work with Senator MURRAY, our Democratic friends, and with President Obama to try to bring this to a result.

In 2013, Dr. Francis Collins, Director of the National Institutes of Health, wrote the following:

Drugs exist for only about 250 of the more than 4,400 conditions with defined molecular causes. And it takes far too long and far too much money to get a new drug into our medicine cabinets. This is an old problem that cries out for new and creative solutions.

Since Dr. Collins said that, the number of conditions with defined molecular causes has increased now to about 5,390, yet the number of new drugs approved has not kept pace with these discoveries.

The President of the United States has recognized this problem. In his State of the Union message a few days ago, President Obama said this:

21st century businesses will rely on American science, technology, research and development. I want the country that eliminated polio and mapped the human genome to lead a new era of medicine—one that delivers the right treatment at the right time. In some patients with cystic fibrosis, this approach has reversed a disease once thought unstoppable.

The President said:

Tonight, I'm launching a new Precision Medicine Initiative to bring us closer to curing diseases like cancer and diabetes—and to give all of us access to the personalized information we need to keep ourselves and our families healthier.

Senator MURRAY and I had breakfast yesterday with Secretary Burwell and talked with her about the President's statement and about Secretary

Burwell's own desire to help implement that initiative.

Today Senator BURR and I released a report titled "Innovation for Healthier Americans."

Next, Senator MURRAY—who is ranking member of the Committee on Health, Education, Labor, and Pensions—and I will start examining the issues in this report and other issues raised in comments, through a bipartisan HELP Committee staff working group.

I emphasize that we are going to be working together, Democrats and Republicans. We are going to be working with Secretary Burwell, we are going to be working with the President of the United States, and we are going to be on a parallel track with the House of Representatives, where Chairman UPTON and his team have been working for several months on what they call 21st century cures. In our committee in the Senate we will begin hearings in March.

We are releasing the report today in order to ask for comments. Surely we missed something in the report. If someone who is listening or reading it may have an idea or solution, we would like to know about that. We have opened an email account just to hear from those outside of Washington, DC, that is: innovation@help.senate.gov.

Improving medical device and drug development is not a new topic for the HELP Committee. Legislation was passed in 1997 and different legislation was passed in 2012 to try to get at the same goal of speeding delivery of drugs and devices while ensuring they are still safe. Our goal will be to give bipartisan legislation to the President this year.

It is encouraging to have the House, the Senate, and the President working on such an important common goal that affects virtually every American during the same Congress. That greatly increases our likelihood of securing a result.

We want to improve and modernize how drugs and medical devices are discovered, developed, and approved. We will examine the work of the National Institutes of Health, which funds and enables much of the research that leads to medical breakthroughs and the Food and Drug Administration which regulates all the medical products we come in contact with.

As I mentioned, this work will touch the life of almost every single American—from a very ill patient who has run out of treatment options and is counting on the most cutting-edge drug to an active child with asthma who is hoping to run faster and farther with the aid of a new drug.

Today our scientists and researchers are making discoveries at a pace that our development process is not equipped to match. Patients wait while treatments languish in laboratories, going through our drawn out, inefficient, and outrageously expensive development process.

FDA Commissioner Dr. Margaret Hamburg has acknowledged that "we are left relying on the 20th century approaches for the review, approval and oversight of the treatments and cures of the 21st century."

There is no time to waste in solving this problem. The mapping of the human genome opened a whole new world of individualized medicine in which a person's genetic makeup can drive the doctor's plan for disease prevention, diagnosis, and treatment.

In the words of Andrew von Eschenbach, the former Commissioner of the FDA and Director of the National Cancer Institute:

We stand on the cusp of a revolution in health care. Advances in molecular medicine will allow us to develop powerful new treatments that can cure or even prevent diseases like Alzheimer's and cancer. Tomorrow's high-tech cures can also slash health-care costs and eliminate ineffective treatments. What will it take to realize the potential of the new medicine?

Today's report is the first step of our initiative. It seeks to answer the questions: What today is driving innovation? What barriers are standing in the way? What can we improve?

The report has five main themes:

No. 1, it costs too much to bring medical products to patients; No. 2, as science and technology advance, the discovery and development process takes too long; No. 3, the Food and Drug Administration's responsibilities have grown to include many unrelated to regulating medical products; No. 4, science outside the FDA is moving at a faster pace than ever; No. 5, an effective FDA is essential to maintain the U.S. leadership in biomedical innovation.

Some of the report's key findings include that complex medical devices approved in the U.S. were available to patients in Europe on average four years earlier than in the U.S., and increased competition for NIH grants may be discouraging researchers from proposing risky projects. Further, the average cost to develop a drug is disputed—some say \$1 billion, some say \$2 billion, some more—but all agree it is rising, and unpredictable and inconsistent development requirement standards in the FDA review process drive product developers to design clinical trials that are unnecessarily expensive.

Since World War II, the U.S. has dominated the biomedical industry space. Even 20 years ago, studies suggested that the U.S. share of global biomedical research funding was as high as 70–80 percent.

However, from 2007 to 2012, the U.S. share of research and development declined from about 51 percent to 45 percent. While the U.S. continued to lead the world in public sector investment during this time, private sector investment shrank by almost \$13 billion and largely reallocated to Asia.

This is a chance to step back and look at where we are and how all the different reauthorizations have added up. We need to ensure that legislative

efforts over the last 30 years are helping and not getting in the way of having the best treatment and technology available for the right patient at the right time. Our goal is simple but ambitious—to work in a bipartisan way with members of the HELP Committee to make sure policies support medical innovation and patient access to important medicines and medical technologies.

I ask unanimous consent to have printed in the RECORD the copy of the executive summary from the report that Senator BURR and I are releasing today.

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

EXECUTIVE SUMMARY

"We stand on the cusp of a revolution in health care. Advances in molecular medicine will allow us to develop powerful new treatments that can cure or even prevent diseases like Alzheimer's and cancer. Tomorrow's high-tech cures can also slash health-care costs and eliminate ineffective treatments. What will it take to realize the potential of the new medicine?"

—Andrew von Eschenbach, former FDA Commissioner, 2012

The federal government has been an enthusiastic investor in biomedical research for five decades. That investment has helped drive rapid innovation and bring us to a crossroads: Will we use what we have learned to transform the discovery and development of new drugs and medical devices, or will we maintain the status quo, depriving patients of cutting-edge products?

With the release of this report, the Senate Health, Education, Labor and Pensions (HELP) Committee is beginning an inclusive and transparent process to:

Candidly assess the status quo: What works? What's not working? What can we do better?

Identify how Congress can improve public policies to promote the efficiency and effectiveness of medical product development to cut down on the total time it takes for these products to get to American patients.

Pass transformational legislation that the President can sign this year.

Every American is personally affected by the U.S. Food and Drug Administration (FDA) and National Institutes of Health (NIH). Anytime we take medicine, have a routine check-up, or undergo a serious procedure for a health problem, like surgery or cancer treatment, we are using medical products regulated by the FDA. In many cases, the research leading to the discovery and development of these products has been advanced, funded, or enabled in some way by the NIH.

These two agencies have an enormous influence on our economy. FDA-regulated products account for about 25 cents of every dollar spent by American consumers each year.

For generations, America has led the world in medical innovation. The dedicated professionals at the NIH and FDA have helped to instill confidence in FDA-approved products. Scientists from across the globe take seriously the findings and caliber of research that NIH funds, as well as the safety and efficacy of products FDA approves.

But our global edge is slipping.

Medical discoveries and advancements to treat and cure diseases, including new targeted drugs, could, and should, be reaching American patients more quickly and with less cost to developers, without lessening the

standards of safety and efficacy. Too many patients with no treatment options wait while potential treatments languish in laboratories awaiting further development, testing, and/or approval. At the same time, each additional \$1 billion spent on pharmaceutical research and development results in fewer drugs than in years past. The time and cost of developing medical products is increasing without a discussion of whether there is enough incremental assurance of safety and effectiveness for the additional delays and costs.

Over the past several decades, FDA's mission and regulatory reach has expanded dramatically. This has resulted in an increasingly complex bureaucracy while the science of discovery and development has evolved more rapidly than ever in academia and private industry. FDA has struggled to regulate the most cutting-edge medical products. The disparity between the pace of scientific discovery and development outside of the FDA and FDA's scientific knowledge threatens America's position as a global leader in medical innovation.

FDA Commissioner, Dr. Margaret Hamburg, has acknowledged that "... we are left relying on the 20th century approaches for the review, approval and oversight of the treatments and cures of the 21st century." While the FDA has reviewed drugs in as little as three months, and meets the timelines set for medical device reviews the majority of the time, the inability of medical product developers to predict what questions will be asked during the review forces a multi-year process simply to get an application ready for FDA consideration. This lack of predictability is driven by fast changing and complex science, inefficient and inconsistent processes, and difficulty in hiring and retaining review staff and managers. This challenge will grow as new medical products and the clinical methods used to test them continue to evolve at an exciting pace.

This report aims to examine the current process of drug and device development and identify the inefficiencies that stand in the way of a modern development and review process. We take a close and honest look at what is, and is not, working well at the NIH and FDA. We want to know what successes we can replicate, and what failures must be learned from and fixed.

This report is organized to follow the process it examines—in other words it takes us from discovery to approval. We outline key problems, partnerships, initiatives, dollars, and data involved in helping to bring promising medical products through the research, development, and regulatory review process. We identify the challenges at the NIH and FDA—inefficiencies, unnecessary regulatory burden, a lack of predictability, and ever increasing regulatory costs—that must be addressed. We identify ways to facilitate stakeholder engagement in these processes, and we intend to continue regular and responsible congressional oversight.

Our goal is simple and ambitious—to work in a bipartisan way with members of the HELP Committee to align public policies to support accelerating medical innovation and patient access to important medicines and medical technologies.

Science has never held greater potential to improve the quality of life and outcomes for America's patients. In order to fully realize this exciting potential, we must identify, candidly assess, and confront existing factors that may be stifling efforts to innovate. We have identified five guiding principles for this effort:

(1) It costs too much to bring medical products through the pipeline to patients.

(2) As science and technology advance, the discovery and development process takes too

long for medical products to make their way to patients.

(3) FDA's responsibilities have grown to include many activities unrelated to the core function of regulating medical products to advance the public health.

(4) The disparity in scientific knowledge at FDA and the fast pace of biomedical innovation are slowing, and in some cases, stifling, innovation in American medicine.

(5) A working FDA is essential to continuing biomedical innovation in the United States and maintaining America's global leadership in medical innovation.

For us to succeed, we need your help. The full spectrum of stakeholders here is incredibly large and diverse, so it may be challenging to identify specific challenges and/or best practices that would have wide-ranging impact. We wish to solicit ideas on how to address these challenges in order to inform action in the 114th Congress. This report and the feedback we receive in response to it will inform what we expect will become a bipartisan legislative package to address the challenges we identify through this process. Please send your ideas to us at Innovate@help.senate.gov not later than February 23, 2015. These comments will be shared with Ranking Member Patty Murray and all of our colleagues on the HELP Committee as we work to achieve this important goal.

Mr. ALEXANDER. I look forward to the remarks from the Senator from North Carolina. As I have said, no Senator has done more on either side of the aisle in this area of helping us think about creative new ways to move treatments, medical devices, and drugs through our safety process into the medicine cabinets and into the hands of patients who desperately need them. I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I am pleased to talk about an issue that as Senator ALEXANDER said is near and dear to my heart; that is, ensuring that America's patients have access to the most cutting-edge medical products in as timely a manner as possible. I look forward to the partnership that Chairman Alexander and I have in what I think is one of the most crucial studies and processes we will go through in this session of Congress.

Many of my colleagues know that holding the National Institutes of Health and the Food and Drug Administration accountable for their work on behalf of America's patients is not a new area of focus for either one of us. After I was first elected to serve in the House of Representatives, I was tasked with modernizing the Food and Drug Administration, a Federal agency that controls 25 cents of every \$1 of our economy. This work culminated in the Food and Drug Administration Modernization Act of 1977, FDAMA, a total revamp of that agency.

FDAMA sought to ensure that the FDA had the tools it needed to keep pace with modern scientific advances. We modernized the agency in a way that supported regulating in the least burdensome manner, while ensuring that innovative products would reach patients in as timely a manner as pos-

sible. As many of my colleagues remember, these reforms were adopted at a critical point in the fight against the HIV/AIDS epidemic. But while we have made great strides in certain areas, FDAMA's tools haven't been fully leveraged, and the challenges of keeping pace with the cutting-edge technologies have only increased.

Today the timely and predictable review of medical products is key to promoting and protecting the public health, just as it was 18 years ago. But the agency's mission and responsibilities have expanded dramatically over that same period of time. The size and the scope of the FDA as an organization has never been more complex than it is today. By its own admission, FDA has struggled to regulate the most cutting-edge medical products at the same time our understanding of medicine and the ability to target treatments to individualized patients has never been greater. The growth of the agency and its responsibilities presents serious management challenges.

Our report, as the chairman said, entitled "Innovation for Healthier Americans: Identifying Opportunities for Meaningful Reform to Our Nation's Medical Product Discovery and Development," takes a hard look at the current status quo and poses targeted questions that can help inform how we do things better. We need to identify how we can improve our policies to promote more efficient and effective medical product development and review processes to cut down on total time it takes for these lifesaving products to actually reach America's patients.

We have seen how regulatory burden and uncertainty results in innovation going overseas, while America's patients wait for the FDA to catch up. The day-to-day actions and in many cases inaction at the agency has a profound effect on our Nation's patients and our health care.

It also directly impacts our economy, as FDA-regulated products account for about 25 cents of every \$1 spent by American consumers. The importance of holding the agency accountable for its actions and inactions—all the way from the frontline reviewers to the Commissioner—has never been more important than now.

This is what the current landscape tells us:

No. 1, it costs too much to bring medical products through the development pipeline to patients. There is no disputing that the costs to bring medical products through the development pipeline have grown over time.

No. 2, as science and technology advance, the discovery and development process takes longer for medical products to make their ways to patients. We need to look at the total real time it takes for medical products to reach a patient, not only the time of FDA review.

In 2004, FDA's Critical Path Report warned that:

Today's revolution in biomedical science has raised new hope for the prevention, treatment, and cure of severe illnesses. However, there is a growing concern that many of the new basic science discoveries made in recent years may not quickly yield more effective, more affordable, and safe medical products for patients. This is because the current medical product development path is becoming increasingly challenging, inefficient, and costly.

More than a decade later, these challenges continue to confront us. We must find a way to embrace our advances and to cut down on the total time it takes medical products to reach an American patient. Our report asks for feedback, as the chairman said, on how we do that.

No. 3, FDA's responsibilities have grown to include many activities unrelated to the core function of regulating medical devices to advance the public health. Today there are more than 12,000 employees at the Food and Drug Administration. This growth has exacerbated the management challenges of the agency, and the question is, How do we ensure that FDA is equipped to fulfill its mission?

No. 4, the disparity in scientific knowledge at FDA and the fast pace of biological innovation are slowing and in some cases stifling innovation in American medicine. To ensure that medical product innovation continues to benefit America's patients, our report asks how we could better leverage the regulatory science initiatives to ensure that the novel medical products are reaching America's patients in that timely fashion.

No. 5, we know that a working FDA is essential to be continuing biomedical innovation in the United States and maintaining America's global leadership in medical innovation. Therefore, we ask for feedback on how Congress and the FDA can work to align public policy and regulation to support biomedical research as a vibrant and healthy component of the U.S. economy.

We have a unique opportunity this Congress to take a hard look at what is and is not working and advance solutions that will ultimately ensure that the NIH and the FDA serve America's patients better. We have an opportunity to focus on these issues without a crisis demanding action, such as the unfortunate meningitis outbreak in 2012.

The drug and medical device user fee negotiations have not yet begun. I should add that these negotiations should not begin until everyone has the data to inform how well the agency is currently meeting what was agreed to in the last round of negotiations. It makes no sense to me why anyone would rush to engage in a negotiation before they have the data to know what they are getting or what they are currently paying for.

It is my hope that looking at these issues without the pressure of an eminent, expiring, user fee reauthorization will help to facilitate candid dialogue

among all stakeholders about where we are, where we need to go on behalf of America's patients.

While we do not have these pressures upon us today, we do bring an urgency to this work because of what is at stake. These issues impact every single one of our constituents and every single American, but they affect not only our patients but our economy and our global competitiveness.

Our goal is simple, to align public policies to support accelerated medical innovation and patient access to medicines and medical technologies, because when we advance innovation, we help America's patients be able to access the most cutting-edge, lifesaving medical devices, and products in as timely a fashion as possible.

We foster and facilitate the next generation of cutting-edge products which, in turn, help to ensure America's continued standing as the world leader of innovation.

This is good for our innovators, it is good for our patients, and it is good for North Carolina.

Dr. Paul Howard of the Manhattan Institute's Center for Medical Progress was right when he pointed out that innovation is not an option, it is a national imperative. Innovation is central to addressing our Nation's unsustainable health care costs. It is also central to improving the treatments, outcomes, and ultimately the quality of life for the American people.

Former FDA Commissioner Andrew von Eschenbach was kind enough to pen the foreword of this report. The chairman has already alluded to some of his statements, but in that foreword he writes:

Government policy can either inhibit or accelerate the next revolution in science and technology. The time has come to examine whether our nation has the right public policies in place to realize the full promise of discovery, development, and delivery of 21st century medicine.

Toward that end, I really do look forward to working with my good friend Chairman ALEXANDER, with our ranking member, Senator MURRAY, and with all the members of the HELP Committee as we begin this important process of ensuring that the National Institutes of Health and the Food and Drug Administration work as well as they can for patients today and, more importantly, into the future.

I thank the chairman for the opportunity to work with him on this issue. It won't be an easy road, but it is one we are committed to tackling. I urge those who might have input for the purposes of this study and this initiative to please visit the HELP Web site and submit feedback to innovation@help.senate.gov. I am glad to see we have put that in place.

I say to my colleagues on both sides of the aisle, health care doesn't distinguish between parties. Health care requires us to come together and to put policies in place that drive innovation and drive quality outcomes. If we can

do that, we might set a new pathway for how we cure disease, for how we bring down health care costs, and for how Americans look forward to a generation that grows up with less genetically transmitted diseases.

With that, I yield the floor.

I suggest the absence of a quorum.

Mr. COTTON. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senator from Florida, Mr. NELSON, and I be permitted to proceed for up to 20 minutes.

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

RETIREMENT SECURITY ACT

Ms. COLLINS. Mr. President, today Senator NELSON and I rise to discuss S. 266, the Retirement Security Act, legislation we filed earlier this week and first introduced last year. Our bill would encourage more small employers to offer retirement plans that would provide incentives for employees to save more for retirement and would ensure that low-income and middle-income taxpayers are able to claim tax benefits for retirement savings that are already authorized in law.

Our bill is the product of the work that Senator NELSON and I did together on the Special Committee on Aging. In the fall of 2013, the committee conducted a hearing on retirement security where we heard from witnesses that far too many American seniors have real reason to fear they will outlive their savings. According to the nonpartisan Center for Retirement Research at Boston College, there is an estimated \$6.6 trillion gap between the savings that American households need to maintain their standard of living in retirement and what they actually have. The group that was surveyed were those Americans between ages 32 and 64.

Nationally, one in four retired Americans has no source of income beyond Social Security. In the State of Maine the number is one in three. While 4 in 10 rely on this vital program for 90 percent of their retirement income, Social Security provides an average benefit of just \$1,294 per month—less than \$16,000 per year.

It is hard to imagine stretching those dollars far enough to pay the bills. Certainly a comfortable retirement would be out of the question for most Americans.

A recent Gallup poll shows there is an increase in concern among the American people about their standard of living in retirement. This has gone up over time. Two decades ago 34 percent of Americans were concerned. Now 60 percent of Americans are worried about their standard of living in retirement.

Sadly, they are right to be concerned. Projections published in 2014 by the Employee Benefit Research Institute showed that nearly half of “early boomers”—those between ages 56 and 62 when the study was conducted—are at risk of not having enough money to pay for basic costs in retirement, including health care costs not covered by insurance.

There are many reasons for the decline in retirement security facing American seniors, including the demise of many defined-benefit pension plans in the private sector, the severity of the financial crisis we recently endured, rising health care costs, the greater and expanding need for long-term care, which is so expensive, but most of all the fact that Americans are living far longer than they did in the past. Many of us are also reaching retirement age with far more debt than retirees of previous generations.

Another contributing factor we found is that employees of small businesses are much less likely to participate in employer-based retirement plans. According to a July 2013 GAO study, more than half of the 42 million Americans who work for businesses with fewer than 100 employees lack access to a work-based plan to save for retirement. Cost and complexity are among the reasons that plans are not more widely offered by smaller employers.

These employers would very much like to offer plans, but oftentimes the cost and the complexity make the plans out of reach. Therefore, making it easier for smaller businesses to provide access to retirement plans for their workers would make a significant difference in the financial security of many retirees. That is why the bill that we reintroduced earlier this week focuses on reducing the cost and complexity of retirement plans, especially for small businesses, and on encouraging individuals to save more for retirement.

Let me now go into detail about the provisions of our bill.

First, our bill would allow small businesses to enter into multiple employer plans, MEPs, to offer retirement programs jointly to their employees. This allows small companies to share the administrative burden of a retirement plan, which helps lower costs. Current law discourages the use of MEPs because it requires a connection, or “nexus,” between unrelated businesses in order to join a MEP, such as membership in the same trade association. Our bill would waive the nexus requirement for businesses with fewer than 500 employees. So as not to discourage growth, our bill provides a long phase-out under which businesses are not automatically disqualified from a MEP when they hire their 500th employee.

Second, our bill makes joining a MEP a more attractive option for small businesses. Under current law, if one employer in a MEP fails to meet the minimum criteria necessary for retire-

ment plans to obtain tax benefits, all employers and their employees could lose these tax benefits, which are substantial. For employees, they include delaying the taxation of income contributed to a plan until funds are withdrawn. For employers, plan disqualification could result in limited deductions and a higher tax burden. Our bill directs Treasury to issue regulations to address this uncertainty, and protect members of a MEP from the failure of one bad apple to meet its obligations.

Third, our bill reduces the cost of maintaining a retirement plan. Current law requires that participants in a retirement plan receive a variety of notices. Our bill would direct Treasury to simplify, clarify, and consolidate these required notices, to lessen costs.

Fourth, the Retirement Security Act encourages those still in the workforce to save more for retirement. Retirement plans are often designed to comply with existing safe harbors to prevent the IRS from challenging the tax benefits that flow to employees and employers. The existing safe harbor for so-called “automatic enrollment” plans effectively caps employee contributions at 10 percent of annual pay, with the employer contributing a “matching” amount of up to 6 percent. Our bill creates an additional safe harbor for these plans that would allow employees to receive an employer match on contributions of up to 10 percent of their pay.

I recognize that businesses that choose to adopt a plan with this new optional safe harbor may face additional costs due to the increased employer match. That is why our bill helps the smallest businesses—those with fewer than 100 employees—offset this cost by providing a new tax credit equal to the increased match.

Finally, our bill ensures that current measures to encourage savings are functioning as they were intended. One such measure is the so-called “saver’s credit,” which reduces the tax burden on low- and middle-income individuals who contribute to retirement plans, including IRAs and 401(k) plans. Yet the credit cannot be claimed on a form 1040EZ, which is frequently used by these individuals. A 2013 Transamerica Center for Retirement Studies survey found that only 23 percent of people with household incomes of less than \$50,000 per year, the group most likely to qualify, were aware of the saver’s credit. To address this, our bill directs Treasury to make the credit available on Form 1040 EZ.

I do want to emphasize in closing that there is nothing in our bill that would force a small business to offer a 401(k) plan. That may be impractical for some small employers. What we are trying to do is to provide incentives for them to do so, to reduce the cost, and to make it possible for them to join together with other employers to offer retirement plans. We are trying also to provide incentives for employees to save more for their retirement.

During my time on the Special Committee on Aging, I have heard countless stories of retirees whose savings did not go as far as they had anticipated. Adequate savings reduce poverty among our seniors in what should be their golden years. As the HELP Committee noted in a July 2012 report, poverty among the elderly also increases Medicare and Medicaid costs and strains our social safety net. Giving those not yet at retirement age more opportunities to save—and to save more—would help ease this additional burden on entitlement programs that are already projected to be unsustainable.

In light of the positive impacts this bill would have in strengthening retirement security for millions of Americans, I urge our colleagues to join Senator NELSON and me in supporting the Retirement Security Act of 2015. This bill has been endorsed by the Maine State Chamber of Commerce, the American Benefits Council, the American Council of Life Insurers, Fidelity Investments, Lincoln Financial Group, the National Association of Insurance and Financial Advisors, the Plan Sponsor Council of America, the Principal Financial Group, the Society for Human Resource Management, TransAmerica, and the U.S. Chamber of Commerce.

I ask unanimous consent to have printed in the RECORD these as well as other letters of support.

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

MAINE STATE CHAMBER OF COMMERCE,
Augusta, ME, January 8, 2015.

Hon. SUSAN M. COLLINS,
Dirksen Senate Office Building, U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: First, I want to wish you a Happy New Year. I would also like to thank you for your continued service to the state of Maine, particularly the business community. Your efforts in Washington are most appreciated!

I am writing to you today about your efforts to enable more businesses to offer retirement plans to their employees. The Maine State Chamber of Commerce fully supports your efforts on this front. As you know, small businesses drive Maine’s economy—80% of businesses here in Maine employ fewer than 20 people—and their employees are like family to them.

I regularly hear from small businesses who want to offer more retirement benefits to their employees, but are not in the financial position to do so. Coming from a small business state, you clearly understand this. Your proposed legislation can change this dynamic and make offering retirement plans a more viable option for more small businesses—not only in Maine, but across the country.

Again, thank you for your efforts on behalf of Maine’s business community. Please let me know if you have any questions.

Sincerely,

DANA F. CONNORS,
President/CEO.

AMERICAN BENEFITS COUNCIL,
Washington, DC, January 21, 2015.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.
Hon. BILL NELSON,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS AND SENATOR NELSON: On behalf of the American Benefits Council, I am writing to applaud the introduction of the Retirement Security Act of 2015. We stand ready to assist you in working toward enactment of this important piece of legislation.

The Council is a public policy organization representing principally Fortune 500 companies and other organizations that assist employers of all sizes in providing benefits to employees. Collectively, the Council's members either sponsor directly or provide services to retirement and health plans that cover more than 100 million Americans.

The private retirement system is a great success and has helped ensure the retirement security of millions of Americans. But there is still more work to be done, especially with respect to the coverage of small business employees and with respect to benefit levels.

Your bill would take major steps forward in addressing both of these issues. We believe the bill's reforms of the multiple employer plans rules will expand opportunities for small businesses to band together to maintain plans at a lower cost. In particular, we applaud the provision that would prevent an entire multiple employer plan from being disqualified by reason of a violation of the qualification rules by one or more participating employers. This inappropriate result under current law can deter many small employers from joining a multiple employer plan.

The Council is a strong supporter of automatic enrollment, and believes that the Retirement Security Act of 2015 would substantially increase the use of automatic enrollment through the establishment of an alternative safe harbor with key incentives to adopt it. Moreover, the alternative safe harbor would set default contributions at higher levels that are better designed to achieve retirement security.

We thank you for your leadership in this important area and look forward to working toward enactment of this important bill.

Sincerely,

LYNN D. DUDLEY,
Senior Vice President,
Global Retirement
and Compensation
Policy, American
Benefits Council.

AMERICAN COUNCIL OF LIFE INSURERS,
Washington, DC, January 21, 2015.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.
Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR COLLINS AND SENATOR NELSON: The American Council of Life Insurers (ACLI) would like to express our appreciation for your leadership in the field of retirement security, especially in your roles as Chairman and Ranking Member of the Senate Special Committee on Aging. We support you for reintroducing the Retirement Security Act of 2015, a bill that would greatly expand the ability of Americans to better save for their retirement.

ACLI represents approximately 300 legal reserve life insurer and fraternal benefit society member companies operating in the United States and abroad. ACLI member companies offer insurance contracts and

other investment products and services to qualified retirement plans, including defined benefit pensions, 401(k) and 403(b) arrangements, and to individuals through individual retirement accounts (IRAs) or on a non-qualified basis. Our members and their products help Americans accumulate retirement savings and turn those savings into guaranteed lifetime income.

ACLI supports proposals that will help expand coverage and encourage small businesses to sponsor retirement savings plans for their employees. The Retirement Security Act of 2015 would help facilitate the use of private multiple employer plans, encourage greater use of auto-enrollment and auto-escalation features, and allow employers to use a "stretch match" to incent employees to save even more. The bill would expand tax incentives for small businesses to offer retirement plans, an important consideration for many employers. Likewise, the bill would make it easier for more individuals to access the Savers' Credit, helping low-income workers maximize their savings. These valuable reforms will help to expand a system already important to millions of Americans.

Again, we appreciate your continued support of the current retirement security system. ACLI and its member companies look forward to working with you and your staffs to improve retirement security for all Americans.

Sincerely,

DIRK KEMPTHORNE,
President and Chief Executive Officer.

FIDELITY INVESTMENTS,
Boston, MA, January 20, 2015.

Hon. SUSAN COLLINS,
Dirksen Office Building,
Washington, DC.
Hon. BILL NELSON,
Hart Office Building,
Washington, DC.

DEAR SENATORS COLLINS AND NELSON: On behalf of Fidelity Investments, I would like to thank you for your efforts to improve retirement security and enhance pension coverage among small employers. The private employer retirement system has been a great success, yet more can be done to improve retirement security and expand access to workplace savings plans.

Fidelity supports provisions in the Retirement Security Act of 2013 that would establish a new safe harbor from the 401(k) non-discrimination rules for plans that automatically enroll employees at a minimum contribution level equal to 6 percent of pay. One of the key actions to boost retirement security for workers is to save at the right rates in a workplace savings plan. Automatic enrollment at a minimum of 6 percent of pay, along with annual automatic increases and investing appropriately, puts workers on a better path toward retirement security. Our data and analysis show that the average participation rate among plans with automatic enrollment is approximately 90 percent, regardless of the default contribution rate and regardless of the salary level. The 3 percent minimum contribution rate under the current safe harbor is too low and woefully inadequate to put employees on a path to reach their retirement savings goals. Due to human inertia many employees who auto-enroll at 3 percent are unlikely to take any action to increase their savings. Raising the minimum contribution level from 3 percent to 6 percent would go a long way toward increasing savings rates and improving retirement security.

Furthermore, Fidelity supports provisions in the bill to streamline and simplify regulations and reduce unnecessary burdens that serve as an obstacle to retirement plan coverage. Regulatory burdens are one of the big-

gest obstacles to small employers that may otherwise want to offer a retirement plan to their employees.

Fidelity applauds your leadership on retirement security and appreciates your efforts to advance these reforms. We hope to work with you as the bill moves through the legislative process to further simplify the rules and streamline duplicative or unnecessary regulations to help achieve your goal of expanding pension coverage.

Regards,

DOUGLAS B. FISHER,
Senior Vice President.

LINCOLN FINANCIAL GROUP,
Greensboro, NC, January 20, 2015.

Hon. SUSAN COLLINS,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of Lincoln Financial Group, I am writing to express our strong support for the Retirement Security Act of 2015. We thank you for your leadership in sponsoring this very important bill.

Congress has made great strides forward in enhancing retirement security, but there are many challenges still ahead. One of the key challenges is improving retirement plan coverage among small businesses. The Act would help address the small business issue by reforming the rules regarding multiple employer plans, which help small businesses achieve many of the economies of scale that large businesses have. The Act would modify the rules to make multiple employer plans more efficient and more workable for small businesses.

We also applaud the Act's new automatic enrollment safe harbor and its important enhancement of access to the saver's credit. These provisions will increase participation levels, especially among low and middle-income individuals.

We strongly support your efforts and stand ready to assist you in moving forward with this important piece of legislation.

Sincerely,

CHARLES C. CORNELIO,
President, Retirement Plan Services.

NATIONAL ASSOCIATION OF
INSURANCE AND FINANCIAL ADVISORS,
Falls Church, VA, January 7, 2015.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: The National Association of Insurance and Financial Advisors (NAIFA) applauds your efforts in preserving and enhancing the voluntary employer-provided retirement system and the tax incentives that support it. These plans are helping millions of American families achieve a secure retirement.

The employer-sponsored retirement plan system has introduced tens of millions of American workers to retirement saving. Employers voluntarily establish and promote these plans to help their workers build assets for a secure retirement.

NAIFA encourages support for the Retirement Security Act of 2015 introduced by Senator Susan M. Collins. The bill would add a new more generous safe harbor for small business retirement plans, establish a tax credit for employer matches for plan sponsors using the new (optional) safe harbor, and ease the rules allowing small employers to join multiple employer pension plans.

Cost is often a factor in whether a business will offer a plan for its employees to adequately save for retirement. This bill lowers costs by waiving a requirement that there be a nexus among businesses to join multiple employer plans, thereby allowing more entities to share plan administrative burdens.

The bill instructs Treasury to simplify, clarify and consolidate notice requirements for retirement plans, and instructs Treasury to provide taxpayers using a 1040EZ filing the ability to report and receive a tax credit, if eligible.

We thank you for your leadership in helping employees plan and prepare for a financially secure retirement.

Sincerely,

JULI Y. MCNEELY,
LUTCF, CFP, CLU,
NAIFA President.

PRINCIPAL FINANCIAL GROUP,
Des Moines, IA, January 9, 2015.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR COLLINS AND NELSON: On behalf of Principal Financial Group, I want to thank you for your leadership in seeking to improve and enhance the existing voluntary defined contribution system through the Retirement Security Act of 2015. Employer sponsored 401(k) plans and other worksite retirement plans have helped millions of workers save trillions of dollars. These plans have proven to be resilient even in challenging times but more is needed to expand access to worksite retirement plans. Your proposal builds upon the strength of the existing system, providing main street businesses the necessary tools to address retirement savings adequacy and coverage challenges.

Principal Financial Group is a leading provider of defined contribution plans with more than 70 years' experience working with small to medium-sized employers and their employees. We currently provide retirement services to more than 41,000 retirement plans and 4.5 million employee participants.

Principal was particularly pleased with your inclusion of the enhanced automatic contribution safe harbor. We must find ways to encourage far greater numbers of plan sponsors to adopt automatic enrollment and escalation features with substantive employer match contributions. To do this, we feel more flexibility is needed in the existing safe harbor requirements and your proposal offers a good starting point for gaining that additional flexibility.

Thank you for your leadership in this area. We look forward to working with you as the process continues. Seeking solutions to these important policy considerations to expand savings rates in the current employer based retirement system is vital to the economic wellbeing of millions of future retirees.

Sincerely,

GREGORY J. BURROWS,
Senior Vice President.

SOCIETY FOR HUMAN
RESOURCE MANAGEMENT,
Alexandria, VA, January 9, 2015.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATORS COLLINS AND NELSON: On behalf of more than 275,000 human resource professionals who belong to the Society for Human Resource Management (SHRM), I would like to thank you for your leadership on the issue of retirement security. The introduction of the Retirement Security Act of 2015, demonstrates your commitment to ensuring that all Americans are given the ability to save for retirement.

Founded in 1948, SHRM is the world's largest membership organization devoted to

human resource management. Representing more than 275,000 members in over 160 countries, SHRM is the leading provider of resources to meet the evolving needs of HR professionals, while advancing the professional practice of human resource management. SHRM has more than 575 affiliated chapters throughout the United States.

As human resource professionals, it has been our members' experience that a comprehensive and flexible benefits package is an essential tool in recruiting and retaining talented employees. Regardless of an employer's size, it is vitally important that every employee be given the opportunity to save and plan for retirement and to protect his or her family's financial health. Steps the government can take to facilitate and encourage voluntary employer-sponsored retirement plans and individual savings plans are critical to achieving this goal.

Removing barriers and disincentives, especially for small businesses, is a tactic that can lead to greater participation in employer-provided defined benefit retirement plans. A variety of options including tax incentives, increased contribution limits, catch-up contributions for older workers and increased access for employees, are all elements that have proven to increase participation and contribution levels in retirement plans. SHRM believes that the Retirement Security Act of 2015 would benefit both employers and employees by expanding important tax credits to small businesses as well as expanding auto-enrollment safe harbor provisions. These elements are essential for small businesses, who comprise an important segment of our membership, to offer retirement plans that enable their employees to save for retirement.

We look forward to working with you in the future to ensure that retirement security for all Americans is preserved.

Sincerely,

MICHAEL P. AITKEN,
Vice President, Government Affairs.

TRANSAMERICA,
GOVERNMENT AFFAIRS,
Washington, DC, January 22, 2015.

Re Retirement Security Act of 2015

Hon. SUSAN COLLINS,
Dirksen Senate Office Building, U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of Transamerica, I would like to thank you for your leadership on retirement security issues as most recently evidenced by your introduction today of the Retirement Security Act of 2015.

Your bill addresses in a comprehensive manner problems faced by small and large employers in providing their employees the means to save for a secure retirement, as well as by individuals in trying to achieve a secure retirement through workplace savings. In particular, removing impediments to the adoption of multiple employer plans, expanding the auto enrollment safe harbor and making it easier to claim the Saver's Credit are areas in which Transamerica has been extremely active—from a policy, participant education and market development standpoint. I and others at Transamerica look forward to working with you and your staff as you move the bill forward.

The Transamerica companies market life insurance, annuities, pensions and supplemental health insurance, as well as mutual funds and related investment products throughout the U.S. and in selected countries worldwide. Transamerica Retirement Solutions provides and services workforce retirement savings plans in the small and mid-large employer markets. As of December 31, 2014, these plans held in the aggregate

over \$132 billion in assets for 3.7 million participants. The Transamerica companies are ranked among the top insurance groups in the U.S., based on admitted assets, and employ approximately 11,000 people nationwide.

Please do not hesitate to contact either me if I can provide any specific information regarding our retirement plan business or market expertise to support your efforts.

Very truly yours,

JEANNE DE CERVENS,
Vice President & Director,
Federal Government Affairs.

CHAMBER OF COMMERCE,
UNITED STATES OF AMERICA,
Washington, DC, January 21, 2015.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

Hon. VERN BUCHANAN,
House of Representatives,
Washington, DC.

DEAR SENATOR COLLINS AND REPRESENTATIVE BUCHANAN: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, thanks you for introducing the "Retirement Security Act of 2015." Retirement security is a critical issue, and our members support all efforts to encourage voluntary participation in retirement savings plans.

The Retirement Security Act of 2015 includes key provisions that the Chamber has set forth as important reforms to the retirement system including eliminating barriers to the use of multiple employer plans; providing optional safe harbor alternatives; and simplifying notice requirements. Overall, the Chamber believes that the Retirement Security Act of 2015 would provide important reforms to encourage participation by both plan sponsors and plan participants in the employer-provided retirement system.

The Chamber looks forward to working with you on this bill and urges Congress to take steps to further the enactment of the bill.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President,
Government Affairs.

PLAN SPONSOR COUNCIL OF AMERICA,
Washington, DC, January 20, 2015.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

Hon. BILL NELSON,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND NELSON, The Plan Sponsor Council of America (PSCA) is pleased to endorse the Retirement Security Act of 2015. The Act removes several impediments that restrict the ability of small businesses to participate in multiple employer plans, or MEPs. Expanded MEP access will open another important avenue for small business owners to provide critically important retirement plans for hardworking employees.

The small business arena is the last frontier for improving access to an employer-provided retirement plan. The Retirement Security Act of 2015 will help conquer this frontier, providing a uniform, federal response. This is an especially timely endeavor as states consider enacting new legislation relating to employer-based retirement plans that could result in a problematic patchwork of disparate laws impacting plan sponsors and employees.

Thank you for your efforts on behalf of American workers.

Sincerely,

STEPHEN MCCAFFREY,
Chairman, PSCA Legal
and Legislative Committee.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, this bill is borne out of the work Senator COLLINS and I did on the Special Committee on Aging. After we had a hearing on the condition of the American senior citizen, it was certainly clear that something had to be done to give them better access to retirement plans.

A lot of the situation that Senator COLLINS has just described is so true. Fewer than half of workers have access to any retirement plan at work, and those numbers are even constricted when you start talking about employees who work for smaller business. Only one quarter of small businesses with less than 100 employees offers any type of retirement plan for their employees.

The lack of a retirement plan at work means when an individual gets to be a senior citizen they are going to end up relying on Social Security, where we are talking about a benefit of maybe \$1,300 a month, or \$15,000 a year. That is simply not enough to pay for housing and medical care and other expenses. In my State of Florida, one-third of the senior citizens rely on Social Security income to get by in retirement. We have to fix this problem. There are too many people who work too hard throughout their lives and get to be in those golden years, and then they are faced with a real crisis.

So the legislation the two of us have worked on for well over a year will offer retirement plans by encouraging small businesses to set up those retirement plans. One example would be small businesses will be able to pool together their resources and take advantage of the economies of scale. There is no reason that a very good retirement plan can't be as a result of cobbling together the resources of many small businesses and still have a retirement plan that makes sense for the individual retirement business because they are getting the economies of scale.

The bill is going to encourage the employees to save more with things such as providing automatic enrollment in retirement plans, and it is going to encourage increasing the employer match. Those things are all common sense.

I join Senator COLLINS in urging our colleagues to come together, and let's try to do this for the American senior citizens.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Ms. WARREN pertaining to the introduction of S. 320 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 203

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 4:30 p.m. on Monday, February 2, the Senate proceed to the consideration of Calendar No. 6, H.R. 203; that the time until 5:30 p.m. be equally divided in the usual form, and that following the use or yielding back of that time, the bill be read a third time and the Senate vote on passage of the bill, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. FEINSTEIN. Mr. President, I wish to speak in opposition to the Keystone XL Pipeline. This bill will not help our economy, it will not create permanent jobs, and it certainly is not a boon to the environment. On item after item, the Keystone pipeline just doesn't make sense for the United States.

When we last debated Keystone in November, the price for a barrel of oil was about \$75. That price was already down from a peak of \$100 in 2014, and since then the price has dropped another \$25, to less than \$50 a barrel.

In November, the average price of gas was nearly \$3 per gallon. This week, gas averages around \$2.20 per gallon—the cheapest in nearly six years—and many States are seeing gas under \$2 per gallon.

In fact, since this pipeline was first proposed in 2008, America has gone from the third largest producer of oil to the world's largest producer, surpassing both Russia and Saudi Arabia. As a result of new production and increasing fuel economy, the final months of 2014 saw the lowest net imports of crude oil since 1986.

The Keystone Pipeline is simply not necessary for America's energy independence.

Even worse, the oil that moves through the pipeline isn't necessarily for the benefit of the United States. Instead, the pipeline would be a conduit to move the oil from Canada to the Gulf of Mexico, where it will be refined and sold on the global market. Some individual barrels may be kept in the United States, but much will be exported and prices will be set by international supply and demand. The State Department's review projected that building a pipeline would have "little impact on the prices U.S. consumers pay for refined products such as gasoline." I fail to see how the United States gains any economic benefit from this project.

Finally, Keystone supporters often argue that the pipeline creates large numbers of jobs. It is great that this

project will create nearly 2,000 direct construction jobs over 2 years, and more indirectly. Unfortunately, those jobs are temporary. That means once the pipeline is complete in two years, operating the pipeline will support only around 50 permanent jobs.

The American economy won't benefit from this bill. American companies won't benefit. American drivers won't benefit, and American workers won't benefit. The economic policies behind the pipeline just don't make sense.

Unfortunately, the problems also don't end with the lack of economic value. This project also comes with substantial hazards for the environment. Extracting oil from these tar sands would essentially mean the destruction of huge swaths of land in Alberta. The tar sands are beneath 54,000 square miles of boreal forest and peat bog, an area the size of the state of New York.

An estimated 20 percent of the deposits require destructive surface mining, which entails clearing huge swaths of boreal forest and top soil to get at the tar sands beneath. Already, 175,000 acres of forest have been cleared, but an additional 1 million acres of forest have already been leased for surface mining operations.

This destructive form of mining generates large volumes of toxic wastewater, which must be stored in vast tailings ponds that already cover around 70 square miles. These tailings contain high concentrations of benzene and other carcinogens, as well as lead and mercury. Significantly higher levels of these pollutants have been found downstream from tar sands refineries, leading to higher rates of cancers, including leukemia and non-Hodgkin's lymphoma.

The development of these tar sands will have negative effects on the environment and public health, and it has also contributed significantly to Canada's failure to fulfill its Kyoto Protocol obligations. I believe that Canada should rethink its approach to tar sands development.

Finally, I wish like to address climate change. No matter how hard some of my colleagues hope climate change isn't real, it is, and we are already seeing harmful effects.

Transforming the oil from tar sands into useful gasoline is 80 percent more carbon intensive than the processing of typical crude oil. Producing, refining, and combusting the oil that Keystone would carry will release up to 168 million metric tons of greenhouse gas emissions every year. That is 27 million metric tons more greenhouse gas emissions than would be emitted from burning the same amount of typical crude oil. To put this in context, those additional emissions over normal processing are equivalent to the annual emissions from 5.7 million cars, 1.4 million homes or nearly 8 coal-fired power plants.

The economics of the Keystone Pipeline don't make sense, and the environmental risks could well be tragic. We

are being asked to approve a project that will primarily benefit Canadian companies and foreign oil markets, while at the same time accepting the consequences of the harm the pipeline and tar sands oil would create.

If this is about jobs, let's invest in clean energy. The Shaheen-Portman energy efficiency bill, for example, is estimated to create 190,000 jobs. If our goal is to lower fuel costs for American families, let's speed up improvements to fuel economy standards. If we want to modernize our infrastructure, let's get to work on a real transportation reauthorization bill. And if our aim is to exploit our energy resources, let's focus on wind and solar, biofuels, or the future of batteries and fuel cells.

We can do better than the Keystone Pipeline, both for our economy and for the environment. I encourage my colleagues to vote "no" on the Keystone Pipeline.

Mr. PERDUE. Mr. President, today I wish to speak on S. 1, legislation to approve the Keystone XL pipeline.

I am proud to be a cosponsor of this bipartisan bill, which will approve construction of the pipeline that has been under review for 6 long years. By moving this project forward, we are helping to secure America's energy future, improve our national defense, and create tens of thousands of jobs for Americans.

The Keystone XL Pipeline is a commonsense jobs bill. It should never have been a political issue. It goes far beyond the labor to construct the pipeline—it will drastically increase employment across many industries as we work to develop our North American energy resources. It is disappointing that the President is threatening to veto its approval when building Keystone would create American jobs and help lower energy costs for families across the country.

The American people are still struggling in today's economy, and they expect and deserve Washington to cut red tape and unleash America's energy resources. Building the Keystone XL pipeline is an important step toward meeting these goals, will help ensure America's energy security, and reinforce relations with our largest trading partner.

Unleashing our Nation's full energy potential remains one of my top priorities in the U.S. Senate. I will work to advance serious policies that responsibly develop all of our energy resources, create good jobs, and make America more energy independent.

It is time we start putting America's issues on the President's desk. I urge the President to reconsider his threat to veto the bipartisan Keystone jobs bill and to finally take the opportunity to work with Congress to find solutions the American people want.

The Senator from Florida.

TELEPHONE TRACKING DEVICES

Mr. NELSON. Mr. President, there is a disturbing report in the Washington Post today about a major telephone

company, Verizon, putting supercookies on the phones that its customers are using which will allow those customers to be tracked, and if that information is turned over to third parties, to be utilized for purposes of advertising, even though the customer has indicated they do not want that particular cookie placed on their device.

Our staff on the commerce committee will be investigating this, and we certainly want to make sure that in this time of ubiquity of eyes prying all around in this electronic age we are living in that we preserve the rights of privacy for all individuals.

This is a matter of particular importance to the commerce committee. It is of extreme importance to this Senator, and I will keep the Senate informed.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. MURPHY. Mr. President, I know we are about to bring some final votes on Keystone to the floor, but I want to take a few minutes to speak on the topic we will be focused on next week, and that is the impending crisis at the Department of Homeland Security should we not continue to fund their operations, which matters greatly to a State such as Connecticut—a State with expansive coastline, with natural disasters as part of our recent history, and with a close connection to some of the potential epicenters for terrorist activity and attacks, New York City being at the top of the list.

It was just 3 weeks ago that terrorists staged a horrific attack in downtown Paris. Before they were stopped by law enforcement, dozens of people were killed or injured and the world was given another reminder of the threats that exist all around us. Across Europe countries stepped up their alert, increasing their law enforcement presence, raiding suspected terror cells, and requesting the assistance of the United States to help track down the people who carried out the attacks.

Astoundingly, though, here at home, it seems as though there are a lot of Republicans in Congress who would rather talk about deporting children who were brought to this country without documentation rather than talk about funding the very agency that every day seems to keep our homeland safe from threats.

Even as our allies in Europe look for ways to improve their security, the House of Representatives, in particular, has told us that the only way we can fund the Department of Homeland Security—keeping this country

safe—is to start deporting young boys and girls who are here trying to make it in the United States.

The United States is no stranger to the types of attacks that happened in France. An Ohio man was arrested 3 weeks ago when it was discovered he was plotting to blow up the United States Capitol. I am certain we have not already forgotten about the Boston marathon bombing or what happened before that in Oklahoma City. The threats against this country continue to evolve.

Why should we play politics with the agency that is most responsible for responding and getting this country ready for those threats? It is the height of irresponsibility to suggest, as some of my colleagues have, that shutting down the Department of Homeland Security—the Department responsible for protecting the United States from terrorist attacks—would be no big deal.

This is what the Secretary of Homeland Security has said. Last week he said:

... as long as we are on a CR, we cannot engage in new starts, new spending, new initiatives, new grants to state and local law enforcement to fund homeland security missions. We can't put in place the independent panel that recommended changes to the secret service. We can't do a lot of things for border security. Our counterterrorism efforts are limited.

In 28 days, the Department of Homeland Security, the agency charged with border security, aviation security, cyber security, Presidential security, and counterterrorism efforts, is going to run out of funding. Instead of working with the Senate, which overwhelmingly passed a bipartisan bill to fix our immigration system and secure our border, Republicans are willing to hold up this funding bill so they can deport DREAMers against the President's Executive order. It is not just irresponsible, it is dangerous.

In my State, as I said, it matters greatly. Over the past several years, we have seen, as the northeast has been battered by hurricanes and superstorms and blizzards, the indispensable nature of agencies funded in the Department of Homeland Security budget. Failing to pass this bill would delay upgrades to critical and necessary emergency communication systems for first responders in my State that are responding to emergencies and disasters. Whether we like it or not, they are happening with greater frequency.

Fortunately, thanks to the leadership of Senator MIKULSKI and Senator SHAHEEN, there is a path forward. Yesterday they introduced a clean, full-year funding bill that has been endorsed by every Democratic Senator. This is the same bipartisan, bicameral bill that was negotiated by the House and the Senate last year.

This agreement includes critical assistance, critical increases in funding for our border security, cyber security, air and maritime surveillance, and biological and explosive detection at our borders. All of these things keep us

safe at a time when we know that terrorism is a more real threat than ever, not just to the United States but to our partner countries all around the world.

Last week, the Senate unanimously passed a resolution I was proud to have written, declaring that we stand in solidarity with the people in France, that we mourn the loss of innocent victims and condemn the atrocity of these attacks.

I submit that just as important as our words, which we all came together to support, are our deeds. Will our response now be to engage in a partisan fight over immigration or do we come together as Republicans and Democrats to fund the law enforcement personnel who are charged with keeping our citizens safe?

Next week when we return to this body, I strongly urge my Republican colleagues to quickly bring a clean, bipartisan Department of Homeland Security appropriations bill to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

CHILDREN'S HEALTH INSURANCE PROGRAM

Mr. BROWN. Mr. President, I rise to discuss the Children's Health Insurance Program. This Congress 20 years ago passed CHIP. It was an invention of Senator Kennedy and Senator HATCH, both Senators who cared a lot about what we do to help low-income children.

I was at Mercy Health Clinic in Cincinnati late last week, and early this week I was at Dayton Children's Hospital, talking to families who have benefited from the Children's Health Insurance Program.

In the great majority of cases, the parents of these children have full-time jobs—often two jobs. They typically make significantly less than what we would call a living wage. They rarely have any kind of health insurance, although now they are entering the exchanges or perhaps Medicaid—more likely the exchanges—but their children are not getting health insurance except through CHIP. It has been around for 20 years, and there are about 10 million children in the United States who benefit from the Children's Health Insurance Program.

The Children's Health Insurance Program is law. It has been reauthorized up through 2019, but the funding for it expires this September. I have spoken with members of the Senate Finance Committee, including my colleague here, Senator NELSON from Florida, who has been a big supporter of the Children's Health Insurance Program. Senators CASEY and STABENOW have been very involved, Senator GILLIBRAND, and as I said, Senator HATCH was one of the founders of this program, along with Senator Kennedy.

It is so important that we move as quickly as possible, in part because the

States need to budget these dollars—this Federal passthrough—so that it directly goes to the Children's Health Insurance Program. There are a few things we can do that are even more important than that.

In closing, I will add that it is not just the right thing to do, to fund the Children's Health Insurance Program, it is also a smart thing to do because it means that parents will take their child who has an earache to the family doctor because they have insurance, instead of waiting a week, when the pain is unbearable, and taking that child to the emergency room and costing all of us more as taxpayers and perhaps causing that child some hearing loss.

In addition to helping these families with health insurance and saving money, it also makes a big difference in schools. The children are less likely to miss school and children will be better able to learn if, in fact, they have better health insurance.

We know that is the case for our own children. All of us here have government health insurance, if you will, as Members of the Senate, and it is important that we do what we ought to do for the Children's Health Insurance Program. It matters for so many families in North Dakota, the Presiding Officer's State, and my State of Ohio.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

(The remarks of Mr. THUNE and Mr. NELSON pertaining to the introduction of S. 304 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that there be 2 minutes equally divided after each vote and that all after the first vote in the series be 10 minutes each.

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

AMENDMENT NO. 155

The question occurs on the Booker amendment No. 155.

Who yields time?

The Senator from New Jersey.

Mr. BOOKER. Mr. President, my amendment No. 155 ensures that Federal agencies disclose to the public, landowners, and communities any significant new circumstances learned about the impact of the Keystone XL Pipeline.

The National Environmental Policy Act—NEPA—is one of the most emulated statutes in the world. It is used as a model around the world. NEPA in fact is often referred to as the modern-day "environmental Magna Carta."

These are very commonsense ideas. NEPA regulations really do require agencies to actually supplement already issued environmental impact statements when significant new circumstances or information is found to exist relating to the environmental impacts of a project.

The pending Keystone bill, however, would deem the final environmental

impact statement issued last January to fully satisfy NEPA. In other words, if new circumstances come up that are germane and important, they do not get a chance to alter that statement. My amendment would change that.

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

Mr. BOOKER. I respectfully request 25 more seconds to conclude my comments.

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

Mr. BOOKER. My amendment would change that and would preserve the applications of agencies to supplement the EIS. For example, if the proposed route of the pipeline was to change, it could mean drinking water supplies and other critical resources would have a higher risk of contamination from a spill. People should know that.

When American companies are building projects, they comply with this important NEPA safeguard. Foreign companies should not be given a shortcut. If American companies do it, foreign companies should do the same.

This amendment is supported by the Natural Resources Defense Fund, the Sierra Club, and a number of other organizations. I ask my colleagues to support this amendment.

I yield the floor.

Ms. MURKOWSKI. Mr. President, we are here today because the Keystone Pipeline border crossing permit has been pending for years. There are no shortcuts at play.

The Booker amendment, drafted as a savings clause, would withhold the approval the bill seeks to confer if there are any new circumstances, new information relevant to environmental concerns. That is the whole point here.

The Keystone administrative record is already thousands of pages long. We have had 6 years of dos and redos. If this amendment is adopted, it begs the question as to whether there will ever be a decision.

I think the obvious strategy of pipeline opponents is to drag out the approval process until everybody gives up on it; everyone walks away. That is certainly not the intent of those of us who support this bipartisan bill. We don't want to see an endless round of further considerations. I think the majority here in the Senate believes it is time to move forward. Let's not have continued delays.

I urge a rejection of this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Booker amendment No. 155.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 41, nays 56, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—41

Baldwin	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Udall
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NAYS—56

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

NOT VOTING—3

Lee	Reid	Rubio
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The amendment (No. 155) was rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 130

Ms. MURKOWSKI. Mr. President, I call for the regular order with respect to the Boxer amendment No. 130.

The PRESIDING OFFICER. The amendment is now pending.

Ms. MURKOWSKI. It is my understanding that Senator BOXER is willing to forgo a rollcall vote, but she would like to speak to her amendment.

I turn to Senator BOXER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. If I could ask for the attention of my friends.

The reason I so wanted have this 1 minute even though I am not asking for a rollcall vote is because I want to make clear what we are doing in this underlying bill.

This is the only time in the history of the Senate that we have given such a big hug and kiss to a private company—any private company, American or foreign.

My amendment simply says that if TransCanada breaks the rules related to any permit they have—for example, there is an oilspill and they don't follow the oilspill plan or they don't handle hazardous waste in the right way—a whole list: They use the wrong steel.

It is dangerous. They are dangerous to their workers. It doesn't matter what they do, under the underlying bill, S. 1, they can never lose their permit. We don't do that for any other company, let alone a foreign special interest company that is going to take this oil and siphon it right out of America. There are 35 permanent jobs. A trail of misery follows the tar sands.

I am not going to ask for a rollcall vote because I get the writing on the wall. I would hope we would have a voice vote, and I would urge my folks to yell a “yes” if they can.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I think it is clear that the good Senator from California and I disagree on whether the Keystone XL Pipeline should proceed. It is apparent that we disagree on the reach of the section on permits as currently in the bill and also, more specifically, the substitute amendment we are discussing.

I am willing to agree that the permits which have already been issued should not be affected. That was the intent of the provision within the substitute. I am going to be voicing my opposition through a loud “nay” and would encourage my colleagues to do the same.

With that, I ask for the yeas and nays.

I withdraw my request.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 130) was rejected.

AMENDMENT NO. 141

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided before a vote on the Markey amendment No. 141.

The Senator from Massachusetts.

Mr. MARKEY. Mr. President, my amendment is very simple. It would require that before the Keystone XL Pipeline is deemed approved, we should determine whether carbon pollution, including the carbon pollution from tar sands oil production, will contribute to an increase in more extreme weather events. We should know if carbon pollution is going to put another climate change card in a deck that is already stacked for more extreme rainfall and snowfall and for more dangerously hot summer days.

Since 2010 there have been 49 weather and climate disasters in our country that caused at least \$1 billion in damages across the United States. We should not be making energy policy decisions that increase the risk of costly, extreme weather events.

I urge an “aye” vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I would suggest that this amendment is designed to further delay this pipeline. It requires that a study be done by all Federal agencies with even a smidgen of review authority to determine whether in-

creased greenhouse gas emissions are likely to contribute to an increase in more extreme weather events. It doesn't specify that the increased greenhouse gases that are under study are only related to the pipeline project. So, for instance, the President's deal to allow an increase in greenhouse gas emissions until 2030—if it caused the impacts listed in this amendment, it would stop the pipeline. That is not what we want to do.

I am going to be urging my colleagues to vote no.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—36

Baldwin	Franken	Nelson
Blumenthal	Gillibrand	Peters
Booker	Heinrich	Reed
Boxer	Hirono	Sanders
Brown	King	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	Menendez	Stabenow
Casey	Merkley	Udall
Coons	Mikulski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden

NAYS—62

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Gardner	Paul
Bennet	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Corker	Kaine	Sullivan
Cornyn	Kirk	Tester
Cotton	Klobuchar	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Vitter
Donnelly	McCain	Warner
Enzi	McCaskill	Wicker
Ernst	McConnell	

NOT VOTING—2

Reid	Rubio
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The amendment (No. 141) was rejected.

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. WICKER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 178

The PRESIDING OFFICER. There are now 2 minutes of debate equally divided prior to a vote in relation to the Markey amendment No. 178.

The Senator from Massachusetts

Mr. MARKEY. Mr. President, right now the Canadian pipeline company is receiving a “get out of Canada free” slip. They do not have to pay taxes into the oilspill liability fund.

My colleagues may remember that last week the Republicans objected because they said the amendment of Senator WYDEN had a blue slip problem from the House because the tax has to originate in the House. You might remember that last Thursday night Senators on the Republican side objected to my amendments—late at night and, again, on procedural grounds. Well, the good news is we have been able to find a way to have a straight up-or-down vote on the substance of whether the Canadians have to pay into the oilspill liability fund. So this is going to be the vote that determines whether they are going to be able to build a pipeline right through our country—where we are running all the environmental risk—and if a spill occurs, they have not contributed to the oilspill liability fund.

This is a pure vote. It is not procedural. It is yes or no—do they contribute or not to that fund. I urge an aye vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I will be opposing this amendment. I believe it is unnecessary. We already debated and dispensed with this just last week. We voted for the sense of the Senate amendment which called for a loophole within the oilspill liability trust fund to be closed. We set us on a path to work with the House on that. That amendment is now part of this bill.

I thank the Senator from Massachusetts for his support in making sure we did adopt that. I think most of us believe this loophole should be closed, and I am confident that we will close it well before the Keystone XL Pipeline goes into operation.

We have to remember, my friends, that before any oil flows through this pipeline which can be put into the oilspill liability trust fund, it has to be built. That is what this bill before us does. I want to make sure that we address this with the House. We will do so.

I urge a “no” vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—54

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

NOT VOTING—2

Reid Rubio

The amendment was rejected.

Ms. MURKOWSKI. Mr. President, I move to reconsider the vote.

Mr. ROUNDS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 131 WITHDRAWN

Ms. CANTWELL. Given the results on other votes—given the vote on the Boxer and Booker amendments, and given everybody here, I ask unanimous consent to withdraw the Cantwell amendment No. 131.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is withdrawn.

The majority leader.

Mr. MCCONNELL. Thank you, Mr. President. I would like to announce that this is the last vote of the week. The final vote on the Keystone Pipeline is the last vote of the week. The next vote will be at 5:30 p.m. on Monday.

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the vote on passage of S. 1, as amended.

Mr. CORKER. I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall it pass?

Mr. CORKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—62

Alexander	Enzi	Moran
Ayotte	Ernst	Murkowski
Barrasso	Fischer	Paul
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Carper	Heitkamp	Sasse
Casey	Heller	Scott
Cassidy	Hoeven	Sessions
Coats	Inhofe	Shelby
Cochran	Isakson	Sullivan
Collins	Johnson	Tester
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	Manchin	Vitter
Cruz	McCain	Warner
Daines	McCaskill	Wicker
Donnelly	McConnell	

NAYS—36

Baldwin	Heinrich	Nelson
Blumenthal	Hirono	Peters
Booker	Kaine	Reed
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Coons	Menendez	Stabenow
Durbin	Merkley	Udall
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—2

Reid Rubio

The bill (S. 1), as amended, was passed, as follows:

S. 1

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 “Keystone XL Pipeline Approval Act”.

SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review

described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) **PERMITS.**—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) **JUDICIAL REVIEW.**—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) **PRIVATE PROPERTY SAVINGS CLAUSE.**—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

(f) **PRIVATE PROPERTY PROTECTION.**—Land or an interest in land for the pipeline and cross-border facilities described in subsection (a) may only be acquired consistently with the Constitution.

SEC. 3. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) **DEFINITIONS.**—In this section:

(1) **SCHOOL.**—The term “school” means—

(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(C) a school of the defense dependents’ education system under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(D) a school operated by the Bureau of Indian Affairs;

(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(b) **DESIGNATION OF LEAD AGENCY.**—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) **REQUIREMENTS.**—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department

of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

SEC. 4. CONSULTATION WITH INDIAN TRIBES.

Nothing in this Act relieves the United States of its responsibility to consult with Indian nations as required under executive order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

SEC. 5. SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change is real and not a hoax.

SEC. 6. SENSE OF SENATE REGARDING THE OIL SPILL LIABILITY TRUST FUND.

It is the sense of the Senate that—

(1) Congress should approve a bill to ensure that all forms of bitumen or synthetic crude

oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

(2) it is necessary for Congress to approve a bill described in paragraph (1) because the Internal Revenue Service determined in 2011 that certain forms of petroleum are not subject to the per-barrel excise tax;

(3) under article I, section 7, clause 1 of the Constitution, the Senate may not originate a bill to raise new revenue, and thus may not originate a bill to close the legitimate and unintended loophole described in paragraph (2);

(4) if the Senate attempts to originate a bill described in paragraph (1), it would provide a substantive basis for a “blue slip” from the House of Representatives, which would prevent advancement of the bill; and

(5) the House of Representatives, consistent with article I, section 7, clause 1 of the Constitution, should consider and refer to the Senate a bill to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986.

DIVISION B—ENERGY EFFICIENCY IMPROVEMENT

SECTION 1. SHORT TITLE.

This division may be cited as the “Energy Efficiency Improvement Act of 2015”.

TITLE I—BETTER BUILDINGS

SEC. 101. SHORT TITLE.

This title may be cited as the “Better Buildings Act of 2015”.

SEC. 102. ENERGY EFFICIENCY IN FEDERAL AND OTHER BUILDINGS.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of General Services.

(2) **COST-EFFECTIVE ENERGY EFFICIENCY MEASURE.**—The term “cost-effective energy efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides energy savings in an amount that is not less than the cost of such installing, implementing, or operating.

(3) **COST-EFFECTIVE WATER EFFICIENCY MEASURE.**—The term “cost-effective water efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides water savings in an amount that is not less than the cost of such installing, implementing, or operating.

(b) **MODEL PROVISIONS, POLICIES, AND BEST PRACTICES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Energy and after providing the public with an opportunity for notice and comment, shall develop model commercial leasing provisions and best practices in accordance with this subsection.

(2) **COMMERCIAL LEASING.**—

(A) **IN GENERAL.**—The model commercial leasing provisions developed under this subsection shall, at a minimum, align the interests of building owners and tenants with regard to investments in cost-effective energy efficiency measures and cost-effective water efficiency measures to encourage building owners and tenants to collaborate to invest in such measures.

(B) **USE OF MODEL PROVISIONS.**—The Administrator may use the model commercial leasing provisions developed under this subsection in any standard leasing document that designates a Federal agency (or other

client of the Administrator) as a landlord or tenant.

(C) PUBLICATION.—The Administrator shall periodically publish the model commercial leasing provisions developed under this subsection, along with explanatory materials, to encourage building owners and tenants in the private sector to use such provisions and materials.

(3) REALTY SERVICES.—The Administrator shall develop policies and practices to implement cost-effective energy efficiency measures and cost-effective water efficiency measures for the realty services provided by the Administrator to Federal agencies (or other clients of the Administrator), including periodic training of appropriate Federal employees and contractors on how to identify and evaluate those measures.

(4) STATE AND LOCAL ASSISTANCE.—The Administrator, in consultation with the Secretary of Energy, shall make available model commercial leasing provisions and best practices developed under this subsection to State, county, and municipal governments for use in managing owned and leased building space in accordance with the goal of encouraging investment in all cost-effective energy efficiency measures and cost-effective water efficiency measures.

SEC. 103. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

(a) IN GENERAL.—Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) is amended by adding at the end the following:

“SEC. 424. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

“(a) DEFINITIONS.—In this section:

“(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term ‘high-performance energy efficiency measure’ means a technology, product, or practice that will result in substantial operational cost savings by reducing energy consumption and utility costs.

“(2) SEPARATE SPACES.—The term ‘separate spaces’ means areas within a commercial building that are leased or otherwise occupied by a tenant or other occupant for a period of time pursuant to the terms of a written agreement.

“(b) STUDY.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Assistant Secretary of Energy Efficiency and Renewable Energy, shall complete a study on the feasibility of—

“(A) significantly improving energy efficiency in commercial buildings through the design and construction, by owners and tenants, of separate spaces with high-performance energy efficiency measures; and

“(B) encouraging owners and tenants to implement high-performance energy efficiency measures in separate spaces.

“(2) SCOPE.—The study shall, at a minimum, include—

“(A) descriptions of—

“(i) high-performance energy efficiency measures that should be considered as part of the initial design and construction of separate spaces;

“(ii) processes that owners, tenants, architects, and engineers may replicate when designing and constructing separate spaces with high-performance energy efficiency measures;

“(iii) policies and best practices to achieve reductions in energy intensities for lighting, plug loads, heating, cooling, cooking, laundry, and other systems to satisfy the needs of the commercial building tenant;

“(iv) return on investment and payback analyses of the incremental cost and projected energy savings of the proposed set of

high-performance energy efficiency measures, including consideration of available incentives;

“(v) models and simulation methods that predict the quantity of energy used by separate spaces with high-performance energy efficiency measures and that compare that predicted quantity to the quantity of energy used by separate spaces without high-performance energy efficiency measures but that otherwise comply with applicable building code requirements;

“(vi) measurement and verification platforms demonstrating actual energy use of high-performance energy efficiency measures installed in separate spaces, and whether such measures generate the savings intended in the initial design and construction of the separate spaces;

“(vii) best practices that encourage an integrated approach to designing and constructing separate spaces to perform at optimum energy efficiency in conjunction with the central systems of a commercial building; and

“(viii) any impact on employment resulting from the design and construction of separate spaces with high-performance energy efficiency measures; and

“(B) case studies reporting economic and energy savings returns in the design and construction of separate spaces with high-performance energy efficiency measures.

“(3) PUBLIC PARTICIPATION.—Not later than 90 days after the date of the enactment of this section, the Secretary shall publish a notice in the Federal Register requesting public comments regarding effective methods, measures, and practices for the design and construction of separate spaces with high-performance energy efficiency measures.

“(4) PUBLICATION.—The Secretary shall publish the study on the website of the Department of Energy.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Independence and Security Act of 2007 is amended by inserting after the item relating to section 423 the following new item:

“Sec. 424. Separate spaces with high-performance energy efficiency measures.”.

SEC. 104. TENANT STAR PROGRAM.

(a) IN GENERAL.—Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) (as amended by section 103) is amended by adding at the end the following:

“SEC. 425. TENANT STAR PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term ‘high-performance energy efficiency measure’ has the meaning given the term in section 424.

“(2) SEPARATE SPACES.—The term ‘separate spaces’ has the meaning given the term in section 424.

“(b) TENANT STAR.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall develop a voluntary program within the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), which may be known as ‘Tenant Star’, to promote energy efficiency in separate spaces leased by tenants or otherwise occupied within commercial buildings.

“(c) EXPANDING SURVEY DATA.—The Secretary of Energy, acting through the Administrator of the Energy Information Administration, shall—

“(1) collect, through each Commercial Buildings Energy Consumption Survey of the Energy Information Administration that is conducted after the date of enactment of this section, data on—

“(A) categories of building occupancy that are known to consume significant quantities of energy, such as occupancy by data centers, trading floors, and restaurants; and

“(B) other aspects of the property, building operation, or building occupancy determined by the Administrator of the Energy Information Administration, in consultation with the Administrator of the Environmental Protection Agency, to be relevant in lowering energy consumption;

“(2) with respect to the first Commercial Buildings Energy Consumption Survey conducted after the date of enactment of this section, to the extent full compliance with the requirements of paragraph (1) is not feasible, conduct activities to develop the capability to collect such data and begin to collect such data; and

“(3) make data collected under paragraphs (1) and (2) available to the public in aggregated form and provide such data, and any associated results, to the Administrator of the Environmental Protection Agency for use in accordance with subsection (d).

“(d) RECOGNITION OF OWNERS AND TENANTS.—

“(1) OCCUPANCY-BASED RECOGNITION.—Not later than 1 year after the date on which sufficient data is received pursuant to subsection (c), the Administrator of the Environmental Protection Agency shall, following an opportunity for public notice and comment—

“(A) in a manner similar to the Energy Star rating system for commercial buildings, develop policies and procedures to recognize tenants in commercial buildings that voluntarily achieve high levels of energy efficiency in separate spaces;

“(B) establish building occupancy categories eligible for Tenant Star recognition based on the data collected under subsection (c) and any other appropriate data sources; and

“(C) consider other forms of recognition for commercial building tenants or other occupants that lower energy consumption in separate spaces.

“(2) DESIGN- AND CONSTRUCTION-BASED RECOGNITION.—After the study required by section 424(b) is completed, the Administrator of the Environmental Protection Agency, in consultation with the Secretary and following an opportunity for public notice and comment, may develop a voluntary program to recognize commercial building owners and tenants that use high-performance energy efficiency measures in the design and construction of separate spaces.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Independence and Security Act of 2007 is amended by inserting after the item relating to section 424 (as added by section 103(b)) the following new item:

“Sec. 425. Tenant Star program.”.

TITLE II—GRID-ENABLED WATER HEATERS

SEC. 201. GRID-ENABLED WATER HEATERS.

Part B of title III of the Energy Policy and Conservation Act is amended—

(1) in section 325(e) (42 U.S.C. 6295(e)), by adding at the end the following:

“(6) ADDITIONAL STANDARDS FOR GRID-ENABLED WATER HEATERS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ACTIVATION LOCK.—The term ‘activation lock’ means a control mechanism (either a physical device directly on the water heater or a control system integrated into the water heater) that is locked by default and contains a physical, software, or digital communication that must be activated with an activation key to enable the product to operate at its designed specifications and capabilities and without which activation the

product will provide not greater than 50 percent of the rated first hour delivery of hot water certified by the manufacturer.

“(ii) GRID-ENABLED WATER HEATER.—The term ‘grid-enabled water heater’ means an electric resistance water heater that—

“(I) has a rated storage tank volume of more than 75 gallons;

“(II) is manufactured on or after April 16, 2015;

“(III) has—

“(aa) an energy factor of not less than 1.061 minus the product obtained by multiplying—

“(AA) the rated storage volume of the tank, expressed in gallons; and

“(BB) 0.00168; or

“(bb) an equivalent alternative standard prescribed by the Secretary and developed pursuant to paragraph (5)(E);

“(IV) is equipped at the point of manufacture with an activation lock; and

“(V) bears a permanent label applied by the manufacturer that—

“(aa) is made of material not adversely affected by water;

“(bb) is attached by means of non-water-soluble adhesive; and

“(cc) advises purchasers and end-users of the intended and appropriate use of the product with the following notice printed in 16.5 point Arial Narrow Bold font:

“‘IMPORTANT INFORMATION: This water heater is intended only for use as part of an electric thermal storage or demand response program. It will not provide adequate hot water unless enrolled in such a program and activated by your utility company or another program operator. Confirm the availability of a program in your local area before purchasing or installing this product.’”

“(B) REQUIREMENT.—The manufacturer or private labeler shall provide the activation key for a grid-enabled water heater only to a utility or other company that operates an electric thermal storage or demand response program that uses such a grid-enabled water heater.

“(C) REPORTS.—

“(i) MANUFACTURERS.—The Secretary shall require each manufacturer of grid-enabled water heaters to report to the Secretary annually the quantity of grid-enabled water heaters that the manufacturer ships each year.

“(ii) OPERATORS.—The Secretary shall require utilities and other demand response and thermal storage program operators to report annually the quantity of grid-enabled water heaters activated for their programs using forms of the Energy Information Agency or using such other mechanism that the Secretary determines appropriate after an opportunity for notice and comment.

“(iii) CONFIDENTIALITY REQUIREMENTS.—The Secretary shall treat shipment data reported by manufacturers as confidential business information.

“(D) PUBLICATION OF INFORMATION.—

“(i) IN GENERAL.—In 2017 and 2019, the Secretary shall publish an analysis of the data collected under subparagraph (C) to assess the extent to which shipped products are put into use in demand response and thermal storage programs.

“(ii) PREVENTION OF PRODUCT DIVERSION.—If the Secretary determines that sales of grid-enabled water heaters exceed by 15 percent or greater the quantity of such products activated for use in demand response and thermal storage programs annually, the Secretary shall, after opportunity for notice and comment, establish procedures to prevent product diversion for non-program purposes.

“(E) COMPLIANCE.—

“(i) IN GENERAL.—Subparagraphs (A) through (D) shall remain in effect until the Secretary determines under this section that—

“(I) grid-enabled water heaters do not require a separate efficiency requirement; or

“(II) sales of grid-enabled water heaters exceed by 15 percent or greater the quantity of such products activated for use in demand response and thermal storage programs annually and procedures to prevent product diversion for non-program purposes would not be adequate to prevent such product diversion.

“(ii) EFFECTIVE DATE.—If the Secretary exercises the authority described in clause (i) or amends the efficiency requirement for grid-enabled water heaters, that action will take effect on the date described in subsection (m)(4)(A)(ii).

“(iii) CONSIDERATION.—In carrying out this section with respect to electric water heaters, the Secretary shall consider the impact on thermal storage and demand response programs, including any impact on energy savings, electric bills, peak load reduction, electric reliability, integration of renewable resources, and the environment.

“(iv) REQUIREMENTS.—In carrying out this paragraph, the Secretary shall require that grid-enabled water heaters be equipped with communication capability to enable the grid-enabled water heaters to participate in ancillary services programs if the Secretary determines that the technology is available, practical, and cost-effective.”;

(2) in section 332(a) (42 U.S.C. 6302(a))—

(A) in paragraph (5), by striking “or” at the end;

(B) in the first paragraph (6), by striking the period at the end and inserting a semicolon;

(C) by redesignating the second paragraph (6) as paragraph (7);

(D) in subparagraph (B) of paragraph (7) (as so redesignated), by striking the period at the end and inserting “; or”; and

(E) by adding at the end the following:

“(8) for any person—

“(A) to activate an activation lock for a grid-enabled water heater with knowledge that such water heater is not used as part of an electric thermal storage or demand response program;

“(B) to distribute an activation key for a grid-enabled water heater with knowledge that such activation key will be used to activate a grid-enabled water heater that is not used as part of an electric thermal storage or demand response program;

“(C) to otherwise enable a grid-enabled water heater to operate at its designed specification and capabilities with knowledge that such water heater is not used as part of an electric thermal storage or demand response program; or

“(D) to knowingly remove or render illegible the label of a grid-enabled water heater described in section 325(e)(6)(A)(ii)(V).”;

(3) in section 333(a) (42 U.S.C. 6303(a))—

(A) by striking “section 332(a)(5)” and inserting “paragraph (5), (6), (7), or (8) of section 332(a)”; and

(B) by striking “paragraph (1), (2), or (5) of section 332(a)” and inserting “paragraph (1), (2), (5), (6), (7), or (8) of section 332(a)”; and

(4) in section 334 (42 U.S.C. 6304)—

(A) by striking “section 332(a)(5)” and inserting “paragraph (5), (6), (7), or (8) of section 332(a)”; and

(B) by striking “section 332(a)(6)” and inserting “section 332(a)(7)”.’

TITLE III—ENERGY INFORMATION FOR COMMERCIAL BUILDINGS

SEC. 301. ENERGY INFORMATION FOR COMMERCIAL BUILDINGS.

(a) REQUIREMENT OF BENCHMARKING AND DISCLOSURE FOR LEASING BUILDINGS WITHOUT ENERGY STAR LABELS.—Section 435(b)(2) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(b)(2)) is amended—

(1) by striking “paragraph (2)” and inserting “paragraph (1)”; and

(2) by striking “signing the contract,” and all that follows through the period at the end and inserting the following:

“signing the contract, the following requirements are met:

“(A) The space is renovated for all energy efficiency and conservation improvements that would be cost effective over the life of the lease, including improvements in lighting, windows, and heating, ventilation, and air conditioning systems.

“(B)(i) Subject to clause (ii), the space is benchmarked under a nationally recognized, online, free benchmarking program, with public disclosure, unless the space is a space for which owners cannot access whole building utility consumption data, including spaces—

“(I) that are located in States with privacy laws that provide that utilities shall not provide such aggregated information to multi-tenant building owners; and

“(II) for which tenants do not provide energy consumption information to the commercial building owner in response to a request from the building owner.

“(ii) A Federal agency that is a tenant of the space shall provide to the building owner, or authorize the owner to obtain from the utility, the energy consumption information of the space for the benchmarking and disclosure required by this subparagraph.”.

(b) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Administrator of the Environmental Protection Agency, shall complete a study—

(A) on the impact of—

(i) State and local performance benchmarking and disclosure policies, and any associated building efficiency policies, for commercial and multifamily buildings; and

(ii) programs and systems in which utilities provide aggregated information regarding whole building energy consumption and usage information to owners of multitenant commercial, residential, and mixed-use buildings;

(B) that identifies best practice policy approaches studied under subparagraph (A) that have resulted in the greatest improvements in building energy efficiency; and

(C) that considers—

(i) compliance rates and the benefits and costs of the policies and programs on building owners, utilities, tenants, and other parties;

(ii) utility practices, programs, and systems that provide aggregated energy consumption information to multitenant building owners, and the impact of public utility commissions and State privacy laws on those practices, programs, and systems;

(iii) exceptions to compliance in existing laws where building owners are not able to gather or access whole building energy information from tenants or utilities;

(iv) the treatment of buildings with—

(I) multiple uses;

(II) uses for which baseline information is not available; and

(III) uses that require high levels of energy intensities, such as data centers, trading floors, and television studios;

(v) implementation practices, including disclosure methods and phase-in of compliance;

(vi) the safety and security of benchmarking tools offered by government agencies, and the resiliency of those tools against cyber attacks; and

(vii) international experiences with regard to building benchmarking and disclosure

laws and data aggregation for multitenant buildings.

(2) **SUBMISSION TO CONGRESS.**—At the conclusion of the study, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and Committee on Energy and Natural Resources of the Senate a report on the results of the study.

(C) **CREATION AND MAINTENANCE OF DATABASE.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act and following opportunity for public notice and comment, the Secretary of Energy, in coordination with other relevant agencies, shall maintain, and if necessary create, a database for the purpose of storing and making available public energy-related information on commercial and multifamily buildings, including—

(A) data provided under Federal, State, local, and other laws or programs regarding building benchmarking and energy information disclosure;

(B) information on buildings that have disclosed energy ratings and certifications; and

(C) energy-related information on buildings provided voluntarily by the owners of the buildings, only in an anonymous form unless the owner provides otherwise.

(2) **COMPLEMENTARY PROGRAMS.**—The database maintained pursuant to paragraph (1) shall complement and not duplicate the functions of the Environmental Protection Agency's Energy Star Portfolio Manager tool.

(d) **INPUT FROM STAKEHOLDERS.**—The Secretary of Energy shall seek input from stakeholders to maximize the effectiveness of the actions taken under this section.

(e) **REPORT.**—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives and Committee on Energy and Natural Resources of the Senate a report on the progress made in complying with this section.

Ms. MURKOWSKI. I move to reconsider the vote.

Mr. CORNYN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I am very pleased that we are at this point after three solid weeks of debate. The Presiding Officer introduced this bill on January 8, 2015, and it is now January 29. After weeks of good, solid debate, we have officially passed our bipartisan bill to approve the Keystone XL Pipeline.

This legislation was not only important to pass so we could add more jobs, have energy security, and good trade relationships with our neighbor in Canada, but also we were able to return to what we call regular order in the Chamber. The Senate has been given the title of the world's most deliberative body. I think it is fair to say that in recent years we have not really worn that title very well. We have not been able to engage in the deliberation and debate that I think Members of the Senate and the public at large expect.

What we have seen over these past few weeks was a return to regular order where a Member is free to call up an amendment, have it debated, and have it fall or succeed based on a proc-

ess that has been long established in this Chamber. That is a good thing to see.

Boy, did we have our share of ideas. By last count, I believe there were close to 250 amendments that Members had offered from both sides of the aisle. That is a lot of ideas. There was a lot of pent-up demand, if you will, on energy-related legislation.

All in all, we voted on just over 40 amendments. I believe the final count was 41 amendments. We made a lot out of the statement that we have surpassed—with just this one bill in 1 month—all of the recorded votes that we had throughout 2014. In fact, we surpassed it with nearly three times more votes than we had in all of 2014.

Senator CANTWELL and I have been here in the well during this last vote, and we have received thanks from Members who said: Thank you for getting us to this point. We appreciate that. Good job.

But I think we all recognize there were some points of very clear tension around here, and that is just part of the process. Fortunately, cooler heads prevailed, and we were able to come back together. We were able to get the process moving forward and keep this bipartisan coalition in tact.

I will just point out to the Members that with the help of the ranking member on the energy committee—with the exception of one night—we did it all during daylight hours. Not to get real personal around here, but we have gotten into a habit in recent years of not taking up votes until just about the dinnertime hour. I don't know about the rest of you, but when I call the family in for dinner, we kind of expect it is dinnertime.

I am pleased that we were able to work with everyone's schedule and move through amendments in a fashion that was reasonable and structured. Yesterday was not exactly convenient with the numbers that we processed, but we did it. So I appreciate the great level of cooperation we have had. It is not easy to start out a new Congress in a new majority as the manager of the first bill brought to the floor, but I had a lot of phenomenal help.

I wish to take a brief moment to thank those who have provided counsel and assistance to us. This is kind of like the Academy Awards for the first bill coming through the Senate.

I would like to recognize my staff on the Energy and Natural Resources Committee who have done a fabulous job with every part of this process: My staff director, Karen Billups, Pat McCormick, Kellie Donnelly, Colin Hayes, Lucy Murfitt, Tristan Abbey, Kate Williams, Robert Dillon, Chelsea Thompson, Chuck Kleeschulte, Cathy Cahill, Chris Kearney, Mike Pawlowski, Chester Carson, Mike Tadeo, Isaac Edwards, Jason Huffnagle, and Brian Hughes, on the Energy and Natural Resources Committee and on my personal staff as well. Our interns on the Energy and Natural Resources Committee, Samin Peirovi and Will Treadwell, also did a great job assist-

ing my staff, including putting together binders, making sure we had the current amendments and the modifications that were in front of them. So they did a great job as well.

I also want to thank the members of the natural resources team in the Senate Office of the Legislative Counsel. These folks are kind of the unsung heroes. These are the ones who helped prepare the more than 240 amendments that were offered to this bill. We never see these folks, but they are churning out amendments as quickly as we can move ideas to them. Gary Endicott, Heather Burnham, Christina Jacquet, Michelle Johnson-Weider, Deanna Edwards, and Heather Lowell.

It is absolutely not possible to do what we did in moving this measure through—or any measure—without recognizing the work our floor staff does for us. I wish to thank Laura Dove and the entire cloakroom staff, including Robert Duncan and Chris Tuck. The Parliamentarians and the clerks really worked hard.

Also I wish to recognize on the Democratic side of the aisle Gary and—everybody has just done a phenomenal job and we so appreciate it.

I truly must say the opportunity to start with this first bill and to be working with my ranking member, MARIA CANTWELL, on this effort, knowing that she was just getting her staff in line as we moved to this bill—the staff director on the ranking side I don't even think had officially been brought on—and it was full on. They have done extraordinary work, working with us.

I want to recognize Angela Becker-Dippmann and Sam Fowler and all the rest of the team because they were extraordinary.

I also want to recognize BARBARA BOXER and her staff as well. There was so much that needed to be coordinated.

I thank my ranking member for her patience, for her partnership, and for really the very good-faith efforts she has made as we have worked to get this bill to a conclusion, and offer a continued gesture of wanting to work together with her. I want her to know that I will be with her this weekend rooting for the Seahawks at the Super Bowl. So yet one more area of her operation, but a grand thanks to my ranking member and my partner on this bill.

With that, I thank the Chair and I yield the floor to Senator CANTWELL.

The PRESIDING OFFICER (Mrs. CAPITO). The Senator from Washington.

Ms. CANTWELL. Madam President, I wish to speak also for a few minutes about what an incredible process this has been. As the Senator from Alaska stated, this was all a very unique experience, coming to a new Congress and being the very first bill up and everybody moving to that discussion. So I thank the Senator from Alaska.

Let's just say both sides of the aisle tested people on amendments and the amendment process, but I would say it was the trust we could negotiate that got us through a couple of rough spots and the fact that I could count on the Senator from Alaska for negotiating and trusting what she had to say about how we could move forward in getting those votes and getting things done. So I thank her for that and I thank her for her leadership. I certainly can't wait to work with her on broader energy policy legislation, because while I think people probably still look at us as representing the States of Washington and Alaska, what people may not realize is how intertwined Alaska's and Washington's economies are. So if there is anybody who can find commonality on energy policy, even given the difference of our States and the differences on each side of the aisle, I think the Senator from Alaska and I will have a chance to do that. I think this process we just went through bodes well for us trying to say to both sides of our aisles that there are things we can put on the table and discuss and a process we can go through, and that process can work. So I thank her for that.

I look forward to the many initiatives—in fact, we just had a hearing this morning. I said, with two women heading up this leadership on the Energy and Natural Resources Committee and two women staff directors, multitasking is front and center in the U.S. Senate. I don't think a lot of people would see either of us out in the halls making declarations. I think we just hustled our way to the floor to try to get things done. I hope that is what we can do as we move forward through this process.

I too wish to thank certainly Karen Billups on the majority side staff. I hadn't had a chance to work with her yet in this capacity and I certainly appreciated her steady hand on that. I want to thank on our side our staff director, Angela Becker-Dippmann. The very first day—like sometime in mid-January, I think—to come back to the Energy and Natural Resources Committee and then have the first bill and have it right in front of us and not be totally staffed up, I certainly appreciate her leadership and her dedication to energy policy. Also, I thank Sam Fowler and David Brooks and Jared Leopold on my staff for their hard work on this.

I too have a list of staff that I wish to read quickly: Will Dempster, Clayton Allen, Renae Black, Elizabeth Weiner, Tara Billingsley, David Gillers, Al Stayman, Dan Adamson, Elizabeth Craddock, Nick Sutter, Aisha Johnson, Caroline Bruckner, Bryan Petit, Faye Matthews, and Carl Seip. There are also a couple of other people from my staff, Nicole Teutschel and Travis Lumpkin who also helped.

I really want to thank the floor staff. This is the first time I have managed a bill on the floor, so thanks to Gary Myrick and Tim Mitchell and Tricia

Engle; and Reema in Senator DURBIN's office, and Emma, thanks so much for helping us through a process that, as my colleague said, for the most part didn't take us way late into the night and we got a lot of things accomplished when we could during the day.

Needless to say, I am not as excited about the passage of this legislation as my colleague on the other side of the aisle, but we did find out some things during this process. We found out that the majority of the Senate doesn't think that climate change is a hoax. We couldn't quite agree on whether it is significantly caused by man, or just caused by man in some areas, but that was a step. We saw huge enthusiasm for energy efficiency. We saw that people were willing to accept voice votes or receive 95 votes on things that were energy efficiency items, so I think that bodes well for the Senator from Alaska and me thinking about more energy efficiency policy.

Obviously, I remain concerned about the holes in the legislation, everything from the things we didn't get to pass—the trust fund—and the fact that we still need to figure out oilspill cleanup processes on something like tar sands.

I appreciate the Senator from Alaska mentioning some of these issues as areas for continued work because we will definitely take her up on that process. And, certainly, we want to try to take up some of the issues our colleagues, such as Senator PETERS, brought up and work on them moving forward. I hope this process, as it relates to this legislation—I hope our colleagues—coming from the State of Washington where we have so many coal trains and oil trains coming through our area, I wish the pipeline would be some remedy for us, but it is not. Even according to railroad statistics and other statistics, a pipeline is not going to make one dent in the number of oil trains coming to the Pacific Northwest. So the fact that the Commandant of the Coast Guard says we don't have a solution for cleaning up tar sands is something we want to work on and push forward on.

I hope we can get our colleagues around the fact that the number of crude oil incidents has been growing since 2009. It used to be we were having a decline and now, according to the Associated Press, we are seeing an increase; at least 73 different accidents in 2014, an 87-percent increase over 2009.

We are seeing these new sources being developed and new ways of transporting them, and huge acceleration, and I hope Congress will take a deep breath and get to these issues as it relates to safety and security outlined and into law. I hope we will have a chance to do that.

I still hope the President of the United States vetoes this legislation because, frankly, I want him to be able to negotiate. I want him to be able to negotiate with this company the terms and agreements by which this pipeline is going to be built. I want him to pro-

tect the American economy, I want him to protect the American farmers, and I want him to protect the American environment.

Again, I say to my colleague from Alaska that if she and I can get through these few weeks on a bill that a lot of our colleagues were predetermined on, but have so many different amendment discussions, then, yes, maybe it bodes well for a bigger bipartisan energy bill. I will certainly look forward to working with her on that.

I thank her for her leadership during a time period where she had many things on her plate, and this was just one of them. I hope we can get some of the issues we care about on our side of the aisle that I think really do lead to job growth, such as the energy tax credits, a focus on energy efficiency, and a focus of diversification also on the energy agenda.

With that, I yield the floor.

Ms. MURKOWSKI. Madam President, I wish to thank the Senator from Washington for her comments. I think it is clear that we have a great deal of work in front of us, but I think we also have a better idea of where some of that common ground may be as a result of the discussions this past month. So I am looking forward to advancing an energy initiative through the committee and, hopefully, through the full process, that will speak to the attributes of affordability, abundance, a clean energy supply, diverse and secure. We have a lot of work to do.

In the comments I made, I thanked a lot of people, but I think it is important to recognize that the Senator from Washington and I would not have been able to do the job we did—managing this bill on the floor, working with other Members, working with staff on the floor and our respective staffs—if there had not been a very clear and a conscious decision that management of what was going to happen on the Senate floor was going to be a little bit different, that there would be an opportunity for debate, and some have described free-wheeling debate. What is free-wheeling debate? I think we have just kind of defined it here with the Keystone XL Pipeline. I don't know whether that is going to be the course for everything going forward, but this was a pledge that the majority leader Senator MCCONNELL made when he became the majority leader. I think we have seen that play out in a process that has been respectful, where at the end of the discussion we can still agree to disagree on the bill itself, but the process that has gotten us through final passage has been one that, again, was respectful and did allow for full and civil discourse. I think that is what the Senate should be all about and I am proud to have been a part of it.

With that, I know my good friend from North Dakota, the prime sponsor of this bill, is waiting to speak and I congratulate him for a phenomenal job. He and his staff—I should have mentioned his staff. Ryan and the others

who have been working behind the Senator from North Dakota have been doing a great job. Senator HOEVEN has been articulate, persistent, and really has done a phenomenal job moving this through the process.

I congratulate the Senator from North Dakota, and I yield to him.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Alaska and the Senator from Washington as the bill managers. I think they have done an exceptional job. I know that is not just my opinion, but it is the opinion on both sides of the aisle. It is not just that they were able to do the work on this bill, but actually to facilitate the debate that really enabled us to move through an open amendment process and a return to regular order. It is not easy to do. Because, obviously, we had people who had ideas on a whole variety of issues, and, clearly, we have strong support for legislation, but there are those who oppose legislation as well. So to find a way to keep that amendment process going and with more than 40 amendments and, of course, to get to a final vote and pass the legislation is a real testament to both of the bill managers.

I thank all of the Members of this body who supported the legislation. A bipartisan vote getting more than 60 votes is no small achievement for any piece of legislation. Of course this bill already passed the House.

We are already conferring now with the House on whether we will need to go to conference or hopefully get their concurrence, but obviously our objective is to put it on the President's desk as soon as possible. This is an important step in building the kind of energy plan this country needs. We can't get to energy independence or energy security without building the infrastructure we need to move that energy from where it is produced to where it is consumed.

We have to remember that, yes, this is about working with our closest friend and ally, Canada. Some of the oil in the pipeline will be moved from oil production in Canada, but it is also about moving our domestic oil in this country from States such as mine and from the State of Montana and moving that oil as safely and as efficiently and effectively as possible and moving it in a way that actually produces less emissions than if we try to move all that oil on trains, which is what is being done now.

Moved on trains, we are talking 1,400 railcars a day instead of moving it through a pipeline. It is not only a safety issue, it is not only a cost issue, it is not only an efficiency issue, it is about producing less emissions and making sure we don't create congestion on our railroads to move all of the other goods we want to move. This is about building the kind of infrastructure plan for energy and other things we want for this country. I hope the

President now will join with us. Clearly we are going to move this to his desk, and I hope he will work with us. That is what the American people want.

If we look at this legislation, if we look at this Keystone XL Pipeline project, it is about energy. It is about jobs. It is about helping to grow our economy. It is about working to achieve national security in terms of energy security. It is about building the right kind of energy plan for the future of our country.

Here is where we are. This process was started over 6 years ago. Not only has this Congress, both the House and the Senate, now advanced this bill in a bipartisan way with strong bipartisan majorities in both Chambers, but every State on the route, all six States on the route have approved this project as well. We have the Congress that has approved it on a bipartisan basis. We have all six States that are included on the route. They have approved it through their processes. We have the supreme court in the State of Nebraska which has adjudicated, legislated in that State. That has been resolved.

Our closest friend and ally, Canada, wants us to work with them on energy security for North American energy security, but most important of all the American people want this done. In poll after poll, the American people overwhelmingly support this project. Over the last 3 years, the support has ranged from 65 percent to 75 percent. Even in the most recent poll that came out this month, 3 to 1, 65 percent to 22 percent, the people want the President to sign this bill. Again, I hope the President will join with us and work with us and support this legislation as we work with our leader on the energy committee and with our ranking member.

We don't agree on everything, obviously, but there are things we can work on together. We are working to build the right kind of energy plan for this country to get energy security. There will be more work to do, but I hope the President will join us in a bipartisan way and sign this legislation.

Again, my thanks to the bill managers, to the Members of this body who supported the legislation. I appreciate it very much.

I know the good Senator from Texas has a few words, but I will first yield the floor back to the Senator from Alaska.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, let me say to the Senator from Alaska and the Senator from North Dakota, congratulations, and tell them how much I admire and appreciate their tenacity. The 114th Congress had a lot to prove. Mainly what we had to prove is we weren't like the 113th Congress that was completely dysfunctional, particularly the Senate.

I have to say to our good friend, the Presiding Officer, it wasn't the House.

It was the Senate that was dysfunctional. The House passed a lot of legislation that came to die in the Senate because the then-majority leader made the decision he wasn't going to move it. It is a new day in the Senate. While I am sure the bill managers would tell us it wasn't easy, we actually have an accomplishment thanks to the leadership of the Senator from Alaska and the Senator from North Dakota, and thanks to an awful lot of people. That is progress.

I hope the first efforts we have made by being able to pass legislation—hopefully the House will concur, the Senate, and the President—we will have done our job. What the President decides to do is about him doing his job, but we can't fail to do our jobs just because he refuses to do his job.

In fact, when he has announced for seven different pieces of legislation he is going to veto them, the easiest thing for us to do would be to curl up in a fetal position and say we give up, we are not even going try. We haven't done that. Again, I think this is a great accomplishment.

I would say to my friends, the Senator from Alaska, the Senator from North Dakota, and others who have gotten us here today, well done.

PRESIDENT OBAMA'S 2016 BUDGET

Madam President, I would like to turn to another topic. That seems as though it is a metaphor for life in the Senate. We finished one important piece of legislation, and we turn the page to the next topic. I would like to talk about the budget.

Next Monday the President is expected to release his 2016 budget. Budgets are a time when you talk about and deal with your priorities. This budget will reflect the President's priorities, I am sure. I hope one of those priorities is to put the country on a more sustainable path. But one of the things I am very glad about is that for the first time the President, in a long time, is actually going to propose his budget on time. The President missed so many previous deadlines over the years that people hardly ever notice anymore—but that is good, the President releasing his budget on time.

While I am happy to see he will finally meet his statutory deadline in submitting his annual budget, what I am interested in seeing is what he has in the budget, to see if he is willing to meet the challenges of our day by drafting a serious budget, including realistic priorities. That also means making tough decisions, but that is where budgets are so helpful.

I am an optimistic person, but if the President's State of the Union rhetoric is any indication as to what we will see next week, I am concerned the budget will be loaded with more taxes, more spending, and more debt. That certainly isn't a sustainable path forward for the country, but last year the President's 2015 budget would have raised taxes by more than \$1 trillion

and increased our national debt by trillions more and his budget would have never balanced.

I can't think of anything worse during a time of slow economic growth than layering on \$1 trillion of additional taxes on the people we are depending upon to create jobs and make the investment to get the economy growing again and get America back to work.

Here is another sort of sleight of hand the President has been using lately. He has been talking a little bit about deficits. Deficits, as we all know, is the difference between the money that comes in and the money that is paid out on an annual basis. The debt is a different topic. That is the long-term debt. Actually, it is the accumulated deficits which represent the biggest challenge.

The President likes to say that, well, the deficit has come down—which is true—but primarily the reason for that is because of a huge tax increase he embraced a couple of years ago along with the sequester or discretionary spending caps that were in the Budget Control Act of 2011. The combination of higher taxes the President sought and got and the spending restraint that essentially was championed on this side of the aisle resulted in lower annual deficits.

But the fact is we are still spending money we don't have. As the distinguished chairman of the Budget Committee likes to say, we are still overspending. We are still spending money we don't have as long as we have any deficit. But deficits will not hold up for long as a reliable red herring. Factors contributing to lower deficits will soon change. Spending on ObamaCare and other broken entitlements will only ramp up from here. On the President's current trajectory, it is only a matter of time before those annual deficits start building again and adding even more to our national debt.

What the President is hoping is that they will be distracted by his happy talk about lower annual defenses, and we will not pay attention to the looming elephant in the room, which is our national debt which has grown more than \$7 trillion in the 6 years he has been in office. More than \$1 trillion a year. The national debt is \$18 trillion and counting. It is set to explode over the long term.

I realize most of us can't possibly conceive of what \$18 trillion is, but if we consider the fact we have 320 million people in America and we have an \$18.1 trillion national debt, each one of us—from the oldest American, most senior American, to the baby who was just born—owes \$56,500 in debt.

Earlier this week the Congressional Budget Office released its annual Budget and Economic Outlook which provides an updated economic forecast for the current fiscal year and for 10 subsequent years. According to the Congressional Budget Office, under current law the national debt is expected to grow

more than \$9 trillion in the next 10 years. The President added \$7 trillion during the 6 years he has been in office. If we don't do something quickly, we are on a trajectory to add \$9 trillion more over the next 10 years.

The Congressional Budget Office's report also shows that in 5 years the Federal Government will spend more than \$500 billion in interest on the debt alone and \$827 billion in 10 years.

Here is the ticking timebomb if you think about it. Because of slow economic growth globally, a lot of the Federal Reserve Banks essentially for the United States and other countries have done the best they can to keep interest rates low. In America they are next to zero. All we need to do is look at the return on our savings accounts to see what a meager interest rate is being offered by the bank or credit union on our savings. That is because of Federal Reserve policy. That is true of central banks throughout the world. But inevitably over time those interest rates are unsustainable, so they are going to start ticking back up. When they go from roughly zero to 4 percent or 5 percent, the amount of money we will have to pay on the current \$18.1 trillion in debt and on the additional debt that will be added over the next 10 years—unless we get hold of this problem—is going to crowd out our ability to do everything from protecting the most vulnerable in our society through our safety net programs to jeopardizing our national defense which is something we can't outsource to somebody else. This is something only the Federal Government can do.

We had an office holder in Texas a few years ago who talked about the Yellow Pages test. It always resonated with me. She used to say government should not be doing things that we can find in the Yellow Pages because that means the private sector is doing it. But the one thing you won't find in the Yellow Pages is national security, and so our ability to protect our way of life and our future is going to be jeopardized by this debt. That is why Admiral Mullen—former Chairman of the Joint Chiefs of Staff a few years ago—shocked all of us when he was asked “What is the single largest threat to our national security?” and he said “The debt.” That got a lot of us going to the books trying to figure out what he was talking about, and what he was talking about is what I have been referring to here.

Let me repeat that second part again. In 2025 we will be spending \$827 billion in interest on our debt alone. We won't be paying down the principal; we will just be paying interest on the debt by 2025—\$827 billion. That would be the third largest line item in the Federal budget, just behind Medicare and Social Security.

The Director of the Congressional Budget Office, Doug Elmendorf, has been testifying on findings from this report. On Tuesday, before the House Budget Committee, Dr. Elmendorf stat-

ed that “such large and growing federal debt would have serious negative consequences.” He is exactly right. When we have to basically take up available credit to finance our national debt, that leaves less credit available to the private sector to make investments that will actually create jobs. It acts like a wet blanket on economic growth. Nothing but fiscal uncertainty and crisis will come from our debt continuing to spiral out of control.

The bottom line is this: Under President Obama the Federal Government has spent the past several years raising taxes. It has increased regulations. It is driving our national debt to unprecedented levels, and we have a growth rate which reflects that.

I know the President was celebrating. He was almost spiking the football at the State of the Union, saying: Well, we had a 5-percent spurt of growth in the gross domestic product last quarter.

Well, that is great, but all of the projections show that for the next year, because of all of the factors I have mentioned, growth is going to continue to bounce along the bottom at a rate of roughly 2 to 2.2 percent. That is not enough growth to get the economy moving again to create the jobs to create the prosperity and lift our economy needs to get Americans back to work.

In my opinion, the President's policies over the last year have actually made it more difficult for businesses to hire workers and for families to plan for the future. I would argue that his policies have introduced enormous uncertainty into our health care system, our tax system, and our financial system.

What our country needs now is the same thing which we have needed all along but which we haven't had over the past 6 years. We need genuine Presidential leadership, the type of leadership that is required to restore Americans' confidence in the future and to ensure better opportunities for the next generations and beyond. We don't need Presidential leadership that leads us into more debt, less opportunity, and a more dismal future.

It is my hope that the President's budget will be exactly what it should be and exactly what the American people deserve; that is, a responsible blueprint for robust, economic growth. There are not a lot of problems that face our country that couldn't be addressed in large part by robust economic growth. Our economy would grow. Revenues to the Federal Treasury would grow, thus reducing our deficits and giving us a better opportunity to address our debt. More Americans would be working again instead of the lowest percentage of people in the workforce in the past 30 years. That is what they call the labor participation rate.

I hope the President's budget will get behind some of these progrowth policies, such as progrowth tax reform—something we are eager to work with

the President on—and support serious efforts to save Social Security and Medicare. The dirty little secret in Washington is that if we don't do anything to save Medicare and Social Security, they are going to fall off the fiscal cliff. So doing nothing is not an option, but we need a bipartisan commitment to save Social Security and Medicare.

I hope the President's budget will be a balanced one and finally offer a long-term plan for controlling our national debt. If it is not, well, we are not going to depend on the President alone; we are going to do our job in the Senate and the House and pass a responsible budget. If the President does not propose one, we will show the American people what one looks like because we cannot let the President continue to lead us down this path of unsustainable debt and a darker future for American people.

MORNING BUSINESS

Mr. CORNYN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object, I need more than 10 minutes. Is that all right? That was the expectation. That is fine.

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

The Senator from Vermont.

INCOME INEQUALITY

Mr. SANDERS. Madam President, I am delighted to have heard the speech from my good friend Senator CORNYN. As the ranking member of the Budget Committee, I think we are going to have some very serious discussions about the assertion Senator CORNYN and many other Republicans made.

Let me begin by saying I am delighted that some of my Republican friends have expressed great concern about our deficit and our national debt. I ask them where they were several years ago when we went to war in Iraq and forgot to pay for that war. I happen to think the war in Iraq is not a war we should have ever gotten into, but be that as it may, I find it interesting that some of the leading deficit hawks went to war—a war which will end up costing us some \$3 to \$6 trillion. For the first time in the modern history of our country, they went to war and yet they chose not to pay for it. Then on top of that, in the midst of the war, during that period, they gave substantial tax breaks to the wealthiest people in this country. In addition to that, they passed a Medicare Part D prescription drug program—much more expensive than it should be—written by the insurance companies, also not paid for. But now these same Republicans

who came to the floor having voted to spend trillions of dollars on a war we should not have gotten into, having voted to give huge tax breaks to billionaires, having voted for a Medicare Part D prescription drug program that was not paid for—lo and behold, they have discovered we have a deficit problem and a national debt problem. This country would be in a lot better shape if they had expressed those concerns 7 or 8 years ago.

In my view, there is a war going on in this country. And I am not talking about the war in Afghanistan or Iraq or the instability in the Middle East; I am talking about the war being waged in America today against the American middle class, against the American standard of living, and against the American dream.

Today in the United States of America we have more income and wealth inequality than any other major country on Earth.

Today in America we have the highest rate of childhood poverty of any major country on Earth.

Today in America we are the only major nation not to guarantee health care to all of our people as a right of citizenship.

The United States of America once led the world 40 years ago in terms of the percentage of our people who graduated from college. In short, we were the best educated people in the world. Today we are in 12th place, and millions of our young people are graduating from college deeply in debt, while others are looking at the cost of college and saying: I am not going to college. I am not going to get a higher education. I can't afford it. I don't want to leave school in debt. Our competing nations—whether it is Germany, Scandinavia, whether it is many of the European countries—are saying their kids are going to go to college regardless of the income of their families.

In terms of our infrastructure, we were once the envy of the world. Today, according to the World Economic Forum, we are in 12th place.

Today in America real unemployment is not the official unemployment rate of 5.8 percent; it is over 11 percent if we count those people who have given up looking for work and are working part time.

Youth unemployment—an issue we do not talk about—is 18 percent. We have over 5 million young people in this country who either dropped out of high school or graduated from high school. Do you know what they are doing? They are doing nothing. They are hanging out on street corners in Vermont, Louisiana, and all over this country. There are no jobs for them. In terms of African-American youth unemployment, that number, if you can believe it, is close to 30 percent.

What the war against the middle-class and working families is about is that millions of our people are working longer hours for lower wages. In inflation-adjusted dollars, the median male

worker today is earning some \$700 less than that worker made 40 years ago. The median woman worker—that woman right in the middle of the economy—made \$1,300 less last year than she earned in 2007. Since 1999, the median middle-class family has seen their income go down by about \$4,000.

The great recession, which was caused by the greed, recklessness, and illegal behavior on Wall Street, cost our country millions of good-paying jobs. It cost millions of Americans their homes and their life savings. It destroyed marriages and left people so destitute that they took their own lives. But the fact is, when people are in economic despair and economic recession, suicide rates go up. While the worst is clearly behind us, millions are still trying to claw their way back to where they were before the greed and financial abuses of Wall Street ripped the middle class apart.

The good news is that in the past 6 years our economy has made significant progress. We have created millions of jobs, and that is a good thing. Our unemployment rate is down, and we have seen a whole lot of people return to work. But when we talk about the economy, we also have to understand that the recovery we are seeing is extremely uneven. Some people—the people on top—have done remarkably, unbelievably well. A tiny slice of the population has gobbled up all of the economic gains since 2009.

Let me repeat that because it is almost impossible to believe, but it is true. All of the new income gains after 2009—not 50 percent, not 80 percent, not 90 percent—100 percent of all of the income gains after 2009 have landed in the pockets of the top 1 percent.

Today the top one-tenth of 1 percent owns more wealth than the bottom 90 percent. Today the Walton family—six people—owns more wealth than the bottom 41 percent. Here is the Walton family, six people who are worth \$144.7 billion, and here is the bottom 41.5 percent of our population—131 million people who are worth about \$123.4 billion. I ask the American people, is this what our country is supposed to be about—one family owning more wealth than the bottom 41 percent, the bottom 131 million Americans? Our economy and our distribution of wealth and income is completely out of balance, and this imbalance is not only fundamentally immoral, it is wrong that so few have so much and so many have so little. But it is also detrimental to economic growth, it is dangerous for our financial stability, and in fact it threatens our democracy. Our task is to rebalance this economy; to create an economy that works well for all of our people and not just wealthy campaign contributors—not just the Koch brothers but the working class of this country.

There was a time after the Great Depression when we built an economy that allowed workers to share in our Nation's prosperity. There was a time when the economy grew to help all people—the rich got richer, the middle

class expanded, and poverty went down. That economy brought unparalleled prosperity and financial stability to our country and is affectionately remembered as the golden age of American capitalism. For decades wages increased alongside rising productivity, and each generation could reasonably expect to do better than the last.

My parents worked very hard so their sons could do better than they did. That was the American dream—a dream, by the way, which no longer exists.

After rising to more than \$56,000 at the start of the 21st century, real median household incomes today have fallen back to where they were in 1996, a decline in living standards of more than \$4,000 a year. Something is not right in our economy.

The good news is the economy is growing. It is much better than it was 6 years ago, and we should be delighted by that. GDP is up. We just had a very strong quarter—5-percent growth. Productivity is up, employment is up, home prices are up, and the stock market is way up.

On the other hand, average hourly earnings have barely budged, leading economists to resurrect a Depression-era term—a Depression-era term—called secular stagnation. For the first time since the Great Depression, our economy is growing in a way that is leaving most of our citizens no better off. In other words, the economy is doing well, but the people are not doing well.

In fact the distribution of wealth today is worse than at any time since 1917–1917. The share of wealth owned by the top one-tenth of 1 percent is almost the same as the bottom 90 percent.

When we talk about the budget—and I will talk about the budget as the ranking member of the Budget Committee—the budget has to be placed in a broader context of what is happening in America. What is happening in America is the people at the top are doing phenomenally well, the stock market is going off the wall, corporate profits are at an alltime high, while the middle class shrinks and we have almost more people living in poverty than at any time in our history. That is the context in which in my view the Budget Committee has to accept its challenge.

Today half of all Americans are making less than \$20 an hour, half the kids in our public schools are living in poverty, and 62 percent of Americans do not have the money to cover an unexpected emergency room visit or a \$500 car repair. In other words, all over this country people are stressed. They are worried about what would happen if their car were to break down. They are worried what would happen if they were to get sick because they have no money in the bank. They have nothing to rely upon. They are working longer hours and in many cases they have nothing in the bank.

As the recent elections in Greece demonstrate, ordinary people will not stand by and watch as their economies unravel and as their democracies unravel. Left unchecked, widening disparities in wealth and opportunity here at home can give rise to dangerous levels of social unrest. We must rebalance the economy so prosperity is enjoyed by the many—by the middle class, by working families—and not just a handful of people on top.

We must ensure that our economy continues to grow and that the benefits of a growing economy are widely enjoyed. It is not growth versus fairness but growth and fairness. In other words, we can have all the growth we want and it doesn't mean anything to the middle class. In fact, the converse is true: We can have all the fairness we want, but if there is not growth, people are not going to gain prosperity. In fact, no society has ever flourished without a large, prosperous middle class, and that is what we must fight to bring about.

My Republican friends believe the economy will grow if we just give more tax breaks to millionaires, to billionaires, and to the largest corporations in America. They refer to this top 1 percent as the job makers or the job creators. They insist if we rub their bellies just right—deregulating markets and slashing taxes and all of these nice things for the wealthy and the powerful—we can coax them into building an economy that will work for everyone. That is called trickle-down economics: bend over backward for the rich and the powerful, and when we give them their tax breaks, we deregulate and let them destroy the environment, my God, they are going to create all these jobs for working families.

That is what the first George Bush referred to as “voodoo economics.” He was right then and that expression is right today.

I am sure the Presiding Officer has seen the Kevin Costner movie “Field of Dreams.” These supply-side arguments, these trickle-down theories are the economic equivalent of the field of dreams. The Republicans tell us all we have to do is to build a friendly tax and regulatory environment and the “job creators” will come. They tell us we just have to get the “incentives” right and the wealthy will create all the good jobs we need. They tell us that if we build the rich a better playing field, the jobs will come.

That is the mantra of supply-side economics, of the trickle-down theory: If you build it, they will come. The only problem with that theory is it has been tried and the evidence is overwhelming that it has failed.

Since 1980 we have seen the marginal income tax rate—the top marginal income tax rate—plunge from 70 to 35 percent. The wealthiest people wanted a reduction in their marginal tax rate, and they got it. The corporate income tax rate dropped from 46 to 35 percent—although, by the way, very few cor-

porations pay 35 percent, but they did get a reduction in the corporate tax rate. Taxes on capital gains fell from 28 to 15 percent. We have deregulated the airlines, deregulated telecommunications, deregulated energy, and maybe, most significantly and most disastrously, we deregulated Wall Street.

We did all of the things the wealthy and the powerful wanted us to do, but instead of unleashing the job creators and ushering in a new golden age that benefits all people, these supply-side gimmicks brought us widening inequality and greater financial instability. In other words, these experiments failed. They failed. Our economy has become more unstable. The distribution of wealth and income has become more unequal, and it takes the system longer and longer to call back the jobs that are lost each time we suffer a recession.

I am encouraged by some of the comments I have recently heard from my Republican colleagues who recognize that income and wealth inequality in America is real. This is a step forward. However, the policies they are advocating to address income and wealth inequality will in fact make a bad situation even worse.

As the ranking member of the Budget Committee, let me tell you what the Republicans have in mind. They don't say this straightforward, so I will help them and say it straightforward. What they intend to do is to cut Social Security, and they are going to tell us all the reasons we have to cut Social Security. That is what they are going to do. That is what they are going to try to do. We are going to stop them, but that is what they are going to try to do. They are going to try to end Medicare as we know it and convert it into a voucher program. That is what the House Republicans voted to do last year. The result will be that there will be more and more out-of-pocket medical expenses for older Americans. They are going to make devastating cuts in Medicaid and throw some of the most vulnerable people in this country off of health insurance and onto the rolls of the uninsured. They are going to try to cut taxes for millionaires, billionaires and large corporations and they are going to try to increase military spending.

That is what they are going to do. They are going to give long speeches. They are not going to say these things directly, but if you listened closely to the speech my friend and colleague Senator CORNYN gave, that is truly what they intend to do.

Einstein said it was the height of insanity to keep doing the same thing over and over again expecting different results. It is time to accept the facts. The facts are that trickle-down economics does not work. It has failed. It is time to get back to doing what does work—what works for the middle class and working families. That is what we have to get back to.

So what does work? What is a program we should be advocating that makes sense and that will work for ordinary Americans? The plan is actually pretty simple. It is the way economics was taught and practiced during the golden age of capitalism, and it flips trickle-down thinking on its head. To put it as simply as possible, our economy runs on sales, not a very difficult concept to understand. Sales create jobs.

Businesses don't hire and invest because they want to. They hire workers and invest in new machinery because they have to. They do it to keep up with consumer demand, which is 70 percent of our economy, not very complicated. When people have disposable income in their pockets, they buy products, they buy services, and when they buy those services and products, companies hire workers to make those products and deliver those services.

We hear a lot of talk about how we need to reduce spending to grow the economy, but that doesn't quite make sense. Spending isn't just the right way to grow the economy. In fact, it is the only way to grow the economy. After all, what is the economy? It is our economic pie, our GDP. What is that? It is a measure of how much we are spending as a nation to buy the goods and services we are producing. If we spend less, we don't grow our economy, we shrink it.

Contrary to what a lot of people believe, the government is not the big spender in the economy, households are. Their spending accounts for roughly 70 percent of our total GDP. That means consumers play a critical role in creating the demand that drives our economy.

It also means that when the middle class is in trouble—when people have less disposable income—the American economy is in trouble. Whether we continue to grow and create jobs depends critically on the economic well-being of the vast middle class. If the middle class is weighed down with debt and struggling to get by, the long-term health of the United States economy is in serious trouble.

Hardworking Americans with money to spend are the real job creators. They are the customers who supply the demand of the vast majority of what our businesses are trying to sell.

This is not just BERNIE SANDERS speaking. Talk to many of the large companies out there and they say they are seeing a drying up of their customers because the economy is so bad. That is what the folks in many industries will tell us today. Our economy does well when people have income to spend. This is not a complicated theory. If people can't buy products, companies are not making products. Companies are not producing services.

Since the Wall Street crash, many of the jobs that have been added to the economy have been low-wage and part-time jobs. In fact, the jobs created during the recovery in the last few years

pay 23 percent less on average than those that were lost in the recession. In his State of the Union Address, the President talked about "middle class economics," and that is an excellent way to put it. It is a powerful reminder of what drives growth and prosperity. When we understand this, we understand why our economy cannot function when those at the very top are pocketing 100 percent of the income gains.

Let me repeat that. The top 1 percent is not getting 50 percent of all new income, not getting 80 percent of all new income—they are getting 100 percent of all new income. Our most important job creator, the vast middle class, is disappearing. Squeezed by decades of rising costs and stagnant incomes, they just can't do it. When those at the very top take more and more of the gains, our job creators—i.e., the middle class—get squeezed. Debt becomes a substitute for income, and the economy becomes even more fragile.

Let me show an incredibly revelatory chart. This chart talks about distribution of average income growth during expansions and what the bottom 90 percent received versus what the top 10 percent of families receive.

We go back from the period of 1949 to 1953, 1954 to 1957, 1958 to 1960, 1961 to 1969, 1970 to 1973, 1975 to 1979, 1982 to 1990, 1991 to 2000, 2001 to 2007, 2009 to 2012. That is the last we have.

What this chart shows is that in the first three decades after World War II the vast majority of Americans did well when the economy did well.

This is the percentage of new income that went to the bottom 90 percent, and this is what the top 10 percent got. They did OK. The top 10 percent did pretty well. They got 20 percent of all new income. But the bottom 90 percent got 80 percent of the income. Then 1954 to 1957 went down a little bit, but the bottom 90 percent did pretty well. Again, the bottom 90 percent did pretty well, and here the bottom 90 percent did pretty well. Then the bottom 90 percent begins to do less well, and again less well, but they are still getting a majority of the new income.

Whoa—what happens in 1982? Well, Ronald Reagan is President—and the good news is we are into trickle-down economics. Here it is. This chart tells it all. This is what the top 10 percent got, and this is what the bottom 90 percent got.

Here we are in the last number here, where we are today, and, lo and behold, the top 10 percent gets it all. And, frankly, this is a metaphor. This is an example of exactly what trickle-down economics is all about.

So early on, in economics, when we have a recovery, most of the new income goes to working families and to the broad middle class. Since the 1982 period, almost all of the new income goes to the top 1 percent. Today, as I mentioned—rather unbelievably—all of the new income is going to the top 1 percent.

Clearly, this is unacceptable. This trend of the rich getting richer and everybody else getting poorer is not what America is about, and it has got to be changed. We have to rethink the fundamentals of supply-side, trick-down economic theory.

The difficulty we have, to be frank, is that, especially since Citizens United and especially since the millionaires and billionaires can pour huge amounts of money into the political process, for them this is great news. This chart is fantastic news. They have won. They contribute to candidates, and candidates go out and tell us we need more tax breaks for the rich, we need more deregulation. And these are the results. So not only do we need to change our economic policies. Clearly, we need to change campaign finance so the work being done by Congress reflects the needs of working families and not just the billionaire class.

Now, let me say what I think we should do. I do not believe we should give more tax breaks to the rich because they are getting richer and their tax rates have gone down. I do not believe we should give more tax breaks to large corporations, because there are huge loopholes in our corporate tax system and we are losing about \$100 billion every single year because corporations and millionaires are stashing their money in the Cayman Islands and other tax havens.

We have a situation right now in this country in terms of our individual tax breaks where hedge fund managers who make millions of dollars a year pay an effective tax rate lower than a truck-driver or a nurse. That makes no sense to me nor do I believe it makes sense to the American people.

So I will very briefly say what I think makes sense and an agenda that will put Americans back to work at decent wages.

No. 1, if we want to create jobs in America, we don't pass the Keystone Pipeline bill. That creates 35 permanent jobs. That creates several thousand construction jobs. And, by the way, that allows the Canadian firm to produce and transport some of the dirtiest fuel in the world, which will only exacerbate the problems of climate change—doing exactly the opposite of what the scientific community tells us we should do.

So if we want to create more than 35 permanent jobs, maybe we should be serious about rebuilding our crumbling infrastructure; that is, our roads, our bridges, our water systems, our wastewater plants, our dams, our levees, our rail system, our airports. Think of what America would look like when, instead of having a sub-par infrastructure—an infrastructure now ranked 12th in the world—we lead the world with cutting edge technology. A \$1 trillion investment could put 13 million Americans back to work at good wages. In my view, that is exactly what we should be doing.

Right now in this country we have a significant number of people working

at the starvation wage—the Federal minimum wage—of \$7.25 an hour. We must raise the minimum wage to a living wage. When we do that, we provide a pay raise for some 25 million Americans who today are struggling economically. And when we do that, we not only help them, but we also help the economy because, as I mentioned earlier, when these folks have money they can then spend some money.

We have to provide pay equity for women workers. It is not acceptable that women today earn 78 percent of what male workers earn who do the same job.

We have to deal with the scandal of overtime right now, where we have workers in McDonald's who make \$25,000, \$28,000 a year and who are "supervisors" and therefore are exempt from overtime regulations. So they may be working 50 or 60 hours a week making very little money, yet because they are "supervisors," they don't get time and a half. Ending that and raising that \$23,000 threshold to something like \$56,000 would provide a huge pay increase for millions and millions of workers.

We live in a very, very competitive global economy, and it makes no sense to me that in that economy we have large numbers of young people who are giving up on the dream of getting a good education and going to college or graduate school. Others are leaving school deeply in debt. We should learn from many of our competitors who say to their young people: You want to go to college? You can go to college, regardless of your income because tuition is free.

A few months ago, one of the States in Germany was the last State in Germany to do away with tuition. What one of their political leaders said was: Look. We believe all of our people have the right to go to college, and income should not be an impediment. I agree with that.

We need finally to do what I know is very, very difficult for many of the Members of this body, and that is take on Wall Street. We have a handful of huge financial institutions that have assets equivalent to 60 percent of the GDP of the United States of America. They issue half of the mortgages in this country and two-thirds of the credit cards in this country. I believe that is just too big. I fear very much about another too-big-to-fail scenario where we have to bail them out.

As we know, Republicans recently have pushed through language to take away some of the protections that taxpayers had in Dodd-Frank and once again leave them exposed to bailing out Wall Street when they engage in dangerous derivative speculation.

Lastly—and this is not just an economic issue, although it is; it is a moral issue—we have millions of senior citizens and people with disabilities in this country who are struggling with incredible courage every single day to buy the food they need and to buy the

medicine they need, and, in cold States such as mine in Vermont, to heat their homes. This is not just rhetoric. This is reality. There are—God knows how many—seniors who say: Well, I can't buy my medicine if I am going to heat the house. I can't heat the house if I am going to buy my nutrition. We know that all over the country the Meals On Wheels programs have waiting lines because it is a place for low-income seniors to get nutrition. Yet we have an effort right now on the part of Republicans to say that, well, yeah, we have millions of seniors trying to get by on \$12,000, \$13,000 a year, but we are going to cut their benefits. Well, they may make that effort, but I will do everything I can to stop it.

There are very simple remedies for the problems facing Social Security, and we should make a couple of things very clear. Despite a lot of the rhetoric that we hear, Social Security is paid for by the payroll tax and does not add to the deficit. So take that issue away.

The second issue is that Social Security is going broke. Well, the simple truth is Social Security is not going broke. Social Security has about \$2.6 trillion in its trust fund and can pay out about all the benefits owed to all eligible Americans for the next 19 years. If we want to make Social Security solvent—not for 19 years, because I think we have to extend that—if we want to make it solvent for 30 years or 40 years and if we want, as I believe we should, not to cut benefits but to expand benefits, and if we want to do the right thing for our parents and our grandchildren, then I think we defeat every effort out there to cut Social Security. I think we lift the cap on taxable income so that millionaires contribute more into the Social Security trust fund. I think we have that moral obligation to our parents and our grandparents.

Let me conclude by saying this. I think the evidence is overwhelming that trickledown economics is a fraud. It works for the very wealthy; it does not work for working families. The job of this Congress is to protect the middle class and working class, and not just billionaire campaign contributors.

With that, I thank the Presiding Officer for your indulgence, and I yield the floor.

TRIBUTE TO LINDA GIBBONS

Mr. HATCH. Mr. President, I am grateful for the opportunity to pay tribute to a wonderful staff member and dedicated public servant, Linda Gibbons. Linda will be retiring this week after 22 years of devoted service. I know I speak for everyone on my staff when I say she will be deeply missed.

As a member of my constituent services team, Linda helped thousands of Utahns who contacted my office seeking assistance. In serving constituents, she was always sympathetic to their needs and worked tirelessly to resolve

their problems. Constituent casework is difficult, often requiring hours of tedious research and coordination with Federal and State agencies. But Linda was always equal to the task, and I can say without reservation that she was among the best caseworkers I have ever had.

Linda was passionate about public service. Her work ethic always impressed me, and I was grateful for her willingness to assume new responsibilities. She is tenacious, honest, and always believes in doing the right thing.

Most importantly, Linda has a deep capacity to care for and love others. Both constituents and staff know this well. She has always gone out of her way to listen to and help anyone in need.

I will always be grateful for Linda's work in helping me nominate Utah's most talented young students to military academies. Military academy nominations can be laborious and cumbersome, but Linda always saw candidates through the process with a remarkable degree of efficiency and professionalism. In doing so, she mentored some of Utah's best and brightest. She also built strong ties between our office, the students, their families, and officials from military academies.

Although Linda has achieved much in her professional life, perhaps her greatest success has been in the home. Linda has been married to her husband, Phil, for over 40 years, and together they have three children and seven grandchildren. She loves her family dearly and looks forward to spending more time with them in her retirement. Her compassion and strength have shepherded them through some of life's most difficult challenges.

I am truly grateful for the tremendous service Linda has rendered to my staff, her community, and the great State of Utah. I will miss Linda greatly, but I know that this next chapter in her life holds many exciting and wonderful opportunities. I will be forever grateful for her dedicated service and loyal friendship.

SUBCOMMITTEE ASSIGNMENTS

COMMITTEE ON APPROPRIATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent to have printed in the RECORD the list of subcommittee assignments for the Committee on Appropriations for the 114th Congress.

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

SUBCOMMITTEE ASSIGNMENTS

Senator Cochran, as chairman of the Committee, and Senator Mikulski, as vice chairman of the Committee, are ex officio members of all subcommittees of which they are not regular members.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

Senators Moran,¹ Blunt, Cochran, McConnell, Collins, Hoeven, Daines, Merkley²,

Feinstein, Tester, Udall, Leahy, Baldwin. (7-6)

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

Senators Shelby¹, Alexander, Murkowski, Collins, Graham, Kirk, Boozman, Capito, Lankford, Mikulski², Leahy, Feinstein, Reed, Shaheen, Coons, Baldwin, Murphy. (9-8)

DEPARTMENT OF DEFENSE

Senators Cochran¹, McConnell, Shelby, Alexander, Collins, Murkowski, Graham, Blunt, Daines, Moran, Durbin², Leahy, Feinstein, Mikulski, Murray, Reed, Tester, Udall, Schatz. (10-9)

ENERGY AND WATER DEVELOPMENT

Senators Alexander¹, Cochran, McConnell, Shelby, Collins, Murkowski, Graham, Hoeven, Lankford, Feinstein², Murray, Tester, Durbin, Udall, Shaheen, Merkley, Coons. (9-8)

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Senators Boozman¹, Moran, Lankford, Coons², Durbin. (3-2)

DEPARTMENT OF HOMELAND SECURITY

Senators Hoeven¹, Cochran, Shelby, Murkowski, Graham, Cassidy, Shaheen², Leahy, Murray, Tester, Baldwin. (6-5)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

Senators Murkowski¹, Alexander, Cochran, Blunt, Hoeven, McConnell, Daines, Cassidy, Udall², Feinstein, Leahy, Reed, Tester, Merkley. (8-6)

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Senators Blunt¹, Moran, Shelby, Cochran, Alexander, Graham, Kirk, Cassidy, Capito, Lankford, Murray², Durbin, Reed, Mikulski, Shaheen, Merkley, Schatz, Baldwin. (10-8)

LEGISLATIVE BRANCH

Senators Capito¹, Kirk, Moran, Schatz², Murphy. (3-2)

MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Senators Kirk¹, McConnell, Murkowski, Hoeven, Collins, Boozman, Capito, Cassidy, Tester², Murray, Reed, Udall, Schatz, Baldwin, Murphy. (8-7)

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Senators Graham¹, McConnell, Kirk, Blunt, Boozman, Moran, Lankford, Daines, Leahy², Mikulski, Durbin, Shaheen, Coons, Merkley, Murphy. (8-7)

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Senators Collins¹, Shelby, Alexander, Kirk, Blunt, Boozman, Capito, Cassidy, Daines, Reed², Mikulski, Murray, Durbin, Feinstein, Coons, Schatz, Murphy. (9-8)

¹Subcommittee chairman.

²Ranking minority member.

COMMITTEE ON RULES AND ADMINISTRATION

RULES OF PROCEDURE

Mr. BLUNT. Mr. President, the Committee on Rules and Administration has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SCHUMER, I ask unanimous consent that a copy of the

committee rules be printed in the RECORD.

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

Rules of Procedure

Committee on Rules and Administration

MEETINGS OF THE COMMITTEE

Rule 1. The regular meeting dates of the Committee shall be the second and fourth Wednesdays of each month, at 10:00 a.m. in room SR-301, Russell Senate Office Building. Additional meetings of the Committee may be called by the Chairman as he may deem necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

Rule 2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (a) through (f) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the Members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if:

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

Rule 3. Written notices of committee meetings will normally be sent by the committee's staff director to all Members of the committee at least a week in advance. In addition, the committee staff will telephone or e-mail reminders of committee meetings to all Members of the committee or to the appropriate assistants in their offices.

Rule 4. A copy of the committee's intended agenda enumerating separate items of legislative business and committee business will normally be sent to all Members of the committee and released to the public at least 1 day in advance of all meetings. This does not preclude any Member of the committee from discussing appropriate non-agenda topics.

Rule 5. After the Chairman and the Ranking Minority Member, speaking order shall be based on order of arrival, alternating between Majority and Minority Members, unless otherwise directed by the Chairman.

Rule 6. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the Chairman and the Ranking Minority Member waive such requirement for good cause.

Rule 7. In general, testimony will be restricted to 5 minutes for each witness. The time may be extended by the Chairman, upon the Chair's own direction or at the request of a Member. Each round of questions by Members will also be limited to 5 minutes.

QUORUMS

Rule 8. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority of the Members of the committee shall constitute a quorum for the reporting of legislative measures.

Rule 9. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the Members of the committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

Rule 10. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 Members of the committee shall constitute a quorum for the purpose of taking testimony under oath and 1 Member of the committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one Member can continue to take such testimony.

Rule 11. Under no circumstances may proxies be considered for the establishment of a quorum.

VOTING

Rule 12. Voting in the committee on any issue will normally be by voice vote.

Rule 13. If a third of the Members present so demand a roll call vote instead of a voice vote, a record vote will be taken on any question by roll call.

Rule 14. The results of roll call votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each Member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

Rule 15. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matter shall require the concurrence of a majority of the Members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a Member's position on the question and then only in those instances when the absentee committee Member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a) (3) of rule XXVI of the Standing Rules.)

AMENDMENTS

Rule 16. Provided at least five business days' notice of the agenda is given, and the

text of the proposed bill or resolution has been made available at least five business days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

Rule 17. In the event the Chairman introduces a substitute amendment or a Chairman's mark, the requirements set forth in Rule 16 shall be considered waived unless such substitute amendment or Chairman's mark has been made available at least five business days in advance of the scheduled meeting.

Rule 18. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

Rule 19. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN

Rule 20. The Chairman is authorized to sign himself or by delegation all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf all routine business.

Rule 21. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

Rule 22. The Chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

Rule 23. The Chairman and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the committee any rule or regulation for which the committee's approval is required, provided advance notice of their intention to do so is given to Members of the committee.

SELECT COMMITTEE ON ETHICS ANNUAL REPORT FOR 2014

Mr. ISAKSON. Mr. President, I ask unanimous consent, for myself as chairman of the Select Committee on Ethics and for Senator BOXER as vice chairman of the committee, that the following "Annual Report for 2014-Select Committee on Ethics" be printed in the RECORD. The committee issues this report today as required by the Honest Leadership and Open Government Act of 2007.

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

Annual Report of the Select Committee on Ethics

The Honest Leadership and Open Government Act of 2007 (the "Act") calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31st of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee's activities in 2014 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or

staff of the Committee: 45. (In addition, one alleged violation from the previous year was carried into 2014.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 27.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 17.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 2. (This figure includes 1 matter from the previous calendar year carried into 2014.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit: 0.

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2014, the Committee staff conducted two new Member and staff ethics training sessions; 16 Member and committee office campaign briefings; 13 employee code of conduct training sessions; five public financial disclosure clinics, seminars, and webinars; 34 ethics seminars and customized briefings for Member DC offices, state offices, and Senate committees; one private sector ethics briefings; and 12 international briefings.

In 2014, the Committee staff handled approximately 9,648 telephone inquiries and 1,510 inquiries by email for ethics advice and guidance.

In 2014, the Committee wrote approximately 925 ethics advisory letters and responses including, but not limited to, 756 travel and gifts matters (Senate Rule 35) and 99 conflict of interest matters (Senate Rule 37).

In 2014, the Committee issued 3,354 letters concerning financial disclosure filings by Senators, Senate staff and Senate candidates and reviewed 1,650 reports.

ADDITIONAL STATEMENTS

REMEMBERING BOB MORALES

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring the life and work of Teamsters Local 350 Secretary-Treasurer Bob Morales, who died in South San Francisco on January 26 at the age of 71. Bob was a great labor leader and a dear personal friend, and I will miss him terribly.

Born in El Salvador in 1943, Bob came to the United States with his family as a teenager. After completing his education in San Francisco, he served in the United States Army for 2 years, reaching the rank of Sergeant Fifth Class.

Bob began his extraordinary career with the Metal Polishers and Platers Union of the AFL-CIO. He joined the Teamsters Local 350 in 1973 as a busi-

ness representative, quickly becoming secretary-treasurer after only 2 years. In this role, Brother Bob negotiated some of the best union contracts in the Nation, providing his members with outstanding wages and benefits. A fearless advocate for California workers, Bob held several positions within the Teamsters, serving as the first and only director of the union's Solid Waste, Recycling and Related Industries Division, secretary-treasurer of Teamsters Joint Council 7, and Chairman of both the California and National Teamsters Hispanic Caucuses. As a testament of his successful leadership, Bob's colleagues named him a trustee to the Western Conference of Teamsters Pension Trust—the largest labor pension fund in the western United States. In 1992, Bob was honored as Labor's Man of the Year in San Francisco.

Beyond his tireless work in the labor movement, Bob was involved with numerous charitable organizations, including the United Way of California, the Martin Luther King Jr. Society of San Francisco, the A. Philip Randolph Institute, the Hispanic Foundation, and the San Francisco Senior Centers.

On behalf of the people of California who Bob so diligently served, I send my deepest condolences to his wife Maria, son David, their extended family, and Bob's many friends, colleagues, and admirers.●

RECOGNIZING THE IMPORTANCE OF SCHOOL CHOICE

• Mr. BOOZMAN. Mr. President, the Senate passed a resolution that I was proud to cosponsor recognizing this week as National School Choice Week.

As a former school board member, I understand that State and local governments are best equipped to make education decisions for their communities—not Washington. Students and parents deserve to choose the education that meets their needs. I am committed to empowering parents with the ability to choose the best education options for their children.

I asked Arkansans to share with me why school choice is important to them. Crystal Holland of Beebe wrote to me about her son, Hunter, who has high-functioning autism. She wrote that he was misdiagnosed with ADHD when he was 4 years old and diagnosed with autism when he was 11 years old. "He missed out on some very important critical skills because of all the discipline problems he was having due to anxiety," Holland wrote. "School choice allows me to homeschool him as a result and I am very thankful for the opportunity."

Bob and Mary Anne Fielder of Hot Springs included competition in their email to me. "Competition is always good. You would see a much improved public school system," they wrote.

I agree with the Fielders. Competition among schools improves the standards for everybody. This Congress

we will take important steps to improve education nationwide by fixing No Child Left Behind. This is a key vehicle to providing flexibility to States and to families so they can make the choices about education opportunities for their children.

This week I skyped with students at public charter schools across Arkansas. The students said having educational options was important to them because it allows them to be better prepared for their interests beyond high school graduation.

I am proud to support National School Choice Week and the outstanding educational choices that Arkansas offers. When it comes to education, it is important that we get the job done right. Allowing the freedom to choose between educational options for children is one way we can help parents make the best decision for their children's futures.●

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 11:09 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 351. An act to provide for expedited approval of exportation of natural gas, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 351. An act to provide for expedited approval of exportation of natural gas, and for other purposes; to the Committee on Energy and Natural Resources.

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-459. 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 "Animal Welfare; Retail Pet Stores and Licensing Exemptions; Technical Amendment" ((RIN0579-AD57) (Docket No. APHIS-2011-0003)) received in the Office of the President of the Senate on January 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-460. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Electronic Submission of Technical Reports" ((RIN0750-AI25) (DFARS Case 2014-D001)) received in the Office of the President of the Senate on January 26, 2015; to the Committee on Armed Services.

EC-461. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Defense Contractors Performing Private Security Functions" ((RIN0750-AI31) (DFARS Case 2014-D008)) received in the Office of the President of the Senate on January 26, 2015; to the Committee on Armed Services.

EC-462. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Updated Descriptions of Product Service Groups Subject to Trade Agreements" ((RIN0750-AI49) (DFARS Case 2015-D004)) received in the Office of the President of the Senate on January 26, 2015; to the Committee on Armed Services.

EC-463. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Further Implementation of Trafficking in Persons Policy" ((RIN0750-AH93) (DFARS Case 2013-D007)) received in the Office of the President of the Senate on January 26, 2015; to the Committee on Armed Services.

EC-464. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a Foreign Policy Report on the imposition of a license requirement on exports, reexports, and transfers (in-country) to the Crimea region of Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

EC-465. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Cuba: Providing Support for the Cuban People" (RIN0694-AG42) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-466. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report entitled "Assessment of Demand Response and Advanced Metering"; to the Committee on Energy and Natural Resources.

EC-467. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to Revise the Code of Federal Regulations for Species Under the Jurisdiction of the National Marine Fisheries Service; Correction" (RIN0648-XC659) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Environment and Public Works.

EC-468. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0001-2015-0003); to the Committee on Foreign Relations.

EC-469. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sulfoxaflor; Pesticide Tolerances for Emergency Exemptions" (FRL No. 9920-45) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-470. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Extension of the Laboratory and Analytical Use Exemption for Essential Class I Ozone-Depleting Substances" ((RIN2060-AS38) (FRL No. 9921-52-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-471. 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 1997 and 2006 PM2.5, 2008 Lead, 2008 Ozone, and 2010 NO2 National Ambient Air Quality Standards; South Dakota" (FRL No. 9922-04-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-472. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Exemption of Certain Chemical Substances from Reporting Additional Chemical Data" ((RIN2070-AK01) (FRL No. 9921-56)) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-473. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico" (FRL No. 9921-77-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-474. 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 California; Sacramento Metro Area; Attainment Plan for 1997 8-Hour Ozone Standard" (FRL No. 9921-99-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-475. 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; Montana; Revisions to Administrative Rules of Montana - Prevention of Significant Deterioration"

(FRL No. 9919-42-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Environment and Public Works.

EC-476. A communication from the 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 14-137); to the Committee on Foreign Relations.

EC-477. A communication from the 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 14-127); to the Committee on Foreign Relations.

EC-478. A communication from the 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 14-106); to the Committee on Foreign Relations.

EC-479. A communication from the Deputy Director, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Respirator Certification Fees" (RIN0920-AA42) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-480. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, received in the Office of the President of the Senate on January 22, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-481. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Removal of Naloxegol from Control" (Docket No. DEA-400) received in the Office of the President of the Senate on January 27, 2015; to the Committee on the Judiciary.

EC-482. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Smoking/No Smoking Areas" (RIN1120-AB42) received in the Office of the President of the Senate on January 22, 2015; to the Committee on the Judiciary.

EC-483. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-10, Benchmark Survey of U.S. Direct Investment Abroad" (RIN0691-AA83) received in the Office of the President of the Senate on January 26, 2015; to the Committee on Commerce, Science, and Transportation.

EC-484. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 76.1506 of the Commission's Rules" (DA 14-1892) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-485. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cove and

Daisy, Arkansas; Alamo, Georgia; Grayville, Illinois; Clayton, Louisiana; Harrison, Michigan; Altou, Missouri; Ennis, Montana; Bufalo, Erick, Haworth, Leedey, Reydon, Taloga, Thomas, and Wright City, Oklahoma; Weinert, Texas; Boscobel, Owen, and Tigerton, Wisconsin)" (MB Docket No. 11-147) (DA 12-513)) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-486. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Silverton, Texas)" (MB Docket No. 14-156) (DA 15-9)) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-487. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Thames River, New London, CT" (RIN1625-AA09) (Docket No. USCG-2013-0983) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-488. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Sarah Mildred Long Bridge Replacement, Portsmouth, NH" (RIN1625-AA11) (Docket No. USCG-2014-0554) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-489. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Areas and Limited Access Areas; Waterway Management of Apra Harbor, Guam" (RIN1625-AA00; RIN1625-AA11; and RIN1625-AA87) (Docket No. USCG-2013-0935) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-490. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Eastport Breakwater Terminal, Eastport, Maine" (RIN1625-AA00) (Docket No. USCG-2014-1037) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-491. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Blue Water Resort and Casino Southwest Showdown 4; Parker, AZ" (RIN1625-AA00) (Docket No. USCG-2014-0990) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-492. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones: Dignitary Arrival/Departure and United Nations Meetings, New York, NY" (RIN1625-AA87) (Docket No. USCG-2013-1009) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-493. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone: John Joseph Moakley United States Courthouse; Boston, MA" (RIN1625-AA87) (Docket No. USCG-2014-1055) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-494. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: SFOBB Demolition Safety Zone, San Francisco, CA" (RIN1625-AA00) (Docket No. USCG-2013-0654) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-495. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Clearwater Super Boat National Championship; Gulf of Mexico, Clearwater, FL" (RIN1625-AA08) (Docket No. USCG-2014-0657) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-496. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Port of New York" (RIN1625-AA01) (Docket No. USCG-2013-0018) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-497. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2014; Interim Gulf of Maine Cod Management Measures; Correction" (RIN0648-BE56) received in the Office of the President of the Senate on January 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-498. A communication from the Attorney-Advisor, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Transit Administration, Department of Transportation, received in the Office of the President of the Senate on January 22, 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-2. A communication from a citizen of the State of Illinois memorializing the State of Illinois's petition to the United States Congress calling for a constitutional convention for the purpose of proposing amendments; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Armed Services, without amendment:

S. Res. 53. An original resolution authorizing expenditures by the Committee on Armed Services.

By Mr. BLUNT, from the Committee on Rules and Administration, without amendment:

S. Res. 54. An original resolution authorizing expenditures by the Committee on Rules and Administration.

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. Res. 55. An original resolution authorizing expenditures by the Select Committee on Intelligence.

By Mr. ENZI, from the Committee on the Budget, without amendment:

S. Res. 57. An original resolution authorizing expenditures by the Committee on the Budget.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE (for himself, Mr. LEAHY, Mr. MORAN, Mr. DURBIN, Mr. ENZI, Mr. UDALL, Mr. BOOZMAN, Mr. WHITEHOUSE, and Mr. CARPER):

S. 299. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Relations.

By Mr. PAUL (for himself, Mr. WYDEN, and Mr. CRUZ):

S. 300. A bill to provide for auditable financial statements for the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mrs. FISCHER:

S. 301. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mrs. SHAHEEN, Mrs. MURRAY, Ms. WARREN, Mr. DURBIN, Mr. MERKLEY, Mr. CARDIN, Mr. COONS, Mr. FRANKEN, Ms. MIKULSKI, Ms. BALDWIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SANDERS, Mr. LEAHY, Mr. WYDEN, Mr. SCHUMER, Mr. BROWN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BOOKER, Ms. CANTWELL, Mr. MURPHY, Ms. HIRONO, Mr. CASEY, Mr. SCHATZ, and Mr. BLUMENTHAL):

S. 302. A bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBT Peoples; to the Committee on Foreign Relations.

By Mr. ROBERTS:

S. 303. A bill to amend title 5, United States Code, to provide that individuals having seriously delinquent tax debts shall be ineligible for Federal employment; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THUNE (for himself, Mr. NELSON, Mr. HELLER, Mrs. MCCASKILL, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. MORAN, and Mr. BLUMENTHAL):

S. 304. A bill to improve motor vehicle safety by encouraging the sharing of certain information; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BURR, Mrs. CAPITO, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRASSLEY, Mr. INHOFE, Mr. ISAKSON, Mr. KIRK, Mr. MORAN, Mr.

PORTMAN, Mr. ROBERTS, Mr. RUBIO, Mr. SCOTT, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, Mr. WICKER, and Mr. RISCH):

S. 305. A bill to protect American job creation by striking the Federal mandate on employers to offer health insurance; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRUZ, and Mr. CRAPO):

S. 306. A bill to amend the Internal Revenue Code of 1986 to encourage the use of 529 plans and Coverdell education savings accounts, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 307. A bill to amend title III of the Public Health Service Act to provide for the establishment and implementation of guidelines on best practices for diagnosis, treatment, and management of mild traumatic brain injuries (MTBIs) in school-aged children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. MANCHIN, and Mrs. CAPITO):

S. 308. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY (for himself, Mrs. MCCASKILL, Mr. RUBIO, Mr. PORTMAN, Mr. JOHNSON, Mr. FLAKE, Ms. AYOTTE, and Mr. LEE):

S. 309. A bill to prohibit earmarks; to the Committee on Rules and Administration.

By Mr. CASSIDY (for himself and Mrs. FISCHER):

S. 310. A bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself and Mr. KIRK):

S. 311. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. COCHRAN, and Mr. WHITEHOUSE):

S. 312. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. CASEY, Mr. MORAN, and Mr. BLUNT):

S. 313. A bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. CASEY, Mr. KIRK, and Mr. BROWN):

S. 314. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services; to the Committee on Finance.

By Mr. HELLER (for himself and Ms. KLOBUCHAR):

S. 315. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. BENNET, Mr. ALEXANDER, and Mrs. FEINSTEIN):

S. 316. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KAINE, Mr. SCHATZ, Mr. UDALL, and Mr. WYDEN):

S. 317. A bill to improve early education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. 318. A bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 319. A bill to designate a mountain in the State of Alaska as Mount Denali; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself, Mr. CARDIN, Mr. BROWN, and Ms. BALDWIN):

S. 320. A bill to authorize the collection of supplemental payments to increase congressional investments in medical research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD:

S. 321. A bill to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Indian Affairs.

By Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. BLUNT, and Mr. COONS):

S. 322. A bill to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 323. A bill to prohibit the use of Federal funds for the costs of official portraits of Members of Congress, heads of executive agencies, and heads of agencies and offices of the legislative branch; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN:

S. Res. 53. An original resolution authorizing expenditures by the Committee on Armed Services; from the Committee on Rules and Administration.

By Mr. BLUNT:

S. Res. 54. An original resolution authorizing expenditures by the Committee on Rules and Administration; from the Committee on Rules and Administration; placed on the calendar.

By Mr. BURR:

S. Res. 55. A resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Ms. BALDWIN (for herself and Ms. WARREN):

S. Res. 56. A resolution designating January 2015 as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. ENZI:

S. Res. 57. A resolution authorizing expenditures by the Committee on the Budget; from the Committee on the Budget; to the Committee on Rules and Administration.

By Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, and Mr. BROWN):

S. Res. 58. A resolution recognizing January 2015 as "National Mentoring Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 165

At the request of Ms. AYOTTE, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 165, a bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, and for other purposes.

S. 167

At the request of Mr. BLUMENTHAL, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 167, a bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

At the request of Mr. MCCAIN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Texas (Mr. CORNYN), the Senator from Illinois (Mr. KIRK), the Senator from Montana (Mr. DAINES) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 167, *supra*.

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 198

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 203

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 203, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 235

At the request of Mr. WYDEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 257

At the request of Mr. MORAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Maine (Mr. KING) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital out-patient services.

At the request of Mr. SCOTT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 265, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 292

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 292, a bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes.

S. 293

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 293, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 294

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 294, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 295

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 295, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 297

At the request of Mr. KIRK, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 297, a bill to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, and for other purposes.

AMENDMENT NO. 92

At the request of Mr. BURR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 92 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MARKEY (for himself, Mrs. SHAHEEN, Mrs. MURRAY, Ms. WARREN, Mr. DURBIN, Mr. MERKLEY, Mr. CARDIN, Mr.

COONS, Mr. FRANKEN, Ms. MIKULSKI, Ms. BALDWIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SANDERS, Mr. LEAHY, Mr. WYDEN, Mr. SCHUMER, Mr. BROWN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BOOKER, Ms. CANTWELL, Mr. MURPHY, Ms. HIRONO, Mr. CASEY, Mr. SCHATZ, and Mr. BLUMENTHAL):

S. 302. A bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBT Peoples; to the Committee on Foreign Relations.

Mr. MARKEY. Mr. President, throughout my career, I have been proud to stand up for equality for all Americans regardless of their sexual orientation or gender identity. While I have seen much progress with respect for the rights of the Lesbian, Gay, Bisexual, and Transgender, LGBT, community within the United States, the struggle for equality and justice abroad remains significant. Many countries have laws that criminalize homosexuality, prohibit public support of the LGBT community and persecute those who identify as LGBT. To adequately address the challenges posed by these discriminatory laws, the United States must make LGBT rights a priority in all of our foreign policy and there needs to be dedicated position responsible for coordinating that effort. That is why, today, I am introducing the International Human Rights Defense Act of 2015, which directs the Department of State to make international LGBT human rights a foreign policy priority and would establish a Special Envoy position in the Bureau of Democracy, Human Rights, and Labor responsible for coordinating that effort.

Over the past few years, conditions have deteriorated for LGBT individuals in many regions of the world. Russia enacted a ban on arbitrarily-defined "homosexual propaganda," endangering the position of many LGBT individuals and their allies. Russia's law has been the basis for similar legislation threatened or introduced in countries across Eastern Europe and Central Asia, including Lithuania, Kyrgyzstan, and Belarus. In December 2013, India's Supreme Court reversed a lower court ruling and reinstated the criminalization of homosexuality in the second most populous nation on earth. Nigeria, Uganda, and Gambia have all passed laws that make homosexuality a crime punishable with life imprisonment. While Uganda's law was overturned by its Constitutional Court, leaders have pledged to pursue similar legislation. Conditions for transgender individuals are particularly troubling in Brazil, where 113 transgender individuals were murdered in a 1-year period.

In light of these alarming developments, I am introducing the International Human Rights Defense Act of 2015. It is critical that the United States fight for LGBT equality both at

home and abroad. The Obama Administration has taken great steps in affirming and strengthening the United States' commitment to LGBT equality as a critical component of our international human rights objectives. However, our government does not yet have a comprehensive strategy for addressing LGBT discrimination overseas and we lack a central individual office responsible for inter-bureau and inter-agency coordination to achieve these objectives.

By Mr. THUNE (for himself, Mr. NELSON, Mr. HELLER, Mrs. MCCASKILL, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. MORAN, and Mr. BLUMENTHAL):

S. 304. A bill to improve motor vehicle safety by encouraging the sharing of certain information; to the Committee on Commerce, Science, and Transportation.

Mr. THUNE. Mr. President, last year we saw an all-time record number of motor vehicle recalls, including those by General Motors, Toyota, Honda, and others.

The commerce committee held five vehicle safety hearings, examining GM ignition switches, Takata airbags, and the related question of whether the National Highway Traffic Safety Administration, or NHTSA, is up to the task of providing effective oversight of the auto industry.

What is absolutely clear, from our hearings and other media coverage, is that we need to ensure potential vehicle safety defects are identified as early as possible so we can protect consumers and hopefully prevent deaths and injuries. That is why earlier today Senator NELSON and I introduced the Motor Vehicle Safety Whistleblower Act.

I am pleased to note that Senators HELLER, MCCASKILL, KLOBUCHAR, AYOTTE, MORAN, and BLUMENTHAL have cosponsored this important legislation. Senators MORAN and BLUMENTHAL being added as original cosponsors of this legislation is important because of their respective responsibilities as the chairman and ranking member of our subcommittee on consumer protection, which has played a large role over the years on various automobile safety efforts.

This afternoon I am pleased that Senator NELSON has joined me on the floor as a lead sponsor to discuss this important piece of legislation and our ongoing work on vehicle issues. As the chairman and ranking member of the Senate Committee on Commerce, Science, and Transportation, one thing that has remained constant on our committee is the spirit of bipartisan-ship.

With regard to S. 304, the Motor Vehicle Whistleblower Act, this legislation will incentivize auto employees who uncover serious allegations of vehicle defects or violations of motor vehicle safety laws that could lead to death or serious bodily injury to volun-

tarily provide that information to the Department of Transportation.

If such information leads to the Department of Transportation or the Department of Justice enforcement action that totals more than \$1 million in penalties, the whistleblower would be eligible to share in a portion of the total penalties collected. This bill will protect the whistleblowers' identities and allow DOT to share information with the Department of Justice and other Federal agencies where appropriate.

Other agencies have similar programs, including programs that incentivize individuals to report information to the Securities and Exchange Commission and to the Internal Revenue Service. NHTSA plays a key role in ensuring the safety of vehicles that consumers drive on our roadways. Record fines have been levied against Toyota, General Motors, Honda, and other manufacturers.

In 2014, NHTSA issued more than \$126 million in civil penalties, a record amount, exceeding the total amount collected by the agency in all of its 43-year history.

Ensuring the safety of American motorists is a priority, but the public's trust has been shaken due to the record number of recalls this past year. Almost 64 million vehicles were recalled in 2014, which is about 3 times the number of vehicles recalled in 2013—and the concerns many have about problems in the industry and at NHTSA.

After my repeated calls on the President to fill what had been a lengthy vacancy regarding the Administrator position at NHTSA, which operated without a Senate-confirmed Administrator for 389 days, I am glad to say the commerce committee did its job to ensure that Dr. Mark Rosekind was confirmed as Administrator before the end of last year. However, there is much more work that needs to be done.

The defects associated with the GM ignition switch recall and the Takata airbag recalls were apparent failures with serious safety consequences that resulted in death and serious injury. As we learned from the GM incident, delays in reporting safety-related defects to the government can cost lives.

In recent years, Congress has enacted, and NHTSA sought to implement, a robust early-reporting regime. I believe we can do more to ensure that NHTSA is informed of potential defects as early as possible. Some of the major automakers and other manufacturers have also instituted or sought to improve internal safety reporting systems that encourage employees to report safety problems.

I applaud these efforts, but reports of employees whose concerns may have been ignored, silenced, or possibly even covered up persist. If there are potential whistleblowers with important information to help NHTSA identify more defects that are not being addressed, we want them to come forward so these problems can be identified much earlier in the process.

I think we would all agree it is better to address a problem before injuries or deaths occur, if at all possible, rather than relying primarily on fines imposed after the fact. This is a commonsense, bipartisan bill that will help to prevent injuries and deaths for American drivers.

NHTSA and other stakeholders have provided input on this legislation. I look forward to working with these groups and my colleagues, and particularly with Senator NELSON, as we move forward with the committee to process and pass this legislation.

I yield the floor to Senator NELSON for his remarks.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, in light of the late hour, just before our votes, I will submit for the RECORD a statement which correlates with the chairman of our committee, and I thank the Senator for so much of his cooperation over last year and all the investigations and the hearings that we did, as well as now.

What I will say that is new is I will provide an update on the status of the committee's investigation into the defective Takata airbags. When we had the hearing last November which I had the privilege of chairing, we received testimony from several witnesses, including a senior executive from the Takata Corporation, which manufactures the airbags involved in the rupture and the explosive incidents that basically have lacerated people with pieces of metal. The airbag that is supposed to save their lives, in fact, is endangering their lives, and in some cases killing them. This has happened to two of my constituents in Florida.

While the hearing produced some basic information about the problem, many questions still remain.

Senator Rockefeller, then the chairman of the committee, other Senators, and I sent a letter to Takata requesting information and documents related to Takata's airbag defects. In their initial response provided to the committee in early December, Takata included a list of all the incidents it was aware of that had allegedly involved a death or injury caused by a ruptured Takata airbag.

Takata's response reveals that the scope of injuries involved in the Takata airbags appears to be greater than we previously thought. In its initial response, Takata identified 5 deaths and 64 injuries. Although some of these incidents may be ultimately tied to other causes, this potential injury figure is far bigger than what had been reported in the press. Unfortunately, 1 death and 17 of these injuries occurred in my State of Florida—more than any other State. Among the alleged injuries in my State, many were serious, including lacerations and fractures to the face, burns to the neck, face, and torso, and traumatic brain injury and hearing loss.

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

Mr. NELSON. I ask unanimous consent for 1 additional minute to conclude my statement.

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

Mr. NELSON. Sadly, I have even more bad news to report today. Through public information, we have learned that an exploding Takata airbag appears to be responsible for yet another death. Less than 2 weeks ago, a Texas man who was driving with his 11-year-old cousin was involved in a low-impact crash. When the airbag deployed, instead of protecting him, the airbag ruptured and sent a metal piece of shrapnel into the man's neck. When the police arrived, he was already dead.

We are awaiting more information from Takata and we are determined to get to the bottom of this.

I look forward to working with the chairman on this issue. We plan to continue the investigation until all of our questions have been answered. We are going to do everything possible to get to the bottom of this issue so that consumers are made whole.

By Mr. REED (for himself, Mr. COCHRAN, and Mr. WHITEHOUSE):

S. 312. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I join with my colleagues Senators COCHRAN and WHITEHOUSE in introducing the Strengthening Kids' Interest in Learning and Libraries, SKILLS, Act.

Fifty years ago, when President Johnson urged Congress to enact what would become the Elementary and Secondary Education Act, he specifically called for an investment in school libraries, decrying that school libraries were "limping along." Results from a recent National Center for Education Statistics survey show that there are still gaps in access to school libraries. Approximately 8,800 schools did not report having a library media center, and only about 2 percent of the traditional public schools that did have libraries reported having a full-time, certified librarian. One in five traditional public schools reported having no paid, State certified library staff at all.

Effective school library programs are essential supports for educational success. Multiple education and library studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student academic achievement. Knowing how to find and use information are essential skills for college, careers, and life in general. A good school library, staffed by a trained school librarian, is where students develop and hone these skills.

Our bipartisan legislation would reauthorize and strengthen the Improving Literacy through School Libraries program of the Elementary and Secondary Education Act, the only federal

initiative explicitly dedicated to supporting and enhancing our nation's school libraries. The key improvements to the program include ensuring that elementary, middle, and high school students are served; expanding professional development to include digital literacy instruction and reading and writing instruction across all grade levels; focusing on coordination and shared planning time between teachers and librarians; and ensuring that books and materials are appropriate for and gain the interest of students with special learning needs, including English learners.

The SKILLS Act would also strengthen Title I by requiring State and school district plans to address the development of effective school library programs to help students gain digital literacy skills, master the knowledge and skills in the challenging academic content standards adopted by the State, and graduate from high school ready for college and careers. Additionally, the legislation would broaden the focus of training, professional development, and recruitment activities under Title II to include school librarians.

Absent a clear Federal investment, the libraries in many of our high poverty schools will languish with outdated materials and technology or cease to exist at all, and in turn, students will be cut off from a vital information hub that connects them to the tools they need to develop critical thinking and research skills necessary for success. This is a true equity issue, which is why I will continue to fight to sustain our Federal investment in this area and why renewing and strengthening the school library program is of critical importance.

I urge our colleagues to join us in cosponsoring the bipartisan Strengthening Kids' Interest in Learning and Libraries Act, and to work together to ensure that it becomes a part of the upcoming reauthorization of the Elementary and Secondary Education Act.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. 318. A bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

Ms. MIKULSKI. Mr. President, today I am introducing the Accelerating Biomedical Research Act.

The bill allows more funding for the National Institutes of Health by allowing NIH funding to grow even while we continue to live under austere funding caps.

NIH funding has been a bipartisan effort working with Democrats—Senators Kennedy and Harkin, as well as Republicans—Senators Hatfield and Specter. We successfully fought to double NIH's budget from \$13.6 billion in

1998 to over \$30 billion today. We supported it to speed the transition of discoveries from science to treatment and maintain America's global competitiveness.

But the NIH budget hasn't kept up with inflation. Its budget has been growing, but slowly. That means the NIH budget buys 20 percent less than what it did when the doubling was completed in 2003. Which means we are missing out. Missing out on potential treatments, potential breakthroughs, potential cures. We have no shortage of ideas. Scientists have ideas but they cannot test them without funding. What is the solution?

We need to redouble our commitment to medical research. This bill creates a 6-year plan to put NIH back on stable ground. It is steady growth, it is predictable, and it is fiscally sound.

The bill allows for new spending for NIH that does not count against the strict budget caps. So we can put more money into cures without taking it away from other compelling human needs funded within the Labor-HHS Appropriations bill.

Why NIH? Why should we have new spending for NIH when other spending is stagnant or being cut? Personally, I would lift the sequester caps. I think they are doing real harm, but I recognize we do not all agree on that. I think we do all agree that NIH research is worth increasing because it both helps the economy and saves lives.

First, let me talk about how NIH helps the economy. The NIH is a world-class institution. I call it the National Institutes of Hope, serving as the foundation for U.S. medical innovation which employs 1 million U.S. citizens, including 19,000 at NIH and 14,000 NIH employees who live in Maryland. NIH generates \$84 billion in wages and salaries, exports \$90 billion in goods and services. Every dollar we invest in NIH generates \$2-\$3 in economic activity. Every patent NIH generates provides the foundation for 8 private sector patents. In 2013, products built on licensed NIH and FDA inventions reported a total of \$7 billion in sales. Investing in NIH is good for our economy.

But I do not call NIH the National Institutes of Hope because of its economic impact. NIH gives hope because of its human impact. Just look at what we have done with Federal investments in NIH, cutting the cancer death rate by 11 percent in women and 19 percent in men. HIV/AIDS is no longer a death sentence. Polio and small pox are essentially eradicated in this country.

These medical breakthroughs did not just happen. They occurred because our government supported the NIH. And because the NIH supported dedicated scientists seeking knowledge and medical breakthroughs.

And now, that support is being eroded.

I have heard the American people say, they want Congress to be frugal. But I haven't heard anyone say: "Let's

delay finding a way to prevent Alzheimer's" or "Let's encourage our young scientists to work abroad" or "Let's put a hold on finding a cure for cancer" or "Let's discourage our universities from researching treatments for rare pediatric tumors".

I am for being frugal but we must not jeopardize or hamper America as the gold standard, as the worldwide leader in medical research and innovation.

I am for being frugal but not at the expense of the next generation of scientists and the health of American families.

Discovery is the genius of our country. When President Jefferson commissioned Lewis and Clark to find water route to the Pacific, the mission was called discovery. Discovery is part of our Nation's DNA. It is what makes this Nation great.

To have innovation we must have discovery. This requires: Investing in our human capital, educating our people, and funding their research. That is why I support funding for NIH. And that is why I am introducing the Accelerating Biomedical Research Act today.

I hope my colleagues will agree and support this bill.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 319. A bill to designate a mountain in the State of Alaska as Mount Denali; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation which has been proposed in the past by the Alaska Congressional Delegation to officially restore the traditional name of the nation's highest peak, currently Mount McKinley, to its traditional Interior Alaska Athabascan name, Denali. I am joined in sponsoring this bill by my colleague from Alaska, Senator DAN SULLIVAN.

Since passage of the Alaska National Interest Lands Conservation Act in 1980 the Alaska Delegation has been trying to change the name of the tallest mountain in North America back to its Alaska name. In 1980 Congress did change the name of the national park and preserve where the mountain is located to Denali National Park and Preserve, from its earlier name of Mt. McKinley National Park. But unfortunately the name of the peak itself continues to refer to a President who never set foot in Alaska.

While I have great respect for President William McKinley and great respect for the wonderful State of Ohio where he was born, the peak at 20,230 feet has always been called by Alaska's first Athabascan residents as Denali, meaning "the high one." It is simply fitting in this day and age of greater awareness of Native history that the mountain return to a name that honors its Native ancestry.

Already there are a number of towns and institutions named in honor of the 25th President. He has a monument for

him at his birthplace in Niles, OH, and another on McKinley Monument Drive where the McKinley National Monument is located, not far from the Pro Football Hall of Fame in Canton, OH. There is McKinley Heights in Ohio. There are more than 20 schools in Ohio named for him. There is a county in New Mexico named after him. There are literally hundreds of streets, libraries and other institutions and businesses named for him nationwide. There is no danger than Americans will not remember and honor the assassinated President.

But no official in the territory of Alaska actually named the nation's tallest mountain after the former President. That was done by a prospector William Dickey, who took it upon himself to name the peak in 1896. The Alaska State Place Names Board in 1975 took official state action to rename the peak, restoring its traditional name of Denali. I clearly believe that there is every reason for this Congress to follow Alaskans' desires and the desires of Native Americans and restore the name to the English translation of what it has been called for millennia, on Federal maps and documents.

I hope that this Congress will finally agree to this name change.

By Ms. WARREN (for herself, Mr. CARDIN, Mr. BROWN, and Ms. BALDWIN):

S. 320. A bill to authorize the collection of supplemental payments to increase congressional investments in medical research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. WARREN. Mr. President, I come to the floor today to announce the introduction of the Medical Innovation Act, which is a commonsense proposal that could dramatically increase our Nation's investment in lifesaving medical research.

During much of the 20th century, America made significant investments in this area through the National Institutes of Health, and it has been a remarkable success. We have transformed medicine across America and around the world. NIH support helps train each new generation of scientists and develop each new generation of medicine. NIH-supported discoveries often get picked up by small, creative, nimble biotechnology companies, which in turn get picked up by large pharmaceutical companies, which in turn sometimes result in wildly successful blockbuster drugs. Each of these blockbuster drugs brings in more than \$1 billion a year for the drug companies, and each one transforms lives.

Nearly everyone in Congress supports increased funding for NIH, but for 10 years the NIH budget hasn't even kept up with the pace of inflation. Why? Because nobody wants to step up and find a way to pay for it.

It is time to break the stalemate. The Medical Innovation Act would in-

crease NIH funding without raising taxes and without stealing support from other critical programs. Instead, support would come from blockbuster drug companies—only those that relied on government-supported research to generate billions in sales and only those that break the law and enter into major settlement agreements with the government. In such cases, the government settlements would go forward as they normally do, but the offending company would also be required to reinvest a relatively small portion of the profits it has generated as a result of taxpayer-supported research and put that money right back into the NIH.

We celebrate the accomplishments of our pharmaceutical industry—especially the industry's billion-dollar blockbuster drugs. These drugs have literally transformed the treatment of high cholesterol, diabetes, HIV, asthma, rheumatoid arthritis, breast cancer, colon cancer, and leukemia. They help Americans live longer, healthier lives. But we also know that blockbuster drugs don't just appear overnight as if by magic. Rarely do they result from a single giant company's individual genius.

I agree with Republican Senators Alexander and Burr, who say in a report released just this morning:

[I]n many cases, the research leading to the discovery and development of these products has been advanced, funded, or enabled in some way by NIH.

Drug companies make great contributions, but so do taxpayers.

The big drug companies are making billions as a result of these investments, but over the last 10 years a few of our wealthiest drug companies have been caught making money a second way—by skirting the law. These companies are not getting swept up in minor paperwork mistakes. They are not victims of overly eager regulators. They have been caught defrauding Medicare and Medicaid, withholding critical safety information about their drugs, marketing their drugs for uses that aren't approved, and giving doctors kickbacks for writing prescriptions for their drugs.

Between 2007 and 2012 the world's largest pharmaceutical companies paid over \$13 billion in fines and settlements. Despite those numbers, it is clear that for the biggest drug companies this is simply a cost of doing business. In fact, several of the biggest drug companies have been caught breaking the law, have paid a fine, and then have broken the law again. And why not? Even the biggest pharmaceutical settlement ever—a \$3 billion penalty for withholding life-threatening safety data and engaging in illegal marketing practices—accounted for less than 10 percent of what the company made selling those drugs. In fact, the day the settlement was announced, that company's stock price actually went up.

It doesn't have to be this way. The Medical Innovation Act would serve

double duty—requiring more accountability from the biggest drug companies while giving medical research the support it deserves.

This isn't a tax; it is simply a condition of settling to avoid a trial in a major case of wrongdoing. If a company never breaks the law, it will never pay. If an accused company goes to trial instead of settling out of court, it will never pay. It is more like a swear jar. Whenever a huge drug company that is generating enormous profits as a result of Federal research investments breaks the law, it has to put some money in the jar to help fund the next generation of medical research.

Since we announced this proposal, we have seen an outpouring of support from hospitals, doctors, patient groups, and research universities. All of them want to break the stalemate on NIH funding and get back to the business of saving lives.

We have also heard some grumbling from the army of lobbyists that works for some of the biggest drug companies—companies that would prefer not to pay a bigger penalty when they break the law. If they have better ideas for ending this congressional stalemate and getting more money into NIH, I am eager to hear them.

These lobbyists have also claimed that there is “no logical basis” for asking these companies to pay up when they break the law. Well, I disagree. If a company that is making literally billions of dollars as a result of taxpayers’ NIH investments turns around and engages in allegedly illegal conduct and wants to settle to make the case go away, that seems like a pretty logical basis for asking them to invest a little in the next generation of medical breakthroughs.

Lobbyists have also written that the Medical Innovation Act might create “unnecessary litigation.” Well, it is illegal to defraud Medicare. It is illegal to pay kickbacks to doctors. It is illegal to hide safety data from the FDA or manufacture drugs in dirty, contaminated facilities. Our biggest and most successful drug companies make billions of dollars by inventing treatments and improving the public’s health, and when they do, we applaud them for it. But if they want to avoid unnecessary litigation, then they should follow the law. If they don’t want to put a dollar in the swear jar, then stop swearing.

I don’t kid myself. I know how difficult it is to get things done in Washington, and I understand that a handful of powerful actors with money and power likes things just the way they are and will fight any effort to change. But even if a few of the biggest drug companies don’t like it, I am hopeful that we can build support for this idea because the Medical Innovation Act is a major move toward substantially increasing Federal support for medical research in a way that doesn’t raise taxes and doesn’t cut other critical programs.

If this policy had been in place over the past 5 years, NIH would have had nearly \$6 billion more every year to fund thousands of new grants to scientists and universities and research centers around the country. That is almost a 20-percent increase in NIH funding.

It has been 10 years of stagnant Federal investments followed by sequester cuts, 10 years of rejecting potentially life-changing research proposals at NIH, 10 years of telling young researchers that their innovative ideas have almost no chance of getting off the ground. We are running out of time.

Today we are choking off support for projects that could lead to the next major breakthrough against cancer, heart disease, Ebola, Alzheimer’s, diabetes, or other deadly conditions. We are starving projects that would transform the lives of our children on the autism spectrum. We are suffocating breakthrough ideas that would give new hope to those with ALS.

That is not who we are. We are not a nation that abandons the sick. And we are not a nation that says, “I’ve got mine, the rest of you are on your own.” We are a nation of people who work together. We are a nation of people who invest in each other. We have done it for generations—and for generations we have led the world in medical innovation.

It is time to renew that commitment—our commitment to our children, our commitment to our parents, our commitment to ourselves, by making it a little easier for the biggest drug companies to help develop the next generation of cures and making it a little harder for them to profit from breaking the law and defrauding taxpayers. It is time to pass the Medical Innovation Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 53—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES,

Mr. MCCAIN submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 53

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services (in this resolution referred to as the “committee”) is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed \$3,783,845, of which amount—

(1) not to exceed \$46,667 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$17,500 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed \$6,486,591, of which amount—

(1) not to exceed \$80,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed \$2,702,746, of which amount—

(1) not to exceed \$33,334 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$12,500 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations

account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 54—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. BLUNT submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 54

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration (in this resolution referred to as the “committee”) is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed \$1,375,819, of which amount—

(1) not to exceed \$43,750 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$7,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this section shall not exceed \$2,358,546, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$12,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this section shall not exceed \$982,728, of which amount—

(1) not to exceed \$31,250 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$5,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 55—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. BURR submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 55

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence (in this resolution referred to as the “committee”) is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed \$3,217,448, of which amount not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this section shall not exceed \$5,515,626, of which amount not to exceed \$17,144 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed \$2,298,177, of which amount not to exceed \$7,143 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 56—DESIGNATING JANUARY 2015 AS “NATIONAL BLOOD DONOR MONTH”

Ms. BALDWIN (for herself and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 56

Whereas America's Blood Centers, AABB, and the American Red Cross unite to designate January 2015 as “National Blood Donor Month”;

Whereas donating 1 unit of blood helps to save as many as 3 lives;

Whereas blood donors are an integral part of the health system and national public health preparedness initiatives in the United States;

Whereas blood and blood products are critical national resources and vital public health assets that must be readily available at all times;

Whereas every 2 seconds, a person in the United States needs blood for lifesaving treatment in an emergency or a disaster, a routine surgery, a blood transfusion to help treat a serious disease like cancer, or an organ or bone marrow transplant;

Whereas 1 in 7 patients who enter a hospital in the United States needs blood;

Whereas more than 20,000,000 blood components are used in transfusions every year in the United States;

Whereas more than 39,000 units of blood are needed each day in the United States to maintain a safe and adequate blood supply;

Whereas 9,200,000 donors give blood each year in the United States;

Whereas approximately 38 percent of the United States population is eligible to give blood, but less than 10 percent of the eligible population donates blood on an annual basis;

Whereas blood transfusions require generous and altruistic volunteer donors;

Whereas it is vital that the blood donation policies, including donor deferral policies, in the United States keep pace with medical science to ensure that the United States has a robust, eligible population of donors to maintain a safe and adequate blood supply; and

Whereas America's Blood Centers, AABB, and the American Red Cross support and perform critical services collecting, processing, and distributing lifesaving blood and blood products to hospitals and health providers, and are instrumental in ensuring the safety of the blood supply and promoting the need for blood donations: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2015 as “National Blood Donor Month”;

(2) acknowledges the important role of volunteer blood donors in protecting the health and emergency preparedness security of the United States;

(3) recognizes the need to promote a safe, stable blood supply and to increase volunteer participation of blood donors;

(4) endorses efforts to update blood donation policies in a safe and scientifically sound manner to maintain an adequate blood supply; and

(5) recognizes the roles of America's Blood Centers, AABB, and the American Red Cross in ensuring the safety of the blood supply in the United States and delivering lifesaving blood and blood products to health providers and patients.

SENATE RESOLUTION 57—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE BUDGET

Mr. ENZI submitted the following resolution; from the Committee on the

Budget; which was referred to the Committee on Rules and Administration:

S. RES. 57

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget (in this resolution referred to as the “committee”) is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed \$3,534,372, of which amount—

(1) not to exceed \$35,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$21,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed \$6,058,924, of which amount—

(1) not to exceed \$60,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$36,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed \$2,524,552, of which amount—

(1) not to exceed \$25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$15,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

SENATE RESOLUTION 58—RECOGNIZING JANUARY 2015 AS “NATIONAL MENTORING MONTH”

Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 58

Whereas in 2002, the Harvard School of Public Health and MENTOR: the National Mentoring Partnership created National Mentoring Month;

Whereas the goals of National Mentoring Month are to raise awareness of mentoring, recruit individuals to serve as mentors, and encourage organizations to engage and integrate quality in mentoring into their efforts;

Whereas a mentor is a caring, consistent presence who devotes time to a young person to help that young person discover personal strength and achieve his or her potential through a structured and trusting relationship;

Whereas quality mentoring encourages positive choices, promotes self-esteem, supports academic achievement and introduces young people to new ideas;

Whereas mentoring programs have been shown to be effective in combating school violence and discipline problems, substance abuse, incarceration and truancy;

Whereas research shows that young people who were at risk for not completing high school but who had a mentor were 55 percent more likely to be enrolled in college, 81 percent more likely to report participating regularly in sports or extracurricular activities, more than twice as likely to say they held a leadership position in a club or sports team, and 78 percent more likely to volunteer regularly in their communities than young people who were at risk for not completing high school and who did not have a mentor;

Whereas youth development experts agree that mentoring is critical to the social, emotional, and cognitive development of youth, helping them navigate the path to adulthood more successfully;

Whereas mentors help young people set career goals and use their personal contacts to help young people meet industry professionals and find jobs;

Whereas mentoring is a proven cost-effective investment: for every dollar invested in mentoring, there is a 3-dollar return to society;

Whereas all of the above-listed benefits serve to link youth to economic opportunity while also strengthening the fiber of our communities; and

Whereas despite these benefits, 1 in 3 youth will reach age 19 without a mentor, constituting a “mentoring gap” that demonstrates a need for collaboration and resources: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes January 2015 as “National Mentoring Month”;

(2) recognizes the men and women who serve as staff and volunteers at quality mentoring programs and who help our young people find inner strength and reach their full potential;

(3) acknowledges that mentoring is beneficial because it encourages educational achievement, reduces juvenile delinquency, improves life outcomes, and strengthens communities;

(4) promotes the creation and expansion of quality mentoring programs across the country to equip young people with the tools needed to lead healthy and productive lives; and

(5) supports initiatives to close the “mentoring gap”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 248. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 245 submitted by Mr. BARRASSO to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 248. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 245 submitted by Mr. BARRASSO to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ____ . CONSULTATION WITH INDIAN TRIBES.

Nothing in this Act relieves the United States of its responsibility to consult with Indian nations as required under executive order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 29, 2015, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 29, 2015, at 10 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MURKOWSKI. 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 January 29, 2015, at 10 a.m. in room SR-253 of the Russell Senate Office Building to conduct a subcommittee hearing entitled, “Improving the Performance of our Transportation Networks: Stakeholder Perspectives”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURKOWSKI. 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 January 29, 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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 29, 2015, at 2 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 29, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “Employer Wellness Programs: Better Health Outcomes and Lower Costs.”

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

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 29, 2015, at 10 a.m., in room SH-216 of the Hart Senate Office Building to continue a hearing entitled “Attorney General Nomination.”

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

COMMITTEE ON RULES AND ADMINISTRATION

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on January 29, 2015, at 12 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 29, 2015, at 2:30 p.m.

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

The PRESIDING OFFICER (Mr. CASIDY). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today’s Executive Calendar: Calendar No. 5 and all nominations on the Secretary’s desk; I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Tony D. Bauernfeind
Colonel Vincent K. Becklund
Colonel Steven J. Bleymaier
Colonel Richard A. Coe
Colonel William T. Cooley
Colonel Barry R. Cornish
Colonel Christopher E. Craige
Colonel Andrew A. Croft
Colonel Allan E. Day
Colonel Trent H. Edward
Colonel Andrew J. Gebara
Colonel Gerald V. Goodfellow
Colonel John R. Gordy, II
Colonel Stacey T. Hawkins
Colonel Cameron G. Holt
Colonel Kevin A. Huyck
Colonel James A. Jacobson
Colonel Darren V. James
Colonel David J. Julazadeh
Colonel Kevin B. Kennedy
Colonel Chad T. Manske
Colonel Michael A. Minihan
Colonel Wayne R. Monteith
Colonel Daniel J. Orcutt
Colonel Lenny J. Richoux
Colonel Carl E. Schaefer
Colonel John E. Shaw
Colonel Brad M. Sullivan
Colonel Billy D. Thompson
Colonel Paul A. Welch
Colonel William P. West

NOMINATIONS PLACED ON THE SECRETARY’S DESK

IN THE AIR FORCE

PN73 AIR FORCE nomination of Rodrick A. Koch, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN74 AIR FORCE nomination of James F. Richey, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

IN THE MARINE CORPS

PN78 MARINE CORPS nominations (3) beginning MORRIS A. DESIMONE, III, and ending ANDREW R. STRAUSS, which nominations were received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN79 MARINE CORPS nominations (2) beginning STEVEN P. HULSE, and ending ANTHONY C. LYONS, which nominations were received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN81 MARINE CORPS nomination of Brian L. White, which was received by the Senate

and appeared in the Congressional Record of January 13, 2015.

PN83 MARINE CORPS nominations (2) beginning STEVEN R. LUCAS, and ending JAMES N. SHELSTAD, which nominations were received by the Senate and appeared in the Congressional Record of January 13, 2015.

LEGISLATIVE SESSION

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

NATIONAL MENTORING MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 58, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 58) recognizing January 2015 as "National Mentoring Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. 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 with no intervening action or debate.

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

The resolution (S. Res. 58) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR FRIDAY, JANUARY 30, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. Friday, January 30. I ask 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, and that the Senate then be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

TRIBUTE TO ROB LEHMAN AND LUKE ALBEE

Mr. BROWN. Mr. President, I rise today to honor a couple of people with Ohio ties who have dedicated much of their careers to public service, Rob Lehman and Luke Albee. Rob Lehman served more than two decades on Capitol Hill and in the executive branch most recently, and that is when I got to know and work with him as chief of staff to my colleague from Ohio, Senator ROB PORTMAN. Rob Lehman served as chief of staff when Senator PORTMAN was the U.S. Trade Representative, so he understands why trade and enforcement of trade rules are such important issues to a State such as Ohio.

He was helpful when Senator PORTMAN and I testified together before the International Trade Commission on behalf of Ohio Steelworkers. Fortunately, in this case the ruling was on the side of Ohio manufacturers. In some cases China and now in other cases Korea have not played fair and have broken trade rules. Rob Lehman provided breadth and insight to Senator PORTMAN on this issue and so many others that are important to Ohio during my colleague's 4 years in the Senate.

I wish to also honor Luke Albee. Luke is a native Ohioan and long time Senate aide. He is a Cleveland native and, like myself, a die-hard Cleveland Indians fan.

Luke Albee had a long tenure in the office of Senator PATRICK LEAHY of Vermont, rising from an entry-level position to become his chief of staff. He served in the same role—which he is about to leave—for my colleague Senator MARK WARNER of Virginia. He began in Senator LEAHY's office answering mail and later guided the office through the September 11 attacks, the anthrax discovery on Capitol Hill, and other memorable events while chief of staff—like a 5-hour dinner with Senator LEAHY and Fidel Castro while on a trip to Cuba in 1999. Like Rob Lehman, Luke Albee likes to bring people together and reach common ground so the Senate can move forward the way it should.

TRIBUTE TO MARK POWDEN

Mr. BROWN. I wish to also say a few words about another career public servant. He is not leaving public service, but he is leaving the chief of staff's position in my office. Mark Powden has been my chief of staff since 2009. He started with Senator Jeffords when Senator Jeffords was a Republican and then became an Independent.

Mark Powden grew up in Vermont, where he worked for his own State congressman and senator. Mark later be-

came the staff director for the Republicans. In fact, he was the staff director for the Health, Education, Labor and Pensions Committee as it went through its transition to a new name. He was with Senator Jeffords when Senator Jeffords switched parties in 2001.

Mark, as I said, has served as my chief of staff for more than 6 years now and will move over and be the staff director for the banking committee. At the same time, he will take with him Graham Steele, who served ably as my legislative assistant, and will also take his assistant Megan Cheney to the banking committee. Graham will be chief counsel, and Megan will be a legislative aide in the Senate banking committee.

My thanks especially to Mark Powden for the terrific work he has done as my chief of staff, and I am thrilled he is going to stay with me to do the very important job of staff director as I become ranking member of the Senate banking committee.

EARNED INCOME TAX CREDIT AWARENESS DAY

Mr. BROWN. Mr. President, tomorrow, Friday, January 30, is Earned Income Tax Credit Awareness Day. It is a day to highlight a vital tool for Americans working—and I emphasize "working"—their way out of poverty.

Too many Americans work hard, play by the rules, take responsibility for their lives, but simply can't get ahead. They are in low-wage jobs—sometimes two low-wage jobs—and don't really have much opportunity where they live or due to their circumstances to get a job that pays closer to a living wage. There are millions of Americans living in this situation. The EITC helps provide for their children, to build economic security to allow them to pursue the American dream.

Signed into law in 1975, expanded by every single President since then, the EITC was created to make sure we have a tax system that provides an incentive to work. That is what it has done.

EITC's expansion in the 1990s led more than half a million single mothers to move from cash welfare assistance to work, making it twice as effective—without the side effects, I might add—as welfare reform. Since its creation, EITC has lifted more children above the poverty line than any other government program.

I will emphasize that it rewards work, most importantly. In 2012, 28 million American households—almost 1 million from my State of Ohio—benefited from the EITC with an average credit of more than \$2,300.

I met Juanalicia Duran in Cleveland last year. She told me she lives paycheck to paycheck not because she overspends, not because she is irresponsible, but simply because she does not make a lot of money. She said receiving the EITC is the one time of year

she pays off her bills. She is barely making it, getting a little bit behind week after week, month after month, then she gets that check of—I don't know how much Juanalicia Duran gets, but on average she gets a check for a little over \$2,000. It helps her to pay her bills and maybe get a little bit ahead.

Rosa Olea of Toledo works as a manager of a fast food restaurant and makes \$9.35 an hour. Imagine that—a manager of a restaurant making \$9.35 an hour. She said her family struggles to pay bills. The EITC has been a lifesaver since she found out about it through her local VITA center.

There are thousands of stories like this, and we hear hundreds and sometimes thousands of them from Ohioans.

In last week's State of the Union Address, President Obama laid out plans to reform the Tax Code by making the current earned-income tax credit and child tax credit permanent by expanding credit for middle-class families to raise children and save for retirement. Some in this town responded—not surprisingly—by saying that reforming the Tax Code starts with cutting taxes for big business. Think about that.

Most of the time, I hear people in this town—people with good titles, paid well, dressed well, getting a good government pension and health care benefits—say that the first thing we need to do with tax reform is lower the corporate tax rate. It is all about trickle-down economics. You cut taxes on big companies, you cut taxes on the wealthy, and maybe it will trickle down and help workers and families.

Well, the experience of the last 25 years doesn't really say that. The one time we tried trickle-down for a decade—from 2000 to 2010—we had no net private sector job gain in this country. Zero. But when we tried focusing on the middle class and growing the economy from the middle out during the Clinton years, we had a 22-million—it may have been almost 23 million—private sector net increase in jobs. And since the auto rescue, when we have focused on the middle class for the last 5 or 6 years by building the economy out, we have had job growth for 56 or 57 months in a row.

If we are going to reform the Tax Code, we need to draw a line in the sand: No tax breaks for corporations without tax breaks first for working families.

There is one glaring hole with the earned-income tax credit. Under current law, workers without children who are making minimum wage barely receive any EITC. Childless workers under 25 don't qualify at all. That makes young people and workers without children the only group who can be taxed deeper into poverty.

My State of the Union guest was Jason Jacobs, a Cincinnati resident and paraprofessional. He is a college graduate. He went to Ohio University. He has a degree to teach. He has not found a full-time teaching job. He is a

paraprofessional in the West Clermont School District who works with special needs students and does the kinds of things people should be rewarded for. Last year he made less than \$16,000. I believe he is paid hourly. He is obviously not paid in the summer. He is not paid on nonschool days. Because he doesn't have children, he will miss out on this critical tax credit.

That is why my legislation, the Working Families Tax Relief Act, will nearly triple the size of the earned-income tax credit for workers without children, expand access to young workers, and will make permanent enhancements to the EITC to 2017.

We know what this will do. We know that children from low-income families where the families are eligible and qualify and earn the EITC—and I say earned the earned-income tax credit. That is why it is called earned—because these are always working families who are playing by the rules, doing the right thing, and taking responsibility. We know that children from families who have earned the EITC have higher test scores, higher high school graduation rates, and higher college attendance rates. Expanding EITC means more people attending college and more people getting GEDs. It means working more hours and higher salaries. Why wouldn't we invest in the earned-income tax credit? It means stronger communities.

If we fail to act to renew the provisions that expire in 2017, 50 million Americans would lose all or part of the EITC and CTC—50 million Americans who are doing the right thing. They are working hard and taking responsibility for their lives. We would just give up on them? We would be glad to do corporate tax breaks, but we would give up on the 50 million working Americans?

Sixteen million of them—including 8 million children, if we don't renew—will be pushed into poverty or deeper into the poverty they are already in. It is the worst kind of class warfare aimed at working families. These workers need help to get out of poverty, not to be taxed into it.

Renewing the expanded EITC will help so many people in this country. It is not just the right thing to do; it is the smart thing to do because it will bring more wealth to our communities. They will spend the money locally. It will help small businesses, and it will make a big difference in a lot of lives.

While we work to renew and expand this program, I encourage Ohioans who may be eligible for the EITC to visit the IRS Web site irs.gov or call 1-800-906-9887 or find a local Volunteer Income Tax Assistance Center, VITA. It is a vital and free resource for working families.

To receive EITC, all you have to do is file your taxes. That is it. You have earned it; just ask for it. Spread the word about EITC. It is a bridge out of poverty and serves millions of American families across Ohio and across the Nation.

I yield the floor.

ADJOURNMENT UNTIL 10:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m. tomorrow.

Thereupon, the Senate, at 5:54 p.m., adjourned until Friday, January 30, 2015, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

MANSON K. BROWN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE KATHRYN D. SULLIVAN, RESIGNED.

FEDERAL MARITIME COMMISSION

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2018. (REAPPOINTMENT)

DEPARTMENT OF STATE

GENTRY O. SMITH, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE, VICE ERIC J. BOSWELL, RESIGNED.

INTERNATIONAL MONETARY FUND

JANET L. YELLEN, OF CALIFORNIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS, VICE BEN S. BERNANKE, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

KIRSTEN E. DELAMBO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

SALVATORE PELLIGRA

To be major

REBECCA A. BIRD

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DELL P. DUNN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

LATRISSE P. SEARSON-NORRIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

FRED J. BURPO

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

PAUL A. BRISSON

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MIKELLE J. ADAMCZYK

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

ROBERT G. HALE

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOHN M. GILLIS

THE FOLLOWING NAMED OFFICER TO THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ANDRE M. TAKACS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

INES H. BERGER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RACHEL A. PASSMORE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JUSTIN R. MILLER

JAMES R. SAULLO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CANDIDA A. FERGUSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TODD S. LEVANT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JENNIFER L. BORSTELMANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RICHARD R. BARBER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT S. THOMPSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL J. CORRADO

JULIA S. HUNT

SCOTT A. MEEHAN

BRANDON W. SHEARER

ADAM T. STRICKLAND

CRAIG C. ULLMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RORY L. ALDRIDGE

RICHARD J. ALLAN

JEREMY D. ANZEVINO

MICHAEL W. ARMISTEAD

JAMES W. BAUCH

BENJAMIN A. BEARD

RUSSELL W. BECKER

MICHAEL A. BECKHART

PAUL G. BEEMAN

MELANIE R. BELLCARTER

DAVID J. BENNETT

JEFFREY P. BENTZ

JASON B. BERG

CHRISTOPHER G. BLALOCK

MICHAEL P. BRENNAN

JEREMY D. BROCKMEIER

CHRISTOPHER P. BROWN

JONATHAN F. BROWN

WILLIAM P. BROWN, JR.

TATE A. BUNTZ

BRENDAN C. BURKS

KIRK J. BUSH

LEROY B. BUTLER

PATRICK B. BYRNE

PABLO J. CABRERA

FRANCISCO A. CACERES

JONATHAN L. CAMARILLO

KEVIN A. CAMPBELL

STEPHEN J. CARL, JR.

BRODIE R. CARMICHAEL

EDWARD H. CARPENTER

SEAN P. CARROLL

DANIEL T. CELOTTO

ADRIAN R. CHAMBERS

MATTHEW C. CHAMBLISS

MELISSA D. CHESTNUT

KEVIN M. CHUNN

ERICK T. CLARK

CRAIG M. CLARKSON II

WILLIAM G. CLESTER

SCOTT A. CLIPPINGER

RIGOBERTO G. COLON

RYAN B. COLVERT

STEPHEN J. CONLEY

CHRISTOPHER F. CRIM

RICHARD J. CUSHING

MATTHEW J. CUTLER

PETER E. DAHL

JEFFREY S. DECKER

JACKSON T. DOAN

AARON M. DOTY

DANIEL J. DROSTE

JAYSON L. DURDEN

JASON D. EGAN

PATRICK F. ELDRIDGE

JOHN A. FALLON

KARIN R. FITZGERALD

IAN C. FLETCHER

JASON S. FREEBY

FRANKLIN H. FREEMAN

CHARLES W. FRETWELL

SHAYNE M. FREY

DANIEL J. GASKELL

JOHN M. GIANNELLA

JOHN C. GIANOPOULOS

BRYANT O. GILCHRIST

KENNETH K. GOEDECKE

PAUL J. GOGUEN

RONNIE L. GOODE II

GREGORY P. GORDON

WILLIAM A. GRANT III

ERIC L. GRIGGS

KEVIN S. GRINEL

JASON S. GUTTENBERG

JOHN W. HALL

KEVIN J. HALPIN

DOMINIC J. HARRIS

BENJAMIN B. HARRISON

JOHN F. HAVENER III

JOHN K. HENDERSON

RONNEY HERRERA

JEREMIE N. HESTER

CORNELIUS D. HICKEY

NATHAN J. HILL

PAUL J. HILLIARD

RANDALL L. HORNER

TIMOTHY F. HOUGH

DAVID M. HUDOCK

PAUL C. HUDSON

ANDRE M. INGRAM

JOSEPH R. JACKSON

GALEN T. JAMES

JOSEPH M. JENNINGS

ADAM L. JEPPE

REX G. JONES, JR.

JAMES T. KAY

MICHAEL F. KELLEY

GHYNO G. KELLMAN

RORY D. KENT

ADAM M. KING

DAVID W. LABALLE II

JASON C. LANG

BRADLEY M. LEDBETTER

BRYAN D. LIESKE

PATRICK S. LINDSTROM

JOSEPH M. LIZARRAGA

TROY T. LOWE

MATTHEW D. LUNDGREN

SETH W. MACCUTCHEON

ALASDAIR B. MACKAY

MARCUS J. MAINZ

NICOLE A. MANZ

NICHOLAS A. MARCIANO

OSCAR MARIN, JR.

JOHN A. MARKSBURY

RICHARD M. MARTIN

NICHOLAS A. MARTZ

PERRY D. MAURER, JR.

TODD D. MCCARTHY

RYAN R. MCCASKILL

DONALD M. MCCOWAN

THOMAS B. MCGEE

BRETT T. MCGINLEY

BRETT W. MCGREGOR

BRIAN D. MCLEAN

WINSTON G. MCMILLAN

RUGSITHI D. MEELARP

DOUGLAS R. MILLER

RICHARD C. MITCHELL

WILLIAM J. MITCHELL

EDDIE MOSS, JR.

SEAN P. MULLEN

JENNIFER A. NASH

WILLIAM H. NASH

DAVID M. O'BRIEN

ROGELIO S. OREGON

JACK D. PEARCE

TRACY A. PERRY

SOULYNAMMA D. PHARATHIKOUNE

TYLER L. PHIPPS

ERIC J. PIPER

STEPHEN M. PIROTTA

BOLIVAR P. PLUAS

JOHN P. PRICE

BRENT C. PURCELL

ALAN L. RAMSEY

JOSEPH W. RAY

SCOTTIE S. REDDEN

CHRISTOPHER J. REHWALDT

GEORGE F. RENIERS

MARCUS J. REYNOLDS

THOMAS E. RICHARDS III

RODNEY C. RODRIGUEZ

CHRISTOPHER P. ROY

JASON M. RUEDI

DEVIN A. RULLMAN

CHRISTIAN S. RUWE

JEREMIAH SALAME

DANE A. SALM

BRADLEY J. SAMS

GLENN D. SAVAGE

MARK T. SCHNAKENBERG

DANIEL W. SCHNICK

PETER L. SCHNURR

TOD A. SCHROEDER

ALAN L. SCHULLER

STEVEN E. SCHULTZE

AARON J. SCHWARTZ

CASEY D. SHEA

THOMAS N. SIBLEY

THOMAS M. SIVERTS

JOSHUA M. SMITH

NOAH M. SPATARO

MICHAEL A. SPEARS

SCOTT A. STAHL

MATTHEW L. STEELE

JARED K. STONE

BRENDAN P. SULLIVAN

ALLEN E. SZCZEPKE, JR.

KOICHI TAKAGI

TIMOTHY S. TAYLOR

KOHTARO TERAHIRA

JEREMY W. THOMPSON

DUSTIN R. THORN

KEITH P. TIGHE

CHRISTOPHER B. TIMOTHY

KARL TINSON

CHRISTOPHER D. TOLLIVER

JASON C. TORBENSEN

RODNEY L. TOWERLY

WYETH M. TOWLE

JASON K. TUBBS

BRIAN D. TURNER

JAMES R. VALLARIO

LARRY W. VINES

KRISTIAN A. VONHEIMBURG

JAMIE L. WAGNER

JONATHAN C. WAITE

RYAN B. WARD

KEITH P. WARREN

PERRY D. WATERS

MICHAEL B. WEBER

DAVID E. WESTIN

TAYLOR P. WHITE

DAVID A. WILEMON

BRUCE K. WILLIAMS III

ERIC J. WILLIAMSON

DANIEL R. WINKELER

SETH WOLCOTT

JOSEPH L. YOSKOVICH

MARK D. ZIMMER

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 2015:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL TONY D. BAUERNFEIND

COLONEL VINCENT K. BECKLUND

COLONEL STEVEN J. BLEYMAIER

COLONEL RICHARD A. COE

COLONEL WILLIAM T. COOLEY

COLONEL BARRY R. CORNISH

COLONEL CHRISTOPHER E. CRAIGE

COLONEL ANDREW A. CROFT

COLONEL ALLAN E. DAY

COLONEL TRENT H. EDWARDS

COLONEL ANDREW J. GEBARA

COLONEL GERALD V. GOODFELLOW

COLONEL JOHN R. GORDY II

COLONEL STACEY T. HAWKINS

COLONEL CAMERON G. HOLT

COLONEL KEVIN A. HUYCK

COLONEL JAMES A. JACOBSON

COLONEL DARREN V. JAMES

COLONEL DAVID J. JULAZADEH

COLONEL KEVIN B. KENNEDY

COLONEL CHAD T. MANSKE

COLONEL MICHAEL A. MINIHAN

COLONEL WAYNE R. MONTEITH

COLONEL DANIEL J. ORCUTT

COLONEL LENNY J. RICHOUX

COLONEL CARL E. SCHAEFER

COLONEL JOHN E. SHAW

COLONEL BRAD M. SULLIVAN

COLONEL BILLY D. THOMPSON

COLONEL PAUL A. WELCH

COLONEL WILLIAM P. WEST

AIR FORCE NOMINATION OF RODRICK A. KOCH, TO BE

LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF JAMES F. RICHEY, TO BE

LIEUTENANT COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH MORRIS A. DESIMONE III AND ENDING WITH ANDREW R. STRAUSS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 13, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH STEVEN P. HULSE AND ENDING WITH ANTHONY C. LYONS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 13, 2015.

MARINE CORPS NOMINATION OF BRIAN L. WHITE, TO BE LIEUTENANT COLONEL .

MARINE CORPS NOMINATIONS BEGINNING WITH STEVEN R. LUCAS AND ENDING WITH JAMES N. SHELSTAD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 13, 2015.

Daily Digest

HIGHLIGHTS

Senate passed S. 1, Keystone XL Pipeline, as amended.

Senate

Chamber Action

Routine Proceedings, pages S611–S665

Measures Introduced: Twenty-five bills and six resolutions were introduced, as follows: S. 299–323, and S. Res. 53–58. **Page S653**

Measures Reported:

S. Res. 53, authorizing expenditures by the Committee on Armed Services.

S. Res. 54, authorizing expenditures by the Committee on Rules and Administration.

S. Res. 55, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 57, authorizing expenditures by the Committee on the Budget. **Pages S652–53**

Measures Passed:

Keystone XL Pipeline: By 62 yeas to 36 nays (Vote No. 49), Senate passed S. 1, to approve the Keystone XL Pipeline, after taking action on the following amendments and motions proposed thereto: **Pages S620–45**

Adopted:

Murkowski (for Barrasso) Modified Amendment No. 245, to clarify that certain consultation requirements with respect to Indian tribes remain in effect. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S621, S624**

Rejected:

By 47 yeas to 51 nays (Vote No. 42), Daines Amendment No. 246, to express the sense of Congress that reauthorizing the Land and Water Conservation Fund should be a priority. (Pursuant to the order of Wednesday, January 28, 2015, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S621–23**

By 59 yeas to 39 nays (Vote No. 43), Burr Modified Amendment No. 92, to permanently reauthorize the Land and Water Conservation Fund. (Pursuant to the order of Wednesday, January 28, 2015, the

amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S621, S623–24**

By 45 yeas to 53 nays (Vote No. 44), Udall Amendment No. 77, to establish a renewable electricity standard. (Pursuant to the order of Wednesday, January 28, 2015, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S621, S624**

By 41 yeas to 56 nays (Vote No. 46), Booker Amendment No. 155, to allow permitting agencies to consider new circumstances and new information. **Pages S621, S635–36**

Boxer Amendment No. 130, to preserve existing permits and the authority of the agencies issuing the permits to modify the permits if necessary. **Pages S621, S636**

By 36 yeas to 62 nays (Vote No. 47), Markey Amendment No. 141, to delay the effective date until the President determines that the pipeline will not have certain negative impacts. **Page S636**

By 44 yeas to 54 nays (Vote No. 48), Markey Amendment No. 178, to ensure that products derived from tar sands are treated as crude oil for purposes of the Federal excise tax on petroleum. **Pages S621, S637**

Withdrawn:

Vitter/Cassidy Further Modified Amendment No. 80, to provide for the distribution of revenues from certain areas of the outer Continental Shelf. **Pages S621–22**

Cardin Amendment No. 124, to clarify that treaties with Indian tribes remain in effect. **Pages S621, S624–26**

Murkowski (for Sullivan) Amendment No. 67, to restrict the authority of the Environmental Protection Agency to arm agency personnel. **Pages S621, S626**

Murkowski Amendment No. 98, to express the sense of Congress relating to adaptation projects in the United States Arctic region and rural communities. **Pages S621, S626**

Flake Amendment No. 103, to require the evaluation and consolidation of duplicative green building programs. **Pages S621, S626**

Merkley Amendment No. 174, to express the sense of Congress that the United States should prioritize and fund adaptation projects in communities in the United States while also helping to fund climate change adaptation in developing countries. **Pages S621, S626**

Tillis/Burr Amendment No. 102, to provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing. **Pages S621, S626**

Cantwell (for Peters/Stabenow) Amendment No. 55, to require a study of the potential environmental impact of by-products of the Keystone XL pipeline. **Pages S621, S626**

Cantwell/Boxer Amendment No. 131, to ensure that if the Keystone XL Pipeline is built, it will be built safely and in compliance with United States environmental laws. **Pages S621, S637–45**

During consideration of this measure today, Senate also took the following action:

Pursuant to the order of January 28, 2015, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on January 26, 2015, was agreed to. **Page S626**

Pursuant to the order of January 28, 2015, the motion to reconsider the vote by which cloture was not invoked on January 26, 2015, was agreed to. **Page S626**

By 62 yeas to 35 nays (Vote No. 45), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on the bill. **Page S626**

National Mentoring Month: Senate agreed to S. Res. 58, recognizing January 2015 as “National Mentoring Month”. **Page S662**

Clay Hunt SAV Act—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, February 2, 2015, Senate begin consideration of H.R. 203, to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs; that the time until 5:30 p.m. be equally divided in the usual form, and that following the use or yielding back of time, Senate vote on passage of the bill, without any intervening action or debate. **Page S633**

Nominations Confirmed: Senate confirmed the following nominations:

31 Air Force nominations in the rank of general. Routine lists in the Air Force and Marine Corps. **Pages S664–65**

Nominations Received: Senate received the following nominations:

Manson K. Brown, of the District of Columbia, to be an Assistant Secretary of Commerce.

William P. Doyle, of Pennsylvania, to be a Federal Maritime Commissioner for a term expiring June 30, 2018.

Gentry O. Smith, of North Carolina, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Janet L. Yellen, of California, to be United States Alternate Governor of the International Monetary Fund for a term of five years.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S663–64**

Messages from the House: **Page S651**

Measures Referred: **Page S651**

Executive Communications: **Pages S651–52**

Petitions and Memorials: **Page S652**

Additional Cosponsors: **Page S654**

Statements on Introduced Bills/Resolutions: **Pages S654–61**

Additional Statements: **Pages S650–51**

Amendments Submitted: **Page S661**

Authorities for Committees to Meet: **Page S661**

Record Votes: Eight record votes were taken today. (Total—49) **Pages S623–24, S626, S636–37**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:54 p.m., until 10:30 a.m. on Friday, January 30, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S662.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee announced the following subcommittee assignments:

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies: Senators Moran (Chair), Blunt, Cochran, McConnell, Collins, Hoeven, Daines, Merkley, Feinstein, Tester, Udall, Leahy, and Baldwin.

Subcommittee on Commerce, Justice, Science, and Related Agencies: Senators Shelby (Chair), Alexander, Murkowski, Collins, Graham, Kirk, Boozman, Capito, Lankford, Mikulski, Leahy, Feinstein, Reed, Shaheen, Coons, Baldwin, and Murphy.

Subcommittee on Department of Defense: Senators Cochran (Chair), McConnell, Shelby, Alexander, Collins, Murkowski, Graham, Blunt, Daines, Moran, Durbin, Leahy, Feinstein, Mikulski, Murray, Reed, Tester, Udall, and Schatz.

Subcommittee on Energy and Water Development: Senators Alexander (Chair), Cochran, McConnell, Shelby, Collins, Murkowski, Graham, Hoeven, Lankford, Feinstein, Murray, Tester, Durbin, Udall, Shaheen, Merkley, and Coons.

Subcommittee on Financial Services and General Government: Senators Boozman (Chair), Moran, Lankford, Coons, and Durbin.

Subcommittee on Department of Homeland Security: Senators Hoeven (Chair), Cochran, Shelby, Murkowski, Graham, Cassidy, Shaheen, Leahy, Murray, Tester, and Baldwin.

Subcommittee on Department of the Interior, Environment, and Related Agencies: Senators Murkowski (Chair), Alexander, Cochran, Blunt, Hoeven, McConnell, Daines, Cassidy, Udall, Feinstein, Leahy, Reed, Tester, and Merkley.

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies: Senators Blunt (Chair), Moran, Shelby, Cochran, Alexander, Graham, Kirk, Cassidy, Capito, Lankford, Murray, Durbin, Reed, Mikulski, Shaheen, Merkley, Schatz, and Baldwin.

Subcommittee on Legislative Branch: Senators Capito (Chair), Kirk, Moran, Schatz, and Murphy.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies: Senators Kirk (Chair), McConnell, Murkowski, Hoeven, Collins, Boozman, Capito, Cassidy, Tester, Murray, Reed, Udall, Schatz, Baldwin, and Murphy.

Subcommittee on State, Foreign Operations, and Related Programs: Senators Graham, McConnell, Kirk, Blunt, Boozman, Moran, Lankford, Daines, Leahy, Mikulski, Durbin, Shaheen, Coons, Merkley, and Murphy.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies: Senators Collins (Chair), Shelby, Alexander, Kirk, Blunt, Boozman, Capito, Cassidy, Daines, Reed, Mikulski, Murray, Durbin, Feinstein, Coons, Schatz, and Murphy.

Senators Cochran and Mikulski are ex officio members of each subcommittee.

GLOBAL CHALLENGES AND THE U.S. NATIONAL SECURITY STRATEGY

Committee on Armed Services: Committee concluded a hearing to examine global challenges and the U.S.

national security strategy, after receiving testimony from Henry A. Kissinger, Kissinger Associates, New York, New York, and George P. Shultz, Stanford University Hoover Institution, and Madeleine K. Albright, National Democratic Institute, both of Washington, DC, each a former Secretary of State.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported an original resolution (S. Res. 53) authorizing expenditures by the Committee for the 114th Congress.

NUCLEAR WEAPON FREE IRAN ACT

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original bill entitled, "Nuclear Weapon Free Iran Act of 2015".

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported an original resolution (S. Res. 57) authorizing expenditures by the Committee.

TRANSPORTATION NETWORKS

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine improving the performance of transportation networks, focusing on stakeholder perspectives, after receiving testimony from former Pennsylvania Governor Edward G. Rendell, Building America's Future, Washington, DC; Jim Mullen, Werner Enterprises, and Lance M. Fritz, Union Pacific Railroad, both of Omaha, Nebraska; and Douglas Means, Cabela's, Sidney, Nebraska.

NATURAL GAS EXPORTS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 33, to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, after receiving testimony from Christopher Smith, Assistant Secretary of Energy for Fossil Energy; and Paul N. Cicio, Industrial Energy Consumers of America, Martin J. Durbin, America's Natural Gas Alliance, Ross Eisenberg, National Association of Manufacturers, and David Koranyi, Atlantic Council, all of Washington, DC.

CAMPAIGN AGAINST ISIS

Committee on Foreign Relations: Committee concluded a closed hearing to examine the campaign against the Islamic State of Iraq and Syria (ISIS), after receiving testimony from Nicholas J. Rasmussen, Director, National Counterterrorism Center; Christine Wormuth, Under Secretary for Policy, and Major

General Steven M. Shepro, Vice Director for Strategic Plans and Policy, Joint Staff Pentagon, both of the Department of Defense; and General John R. Allen (USMC, Ret.), Special Presidential Envoy for the Global Coalition to Counter ISIL, Department of State.

EMPLOYER WELLNESS PROGRAMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine employer wellness programs, focusing on better health outcomes and lower costs, after receiving testimony from Gary Loveman, Caesars Entertainment, Las Vegas, Nevada, on behalf of the Business Roundtable; Catherine Baase, The Dow Chemical Company, Midland, Michigan, on behalf of the American Benefits Council; David Grossman, Group Health Cooperative, Seattle, Washington; James Matthew Abernathy, BlueCross BlueShield of Tennessee, Nashville; and Jennifer Mathis, Bazelon Center for Mental Health Law, on behalf of the Consortium for Citizens with Disabilities, and Eric Dreiband, Jones Day, both of Washington, DC.

NOMINATION

Committee on the Judiciary: Committee concluded hearings to examine the nomination of Loretta E.

Lynch, of New York, to be Attorney General, after receiving testimony from David B. Barlow, Sidley Austin LLP, and Jonathan Turley, George Washington University, both of Washington, DC; David A. Clarke Jr., Milwaukee County Sheriff, Milwaukee, Wisconsin; Catherine Engelbrecht, True the Vote, Houston, Texas; Janice K. Fedarcy, Fedarcy Consulting LLC, Crownsville, Maryland; Stephen H. Legomsky, Washington University School of Law, Saint Louis, Missouri; Nicholas Quinn Rosenkranz, Georgetown University Law Center, New York, New York; Reverend Clarence G. Newsome, National Underground Railroad Freedom Center, Cincinnati, Ohio; and Sharyl Attkisson, Leesburg, Virginia.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution (S. Res. 54) authorizing expenditures by the Committee, and rules of procedure for the 114th Congress.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Friday, January 30, 2015.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 30, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

10:30 a.m., Friday, January 30

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Friday, January 30

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

House Chamber

Program for Friday: The House is scheduled to meet at 2 p.m. on Friday, January 30, 2015.



Congressional Record

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