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## Senate

The Senate met at 10:30 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.

Almighty God, Sovereign of our Nation and Lord of our lives, thank You for infusing us with the confidence that You order our steps each day.

Give our lawmakers courage and a strong resolve to glorify Your Name, as they trust the unfolding of Your loving providence. As they remember what You have already done to bless this Nation, inspire them to march confidently toward tomorrow's difficulties with a total dependence on Your power. May they recommit themselves each day to faithfully fulfilling the awesome responsibility You have entrusted to them. Lord, be their strength and shield this day and always.

We pray in Your mighty 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.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. CAPITO). 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, with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

### CLOTURE MOTION

Mr. MCCONNELL. Madam President, I sent a cloture motion to the desk.

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

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, John Cornyn, Richard Burr, Jerry Moran, John Thune, Johnny Isakson, Marco Rubio, Roy Blunt, Pat Roberts, Deb Fischer, John Boozman, David Vitter, Tim Scott, Roger F. Wicker, Richard C. Shelby, Michael B. Enzi, Rand Paul.

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXII, the mandatory quorum be waived and that the vote on the motion to invoke cloture occur at 2:30 p.m. on Tuesday, February 3. I further ask that if the motion to invoke cloture is agreed to, all postcloture time be yielded back and the Senate proceed to a vote on the motion to proceed to the bill.

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

### MEASURES CONSIDERED BY THE SENATE

Mr. MCCONNELL. Madam President, the Senate's passage of the Keystone jobs bill is great news for the American people. The Senate will soon turn its attention to a few different matters.

First, we will be voting on a bipartisan measure that has been championed by the Chairs of the Veterans' Affairs and Armed Services Committees.

We lose thousands of our heroes every year to suicide. It is a tragic situation. Senators MCCAIN and ISAKSON are leading efforts to do something about it. Their legislation would provide more of the mental health and suicide prevention support our Veterans deserve. The measure already passed unanimously through the House of Representatives. Now we hope for a bipartisan outcome on the Senate floor.

The same should also be said of a second piece of legislation we will consider. It is a debate that will challenge our colleagues on the other side with a simple proposition. Do they think Presidents of either party should have the power to simply ignore laws they don't like? Will our Democratic colleagues work with us to defend key democratic ideals such as the separation of powers and the rule of law or will they stand tall with the idea that partisan exercises of raw power are good things?

The House-passed bill we will consider would do two things. It would fund the Department of Homeland Security and rein in Executive overreach.

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



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That is it. It is simple, and there is no reason for Democrats to block it.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, we are told that next week we can expect the Department of Homeland Security appropriations bill, which fully funds the Department of Homeland Security and includes the law enforcement priorities that were agreed to on a bipartisan basis in the House—and I think will be approved on a bipartisan basis in the Senate, hammered out in the Senate Appropriations Committee—will be coming to the Senate.

The House of Representatives has therefore voted to fund Homeland Security in essentially the way the President has asked for and the Democrats and Republicans agreed on. It is not a perfect bill for everybody, but we have to do those things. We have to agree and fund all the departments and agencies of our government.

Yet we now have a statement that our Democratic colleagues are going to block the bill. They apparently intend to say Republicans blocked the bill and that somehow Republicans didn't fund Homeland Security. That is the message they are going to try to promote.

They are going to say they want a clean bill. What does a clean bill mean? Is it a bill that funds the Immigration and Nationality Act as was passed by Congress, some 500 pages? It funds the officers and enforcement officials who carry out those duties every day. Does it fund those? Yes, it funds those.

What is it that people are complaining about then? What is this clean bill they want to see?

I would suggest it is not a clean bill they want. In reality, they want legislation that will fund action by President Obama that violates the Immigration and Nationality Act, actions that he has taken through Executive amnesty. That is the problem we are dealing with.

Apparently they believe the President of the United States, who doesn't agree with the way immigration law is written, the way it has been carried out for 30, 40 years—he is not happy with that. He asked the Congress to change it.

Congress said: No.

He said: I am going to do it anyway. Right across the river from Washington—I am going to lease a building that houses 1,000 new workers—new workers—and those workers are going to process and give out legal status, work permits, Social Security participation, Medicare participation to 5 million people. People who, according to the Immigration and Nationality

Act, are unlawfully in the country and are not able to work. Businesses cannot hire somebody who is in the country unlawfully.

Is there any country in the world that says it is appropriate for a business to hire somebody who entered that country unlawfully? What kind of logic can support such reasoning?

So the President is not an imperial master. He asked Congress and Congress said no, but he wants to go ahead and do it.

Our Democratic colleagues are now telling us they are not going to support funding of Homeland Security because Congress—the House of Representatives bill and the bill I think will have a majority in the Senate—will not fund this building, the 1,000 people, and all the other activities that will be needed to execute this unlawful, unconstitutional Executive amnesty.

It is through the looking glass. I mean, what world are we in?

I was a Federal prosecutor for almost 15 years. They enforce the law, they don't enforce what some President said he would like to see done that is not lawful. Colleagues, this is so serious that the Immigration and Customs Enforcement officials, their association filed a lawsuit, and they challenged the actions of their supervisors telling them not to enforce plain immigration law. They went to Federal court.

Has anybody ever heard of that before? This is the equivalent of the FBI for the immigration service. These are first-rate officers. Many of them have been there 20 or 30 years.

They say: You are asking us to not enforce the law.

They have challenged it in court. I have never heard of anything such as that before. The people in charge of enforcing the law having to go to court to keep from being told not to enforce the law? It is amazing.

This bill will not deny a penny of funding. It will not deny any funding for any program, activity or action that is authorized by law. It does not deny funding for any of those programs that are actually authorized by the laws of the United States. In fact, it says: Spend the money, Mr. President, on enforcing and following the law. You cannot spend money unconstitutionally to advocate and create a system of law Congress rejected—an unlawful activity.

The Congress of the United States is not helpless when it confronts the President. Colleagues, we have to get out from under our desks. Are we afraid to say to the President of the United States we don't agree with this, and we are not going to fund this?

Is that the world we are in? Are we hiding under our desks, that the President may go on television and attack us because we will not agree with his ideas? Surely not, surely not.

The Congress has the power to appropriate money. It goes back to the historic development—before America became a nation—that the Parliament

took over the power of money from the King. Parliament passed the laws, not the King.

We adopted that and we created a constitutional order, instead of a King, to decide how we operate. The Parliament, and the Congress of the United States, was empowered to handle the money.

What obligation, colleagues, does this Congress of the United States have to give the President of the United States money to undermine the laws of the United States? What power does he have to compel us to do so? Zero.

We should do the right thing. And the right thing is to say: Mr. President, we are willing to consider a form of immigration law, but we didn't approve of this bill. We didn't support your bill last time and we are not going to pass your bill this time. We are going to continue to work to improve immigration law and make it better and serve the national interest of the United States—not special interests, not activist groups and not big businesses, but the average working American's interest. That is who we are going to serve in this process.

So why are we afraid to push back on that? It is amazing to me. So I don't think we will. In fact, it is sort of remarkable that this is a bipartisan position that the President has overreached. I am not going to quote the names of Senators. I will be a little bit courteous at this point and just quote some of the statements from all separate Democratic Senators in the last few months when asked about this Executive amnesty by the President. A lot of Senators have never been asked. They are probably thankful they weren't asked.

This is what one Senator said:

... but the President shouldn't make such a significant policy change on his own.

Another Democratic Senator:

... but executive orders aren't the way to do it.

Another Senator:

I disagree with the President's decision to use executive action to make changes to our immigration system.

Another Democratic Senator:

I'm disappointed the President decided to use executive action at this time on this issue, as it could poison any hope of compromise or bipartisanship in the new Senate before it has even started. It's Congress' job to pass legislation and deal with issues of this magnitude.

Absolutely correct. It is Congress's duty to do this.

What about another Democratic Senator:

I worry that his taking unilateral action could in fact inflame public opinion, change the subject from immigration to the President. I also have constitutional concerns about where prosecutorial discretion ends and unconstitutional authority begins.

A wise quote, I think.

Another Senator:

I have concerns about executive action . . . This is a job for Congress, and it's time for the House to act.

Another Democratic Senator:

... the best way to get a comprehensive solution is to take this through the legislative process.

So I would say, colleagues, why would any Senator, Democrat or Republican—when the very integrity of the constitutional powers given to Congress are eroded in a dramatic way by the President of the United States—not want to assert congressional authority? It is important for our constitutional structure, in my view.

Well, there we are. We had hearings in the Senate on these issues and on the new nominee for Attorney General. The new nominee said she supports and will actively work for the policy the President established. The Attorney General is the chief law enforcement officer in the land. They take an oath to see that the laws of the United States are faithfully executed.

I believe strongly in this. I don't think it is a close question. It is not a close question, colleagues. The President's actions are unlawful. The President's executive actions impose a policy that is detrimental to our ability to ever establish a lawful system of immigration in America. They are against the wishes of the Congress, which rejected this proposal, and they are overwhelmingly in opposition to the views of the American people, as poll after poll has demonstrated.

Do the American people have no role in their government? They can't expect their Members of the Senate to vote for legislation that follows the law instead of breaking the law? Aren't they frustrated already that Congress is not following the law, and they are frustrated with the President's failure to follow the law? I think they are.

Of course I would like to note that President Obama himself said 20 times he did not have the power to do this. He said, in May of 2008:

Congress's job is to pass legislation. The president can veto it or he can sign it . . . I believe in the Constitution and I will obey the Constitution of the United States. We're not going to use signing statements . . .

Another time he said:

Ultimately, our nation, like all nations, has the right and obligation to control its borders and set laws for residency and citizenship. And no matter how decent they are, no matter their reasons, the 11 million people who broke these laws should be held accountable.

October of 2010:

I can't simply ignore laws that are out there.

On October 25 of 2010, he said:

I am president, I am not king. I can't do these things just by myself. We have a system of government that requires the Congress to work with the Executive Branch to make it happen.

Well, even King George couldn't act contrary to the laws passed by Parliament. That statement goes on:

... I just want to repeat, I'm president, I'm not king. If Congress has laws on the books that says that people who are here who are not documented have to be deported,

then I can exercise some flexibility in terms of where we deploy our resources . . . but there's a limit to the discretion that I can show because I'm obliged to execute the law. That's what the Executive Branch means. I can't just make the laws up by myself.

Well, how true is that? That is absolutely correct. It goes on. There are 20 of these. I could continue, but we will be talking about this as the weeks go on.

Now, what do scholars say? Do the scholars say that this action is lawful and that Congress should fund it and we have an obligation to fund it or the President has the right to demand it? Jonathan Turley, who is a Shapiro Professor of Law at George Washington University, a nationally recognized constitutional scholar, testified before Congress many times, most often as a Democratic witness, has said he supports President Obama and voted for him. But he said this:

I believe the president has exceeded his brief. The president is required to faithfully execute the laws. He's not required to enforce all laws equally or commit the same resources to them. But I believe the president has crossed the constitutional line . . .

He said that again yesterday at the judiciary hearing on the Attorney General. He continues:

This goes to the very heart of what is the Madisonian system. If a president can unilaterally change the meaning of laws in substantial ways or refuse to enforce them, it takes offline that very thing that stabilizes our system. I believe the members will loathe the day that they allow that to happen. This will not be the last president. There will be more presidents who will claim the same authority.

Well, I think that is pretty significant. Professor Turley is a supporter of President Obama personally, and someone who has been a frequent Democratic witness for Congress.

Professor Nicholas Rosenkranz of Georgetown University Law Center, in his testimony yesterday before the Senate Judiciary Committee, said—and how simple and true is this. It is pretty insightful, frankly:

Rather than declining to comply with a duly enacted statute—

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the President has decided to comply meticulously—with a bill that never became law.

What a statement that is. And it is absolutely true. He went on to say:

Congress has repeatedly considered a statute called the DREAM Act, which would exempt a broad category of aliens from the Immigration and Nationality Act. The President favored this DREAM Act, but Congress repeatedly declined to pass it.

It is not in the code. It didn't pass. He goes on to say:

Once again, the President does have broad prosecutorial discretion and broad discretion to husband executive resources. But in this case, it is quite clear that the President is not merely trying to conserve resources. . . . To put the point another way, the President shall "take Care that the Laws"—capital L—"be faithfully executed"—not those bills which fail to become law. Here, in effect, the President is faithfully executing the DREAM Act, which is not law at all, rather than the

Immigration and Nationality Act, which is supreme law of the land. The President cannot enact the DREAM Act unilaterally, and he cannot evade article 1, section 7, by pretending that it passed when it did not.

How much clearer can you lay it out? This professor is simply telling the truth. There is no other way to look at this, in my opinion. Congress is being challenged at its very core by this action, and the result of this challenge will have constitutional ramifications and it will have ramifications as we consider the relative powers of the executive, legislative, and judicial branches in the years to come.

This is not a little matter, colleagues. It really is an affront to constitutional order. We have a duty no matter what we feel about this amnesty that goes well beyond DREAM Act amnesty. We have a constitutional duty to defend the integrity of the Congress against an encroachment of monumental proportions by the President. That is the fundamental issue we will be dealing with when people complain about the funding bill for DHS.

David Rivkin, who served two Presidents in the Office of White House Counsel, and Elizabeth Price Foley, a constitutional law professor, wrote an article recently in the Wall Street Journal. It just hammers and devastates the arguments the President is making in favor of his executive amnesty. They say this:

By announcing a global policy of non-enforcement against certain categories, Mr. Obama condones unlawful behavior, weakening the law's deterrent impact, and allows lawbreakers to remain without fear of deportation . . . These individuals are no longer deportable although Congress has declared them so.

They conclude with a statement we need to consider. I believe their concluding statement is accurate. I think it is pretty much indisputable. And if it is accurate, then Congress has a duty to stand firm.

This is what they conclude:

The President, after months, finally extracted from the Office of Legal Counsel of the U.S. Department of Justice a memorandum that allows basically what he is trying to do. It has been heavily criticized. Legal scholars say it is a poor analysis in a whole lot of ways. In fact, it is unacceptable.

This is what the authors of this recent opinion piece in the Wall Street Journal said:

The OLC's memo endorses a view of presidential power that has never been advanced by even the boldest presidential advocates. If this view holds, future presidents can unilaterally gut tax, environmental, labor or securities laws by enforcing only those portions with which they agree. This is a dangerous precedent that cannot be allowed to stand.

So this is what is at stake. And now we learn that the Democrats intend to oppose even going forward to consider the House bill that funds the Department of Homeland Security—and they intend to block that through the filibuster.

This is what Senator BARBARA MIKULSKI is reported by Congressional Quarterly as saying last night:

Senator Mikulski tells CQ that Democrats will block the Senate from proceeding to debate the DHS spending bill over immigration riders.

Have they made that decision? Surely not. Surely we should move to the bill. If they are unhappy with the language the House put in this, then offer an amendment to take it out. They will have the right to have full amendments, consistent with the rules of the Senate, on this legislation. They can offer amendments to strike the language in the House that simply says we are not going to fund unlawful Executive amnesty. It is a pretty stunning thing that we are dealing with and that we will be confronting next week. I believe it is a position that is untenable. It is untenable constitutionally, it is untenable lawfully, and it is untenable because it is contrary to the will of Republicans and Democrats in the House and Senate who oppose the President's action. It is untenable politically because overwhelmingly the American people reject it.

I am flabbergasted that we are now hearing that Democrats might not even allow the bill to come up on the floor. What does that mean?

I suppose they will say: Mr. Republican Congress, are you shutting down Homeland Security?

Why? I would ask.

Well, because you are putting in language that says the President shouldn't go off and create and endorse and support and fund changing of the law of the United States that Congress hasn't changed, and we insist that you fund his activities and give him the money he needs to carry out this project.

Then Congress says: No. We don't want to do that.

We oppose it and we won't pass the bill that funds Homeland Security.

That is a bad thing to do. The American people won't like it that you don't fund Homeland Security, the Republicans may say.

And do you know what our Democratic colleagues will say?

No. You shut Homeland Security down because you kept the President from doing his activity. We are going to accuse you of not funding Homeland Security, and we are going to say you placed the Nation at risk. The President is going to accuse you of defunding Homeland Security, and he is going to accuse you of putting the country at risk. And the media? Why, they are on our side, and they are going to report it that way. When you turn on your television at night, they are going to say to the American people that Republicans didn't fund Homeland Security, and you are going to lose.

Look, we are not through the looking glass yet. Give me a break. That is not going to sell. The American people are not going to buy that and the press is not going to shill for this kind of story. It is going to be clear who is not funding Homeland Security. It is going to

be clear who wants to create a lawful system of immigration and to fund it in an effective way and serve the national interests in this fashion.

I feel strongly about it. Hopefully this won't happen. Hopefully the report last night is not going to be the position of the Democratic Party.

I just read of seven or eight of them who said they don't approve of the President's action. Why would they vote not to even go to a bill? And remember, if the bill comes up and our colleagues don't like this language in it, they can move to alter it or strike it. Let's vote on it.

Sometimes you win in this body; sometimes you lose. We lost many times—many on the Republican side—in supporting the Keystone Pipeline. Now we are told the President may veto the bill that has well over 60 votes and many Democrats voting for it. Well, is Congress going to say "We are going to ignore that" and ask the law enforcement officers or the other officers to ignore the President's veto and pretend the law passed when it didn't pass? Of course not. And neither can the President. We are coequal branches, and the President does not have the authority and the right and the power to enforce a law that never passed to grant amnesty to people who are unlawfully here.

It goes beyond prosecutorial discretion. As I said, I was a prosecutor for a long time. It is not prosecutorial discretion to give someone who is unlawfully in the country a work permit, a photo ID—as they intend to do—a Social Security number, the right to participate in Social Security, the right to work, to take any job in America. What job are they going to take? Who is offering any jobs of any numbers today in America? Not many. So these individuals who are here unlawfully will now be able to go to the trucking company and take a pretty good trucking job or maybe a forklift operator job or maybe they want to work for the county commission.

I asked the Attorney General nominee 2 days ago at a hearing would the Department of Justice sue a business that said: Well, we have job openings, but we are going to hire those people who have green cards or who came here lawfully and have a lawful status, but we are not going to hire somebody with temporary Presidential amnesty? Are you going to sue them for some sort of violation of rights?

She said she didn't know. They might. She basically said they might sue them. So this is a real danger.

The truth is, colleagues, we don't have enough jobs in America today. We have the lowest percentage of Americans actually working, in the working ages, that we have had since the 1970s. It has dropped steadily year after year. There is no doubt that if you bring more people into our country than we have jobs for, it does make it harder.

Also, an excess of labor pulls down wages, and things aren't really getting

better. Median family wages since 2007 are down \$4,000. That is a stunning amount. Wages in December—last month—in America dropped 5 cents an hour.

This idea that the economy is on track, everything is wonderful—it is not so wonderful for average working Americans. Their wages went down, not up, as we have been told is happening. This is not going to help. It is going to make that situation worse.

Fundamentally, we need a lawful system of immigration that we can be proud of, and somebody needs to be concerned first and foremost about the people we represent. We should be concerned about the people who have immigrated here lawfully. Their wages are down also, in some cases even more so. In fact, they are often competing most directly against unlawful immigrants.

I would say this: This is not the right way to do it. We are going to continue to talk about this. I believe the Congress of the United States, once it is really understood what is happening, will listen to the constituents of America. They will decide first and foremost that our duty is to create a lawful system of immigration that is fairly endorsed, that we can be proud of, and that serves the interest of the American people—the national interest. That is what is being overlooked.

People are coming from abroad. They want to come to America. We have always had the most generous immigration system in the world, and we believe in immigration. But they should come lawfully and the Congress should help create a system that supports a lawful entry into America.

The council that represents the Customs and Immigration Service Officers just January 22nd of this year issued a strong statement. They said:

The dedicated immigration service officers and adjudicators at USCIS are in desperate need of help. The President's executive amnesty order for 5 million illegal immigrants places the mission of USCIS in grave peril.

Has anybody been listening to them or do they just listen to big business? Do they just listen to activist groups? Do they just listen to lobbyists, politicians with their political schemes to win elections? Is that what they are listening to? They are not listening to the officers who are carrying out the duties.

Last fall the same group who represents these government workers—Ken Palinkas, a very able leader, said this:

Making matters more dangerous, the Obama administration's executive amnesty, like S. 744 that he unsuccessfully lobbied for, would legalize visa overstays and cause millions additionally to overstay—raising the threat level to America even higher.

It goes on with many other points.

I thank the Chair for the opportunity to speak. I am very worried that our Democratic colleagues are making a mistake. I think it is the right thing in this new Senate with Majority Leader

MCCONNELL who has allowed more votes in 1 day than the Republicans got from Senator REID the entire year last year. We probably doubled the number of votes this year than we had all of last year.

The Democrats are saying, we are not even going to go to this bill that would fund Homeland Security. And if we don't go to it, then Homeland Security is not funded. Are they going to block a bill that would fund Homeland Security?

Senator MCCONNELL is saying you can have your relevant amendment. If you don't like the language the House put in that says the money can only go to fund lawful activities, then you can vote to take it out and offer an amendment to take it out; but if you don't have the votes, you lose. That is the way the system should work.

I thank the Chair and 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. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

#### EMPLOYER WELLNESS PROGRAMS: BETTER HEALTH OUTCOMES AND LOWER COSTS

Mr. ALEXANDER. Madam President, I ask unanimous consent that a copy of my remarks at the Senate Health, Education, Labor and Pensions Committee hearing yesterday be printed in the RECORD.

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

##### EMPLOYER WELLNESS PROGRAMS: BETTER HEALTH OUTCOMES AND LOWER COSTS

This morning we are holding a hearing entitled "Employer Wellness Programs: Better Health Outcomes and Lower Costs."

Ranking Member Murray and I will each have an opening statement, then we will introduce our panel of witnesses. I ask that each of our witnesses limit their testimony to no more than five minutes. We will conclude the hearing at noon.

About half of Americans, or 149 million, have health insurance through an employer. One thing we agree upon is that it's a good thing for employers to encourage employees to be healthier. There are a few ways that employers can do this. Offering employees free gym memberships, access to weight loss coaches, and on-site nurses, to name a few. Today, we're going to hear from employers who offer lower cost insurance if their employees lead a healthy lifestyle.

Obamacare was not a bipartisan law, but it did include a bipartisan provision to strengthen workplace wellness programs. Former Senator Harkin and I worked together on this during the HELP Committee markup of Obamacare. Before Obamacare, employers relied upon a 2006 regulation which empowered them to discount employee premiums up to 20 percent.

Today, employers have certainty of law that they can give their employees up to 30 percent off of their premiums if they make healthy lifestyle choices like maintaining a healthy weight or keeping their cholesterol levels in check. The law also gave the Secretaries of Labor and Health the authority to extend this discount to 50 percent off through regulations. And the Secretaries did just that for tobacco cessation, so companies can also give employees who are smoke-free a 50 percent discount off their premiums.

But these discount programs aren't a blank check. By law, employers have to meet several conditions. First, they cannot discriminate. Employers must make these programs available to everyone and must provide a reasonable alternative if an employee cannot complete the standard requirement. Second, they have to be designed to promote health. So, your boss can't offer a reward for a better job performance, but she can do so if you stop smoking. Third, everyone should have a chance to qualify at least once a year.

To get started, employees might simply fill out a questionnaire about themselves and their family's medical history, or undergo a basic health screening to take their weight, temperature, blood pressure, as well as a finger prick test for cholesterol or diabetes. This information provides employees a baseline from which to work with a medical professional to improve.

Today, we will seek to answer several questions. First, how well are these programs working? A 2014 study conducted for Interactive Health found 85% of 15,550 people surveyed either improved or maintained their level of health risk and companies' health care costs rose 6% more slowly. A September 2014 survey by the benefits consulting firm of Towers Watson & Co. found that 18% of employers already use outcomes-based wellness incentives and 48% plan to add one by 2017.

Next, we want to explore if any of these programs need to be changed. There are a number of laws and regulations on the books governing wellness programs, but do employers have all the tools they need?

And we want to hear how a disturbing turn of events may affect these programs. Specifically, the action the Equal Employment Opportunity Commission (EEOC) is taking against companies like Honeywell for encouraging employees to lead a healthier lifestyle. I'm concerned the government is encouraging workplace wellness on one hand, and discouraging it on the other.

There is a great deal of evidence that tells us these programs can make employees healthier and happier at work, and for the investment employers make, they can see lower health care costs.

Honeywell has a wellness program that is reportedly compliant with Obamacare, provides for reasonable alternative accommodations, and protects patient privacy. And, it's working to improve employee health. 61 percent of Honeywell employees identified with more than one health risk factor eliminated at least one of those risk factors; and 46 percent eliminated all of their risk factors.

What's wrong with that? Well, the EEOC seemingly believes employers should not reward employees who make healthy lifestyle choices with lower premiums. And in October last year, the general counsel sued to stop Honeywell from doing just that.

Even the White House has expressed concern regarding the EEOC's actions. In December, when asked about the president's thoughts on the EEOC wellness lawsuits, White House Press Secretary Josh Earnest said the administration is concerned EEOC's actions are, or could be, "inconsistent with what we know about wellness programs and the fact that we know that wellness programs are good for both employers and employees."

Congress was clear in the health care law. The administration was clear in the regulations. And the White House has again reiterated its support for these programs. But apparently that is not clear enough for the EEOC. The EEOC is sending a confusing message to employers—reliance on Obamacare's authorization of wellness programs does not mean you won't be sued.

So, I'm working on legislation to provide employers and employees even more clarity and certainty to continue to offer these voluntary wellness programs and encourage healthy lifestyle choices. Innovation and healthy choices should be applauded, not punished.

Workplace wellness programs give individuals some control over rising health care costs. Instead of watching powerlessly as more money comes out of their paychecks each month to cover rising health insurance premiums—wellness programs give individuals the ability to regain some control over those costs.

I admit that this represents a big shift in how we think about the workplace in relation to our health. There has been a sea change in how we talk about health at work. I remember well the smoke in the hallways of the Nixon White House. That was true in most workplaces then. These days, about the only workplace you can smoke is the Speaker's office.

#### REMEMBERING CHIP KENNETT

Mrs. SHAHEEN. Madam President, I wish to pay tribute to Bayard Winslow "Chip" Kennett II, a native of Conway, N.H., who passed away on January 17 at the age of 34.

Growing up in the Mount Washington Valley, Chip was a fantastic student-athlete and natural leader. At A. Crosby Kennett High School, one of two schools in Conway which bears his family name, Chip quarterbacked the Kennett High School football team and was honored with the Jack Burns Memorial Award for leadership, dedication and loyalty to his teammates on the Kennett High baseball team. His parents, Bayard and Theresa, instilled in Chip a love for the region and its people, and Chip spent his summers volunteering and working at Conway's community recreation center.

Chip would later go on to a career in public service that spanned close to a decade, rising from a college internship with then-New Hampshire Representative John Sununu to a position in Senator Judd Gregg's office, after which he returned to work for John Sununu upon his election to the Senate. Before leaving Capitol Hill to join Raytheon's government affairs practice, Chip most recently worked for Maine Senator SUSAN COLLINS as her military legislative assistant and director of appropriations. During his time in Washington, Chip was active in the New Hampshire State Society, helping to raise funds for New Hampshire students hoping to intern in the Nation's capital as he had during college. All those who knew him in the Senate recall his upbeat and caring nature, both qualities that buoyed him and his family through the difficulties of the past 2 years.

In October 2012, Chip's wife Sheila was 35 weeks pregnant when he was diagnosed with stage IV advanced lung cancer. As he learned more about his diagnosis, Chip, who was not a smoker, was struck by the lack of progress in improving the survival rate for this deadly cancer which, contrary to popular perception, annually affects more non-smokers than smokers. During his own treatment, Chip became an advocate for lung cancer and worked exceptionally hard to increase awareness of the disease and to end the negative stigma of a lung cancer diagnosis. He gave his time and legislative expertise to LUNgevity, a lung cancer-focused nonprofit, to help fight for much-needed lung cancer research, education and support. His efforts culminated in an invitation to testify on Capitol Hill regarding the need to expedite trials for breakthrough drugs to treat life-threatening diseases like lung cancer. Throughout his own battle with the disease, Chip held out hope that one day we could all celebrate a cure for cancer.

Chip truly embodied the spirit of public service, especially in his remaining days when he served as a voice for others. I know I speak for all in the Senate when I say thank you, Chip, for providing an example of what it means to be a great father, son, husband, friend and American.

Chip is survived by his 5-year-old son Bayard "Joe" Kennett II, his 2-year-old daughter Crosby Reynolds and his wife Sheila whom he met while they were both serving as staff members in the Senate; his mother and father, Bayard and Theresa Kennett of Conway, N.H., as well as his brother and sister-in-law Tanner and Sarah Kennett of North Conway, N.H.

On behalf of the people of New Hampshire, I ask my colleagues and all Americans to join me in honoring the life and service of Chip Kennett.

Ms. AYOTTE. Madam President, I wish to recognize the extraordinary life of my friend Chip Kennett, who passed away on January 17 after a courageous 2-year battle against cancer.

Bayard Winslow "Chip" Kennett II was born and raised in Conway, and he was a proud New Hampshire native son. The Kennetts are pillars of the Conway community whose roots in the Mount Washington Valley go back generations, and I have been fortunate to know Chip's family and to witness their countless contributions to business and civic life in New Hampshire.

Chip carried on his family's tradition of public service when he first came to Capitol Hill to serve his home State of New Hampshire. He served as a congressional staffer for nearly 8 years—first as a legislative correspondent to my predecessor Senator Judd Gregg and later as a policy aide for former Senator John E. Sununu. More recently, he was a senior aide to my colleague from Maine, Senator SUSAN COLLINS. When I first came to the Senate in 2011 and did not yet have a full

legislative staff in place, Chip generously offered his counsel on national security and defense issues, for which I was very grateful.

While working for Senator Gregg, Chip met the love of his life, Sheila, who would become his wife.

In October 2012, Chip—seemingly healthy and active at the age of 31—was diagnosed with Stage IV non-smoker's lung cancer. There was no cure. In the face of an unimaginable prognosis, Chip understood better than most that life is a gift, and he inspired us all with his determination to live his life to the fullest—making the most of the time he had with his wife Sheila and their two young children, Joe and Crosby. Together, they found joy and meaning in simply being together during everyday, ordinary moments—resolving to be "present and grateful." From family dinners to rooting for his favorite football team on "Patriots Football Sunday", Chip savored the blessings of family and friendship.

True to his compassionate nature, he turned his diagnosis into a cause for good—becoming a counselor to others battling cancer, raising public awareness of the disease and the need to reduce the stigma associated with lung cancer. The blog that Chip and Sheila started provided a "Playbook for Living" that served as a source of inspiration and encouragement to others who were fighting similar battles with cancer. Chip also put his Capitol Hill experience to work as an advocate for lung cancer research, and his efforts are credited with helping spur changes in Medicare coverage for lung cancer treatments—a legacy that will continue to touch many lives.

Chip summed up his approach to living with cancer at a hearing last May before the Senate Special Committee on Aging, where he testified that "thanks to medical breakthroughs, I have been able to experience many quality filled days. We have enjoyed spending holidays with friends and family. I have been able to continue working full time. As a family, we have sat down at the dinner table together, have attended innumerable swim lessons, soccer and tee ball practices for my son on Saturday mornings, and have sat in a church pew together on Sunday mornings. In other words, we have stayed busy—busy LIVING with cancer."

Chip's strong network of family and close friends was extremely important to him. He was always happiest being around the people he loved. After his diagnosis, his family, friends, coworkers, and former Hill colleagues—affectionately known as Team Kennett—mobilized to not only support Chip and his family but also to support their efforts to aid others fighting cancer.

The courage and strength with which Chip and his family faced his illness is an inspiration to us all. Perhaps Chip's greatest legacy is the valuable lesson he taught us all about how to live fully in each moment.

Chip was a wonderful, smart, and fun-loving man, and he had a big heart. It was a joy to know him and to call him a friend, and his loss is simply heartbreaking.

My heart and thoughts are with all of Team Kennett, including Sheila, Joe, and Crosby; as well as Chip's parents Bayard and Theresa Kennett of Conway; and his brother and sister-in-law Tanner and Sarah Kennett of North Conway.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING BILLY'S BOUDIN & CRACKLIN

• Mr. VITTER. Madam President, many of our Nation's small businesses are well-regarded for their ability to truly showcase the local culture, food, and heritage. Small businesses have a unique perspective and opportunity to take advantage of local recipes, ingredients, and flavor profiles that allow them to provide regional favorites for residents and tourists. Without a doubt, one of the most remarkable aspects of Louisiana is our delicious, extraordinary cuisine. This week, I would like to recognize this truly special piece of Louisiana culture by honoring Billy's Boudin & Cracklin of Krotz Springs, LA, as the Small Business of the Week.

South Louisiana has created its own genre of Louisiana cooking. With traditions and recipes handed down through the generations, the charm and flavor of Acadiana is undeniable. Billy's Boudin & Cracklin was originally founded in 1995 as a convenience store. It was not long, however, before Billy Frey and his father-in-law decided they needed to incorporate something in their store to set them apart from the competition. The brilliant addition of a family boudin recipe bolstered the success of their store to what we know today. Two short years later, Billy expanded their thriving business to the nearby city of Opelousas and purchased a popular local grocery store, Ray's, to establish Billy and Ray's Boudin. Maintaining the local charm, the Frey's purchased Ray's secret boudin recipe and added it right onto the new store's menu.

Recently, the business expanded once again to the "Boudin Capitol of the World" in Scott, LA. What started out as a small convenient store has turned into a regional favorite, with over 3,000 pounds of boudin made daily between the three stores. In addition to the original boudin links, Billy's offers boudin in the form of balls, pistollettes, rollups, and sandwiches. They also have shipping options so nonlocals can enjoy authentic Cajun boudin and cracklins from across the country. The Boudin Balls have become a signature of the business, with around 1.7 million of the regular and pepperjack-filled balls sold yearly. The famous boudin recipe is so coveted that



only a select few people are in the know. In fact, this is taken so seriously that each member of the staff must sign confidentiality agreements before learning the family secret.

After 20 years of thriving business in the area, it is no surprise that the Lafayette Daily Advertiser awarded Billy's Boudin & Cracklin as one of the "Best Boudin" places in their annual "Best of Acadiana" contest last year. It is great to see small businesses like this share our State's rich traditions with both Louisianians and nonlocals. Congratulations again to Billy's Boudin & Cracklin for being honored as this week's Small Business of the Week. I look forward to trying their delicious boudin soon.●

#### 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. ENZI (for himself and Mr. NELSON):

S. 324. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to loans made from a qualified employer plan, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Mr. BOOKER):

S. 325. A bill to use amounts provided for the Fund for the Improvement of Education to establish a pilot program that supports year-round public elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. CRAPO, Mr. RISH, Mr. HEINRICH, Mr. HELLER, Mr. BARRASSO, Mr. BENNETT, and Mr. TESTER):

S. 326. A bill to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. PERDUE):

S. Res. 59. A resolution raising awareness and encouraging prevention of stalking by designating January 2015 as "National Stalking Awareness Month"; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. LEAHY, Mr. TOOMEY, Ms. KLOBUCHAR, Mr. COONS, Mrs. MURRAY, Mr. WYDEN, Mr. BROWN, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. KATIE, Ms. HEITKAMP, Mr. KING, Mr. MARKEY, Mr. ISAKSON, and Mr. RUBIO):

S. Res. 60. A resolution supporting the goals and ideals of observing the National Slavery and Trafficking Prevention Month from January 1 through February 1, 2015, to raise awareness of, and opposition to, modern slavery; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Ohio (Mr. PORTMAN) 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. 286

At the request of Mr. BARRASSO, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 286, a bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

S. 297

At the request of Mr. KIRK, the name of the Senator from South Carolina (Mr. SCOTT) 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.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 59—RAISING AWARENESS AND ENCOURAGING PREVENTION OF STALKING BY DESIGNATING JANUARY 2015 AS "NATIONAL STALKING AWARENESS MONTH"

Ms. KLOBUCHAR (for herself and Mr. PERDUE) submitted the following resolution; which was considered and agreed to:

S. RES. 59

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent

of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates January 2015 as "National Stalking Awareness Month";

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through "National Stalking Awareness Month".

##### SENATE RESOLUTION 60—SUPPORTING THE GOALS AND IDEALS OF OBSERVING THE NATIONAL SLAVERY AND TRAFFICKING PREVENTION MONTH FROM JANUARY 1 THROUGH FEBRUARY 1, 2015, TO RAISE AWARENESS OF, AND OPPOSITION TO, MODERN SLAVERY

Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. LEAHY, Mr. TOOMEY, Ms. KLOBUCHAR, Mr. COONS, Mrs. MURRAY, Mr. WYDEN, Mr. BROWN, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. KATIE, Ms. HEITKAMP, Mr. KING, Mr. MARKEY, Mr. ISAKSON, and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

S. RES. 60

Whereas the United States has a tradition of advancing fundamental human rights,

having abolished the Transatlantic Slave Trade in 1808 and having abolished chattel slavery and prohibited involuntary servitude in 1865;

Whereas because the people of the United States remain committed to protecting individual freedom, there is a national imperative to eliminate human trafficking, which is the recruitment, harboring, transportation, provision, or obtaining of persons for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and the inducement of a commercial sex act by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age;

Whereas to combat human trafficking in the United States and globally, the people of the United States, the Federal Government, and State and local governments must be aware of the realities of human trafficking and must be dedicated to stopping this contemporary manifestation of slavery;

Whereas human trafficking is estimated to be a \$32,000,000,000 criminal enterprise, making it the second largest criminal enterprise in the world, behind the drug trade;

Whereas the United Nations estimates that nearly 21,000,000 people around the world are victims of forced labor, including 4,500,000 people who are victims of forced sexual exploitation;

Whereas the Department of Justice estimates that up to 83 percent of sex trafficking victims in the United States are citizens of the United States;

Whereas beyond all differences of race, creed, or political persuasion, the people of the United States face national threats together and refuse to let modern slavery exist in the United States and around the world;

Whereas the United States should actively oppose all individuals, groups, organizations, and nations that support, advance, or commit acts of human trafficking;

Whereas through education, the United States must also work to end slavery in all of its forms around the world;

Whereas victims of modern slavery need support in order to escape and recover from the physical, mental, emotional, and spiritual trauma associated with their victimization;

Whereas human traffickers use many physical and psychological techniques to control their victims, including the use of violence or threats of violence against the victim or the victim's family, isolation from the public, isolation from the victim's family and religious or ethnic communities, language and cultural barriers, shame, control of the victim's possessions, confiscation of passports and other identification documents, and threats of arrest, deportation, or imprisonment if the victim attempts to reach out for assistance or to leave;

Whereas although laws to prosecute perpetrators of modern slavery and to assist and protect victims of human trafficking, such as the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) and title XII of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54), have been enacted in the United States, awareness of the issues surrounding slavery and trafficking by those people most likely to come into contact with victims is essential for effective enforcement because the techniques that traffickers use to keep their victims enslaved severely limit self-reporting;

Whereas January 1 is the anniversary of the effective date of the Emancipation Proclamation;

Whereas February 1 is the anniversary of the date on which President Abraham Lin-

coln signed the joint resolution sending the 13th Amendment to the States for ratification, to forever declare that "Neither slavery nor involuntary servitude . . . shall exist within the United States, or any place subject to their jurisdiction" and is a date which has long been celebrated as National Freedom Day, as described in section 124 of title 36, United States Code;

Whereas under its authority to enforce the 13th Amendment "by appropriate legislation", Congress in the Trafficking Victims Protection Act of 2000 updated the post-Civil War involuntary servitude and slavery statutes and adopted an approach known as the "3P" approach of victim protection, vigorous prosecution, and prevention of human trafficking; and

Whereas the effort by individuals, businesses, organizations, and governing bodies to commemorate January 11 as Human Trafficking Awareness Day represents one of the many positive examples of the commitment in the United States to raise awareness of, and to actively oppose, modern slavery: Now, therefore, be it

*Resolved*, That the Senate supports—

(1) the goals and ideals of observing the National Slavery and Trafficking Prevention Month from January 1 through February 1, 2015, to recognize the vital role that the people of the United States have in ending modern slavery;

(2) marking this observance with appropriate programs and activities culminating in the observance on February 1 of National Freedom Day, as described in section 124 of title 36, United States Code; and

(3) all other efforts to raise awareness of, and opposition to, human trafficking.

#### COMMEMORATING THE 70TH ANNIVERSARY OF THE LIBERATION OF THE AUSCHWITZ EXTERMINATION CAMP

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 8, S. Res. 35.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 35) commemorating the 70th anniversary of the liberation of the Auschwitz extermination camp in Nazi-occupied Poland.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike out all after the resolving clause and insert the part printed in italic.

S. RES. 35

Whereas, on January 27, 1945, the Auschwitz extermination camp in Nazi-occupied Poland was liberated by Allied Forces during World War II after almost 5 years of murder, rape, and torture at the camp;

Whereas 1,100,000 innocent civilians were murdered at the Auschwitz extermination camp;

Whereas nearly 1,300,000 innocent civilians were deported to Auschwitz from their homes across Eastern and Western Europe, particularly from Hungary, Poland, and France;

Whereas 1,000,000 of the civilians who perished at the camp were Jews, along with 100,000 non-Jewish Poles, Roma and Sinti individuals, Soviet prisoners of war, Jehovah's

Witnesses, gay men and women, and other ethnic minorities;

Whereas these civilians included farmers, tailors, seamstresses, factory hands, accountants, doctors, teachers, small-business owners, clergy, intellectuals, government officials, and political activists;

Whereas these civilians were subjected to torture, forced labor, starvation, rape, medical experiments, and being separated from loved ones;

Whereas the names of many of these civilians who perished have been lost forever;

Whereas the Auschwitz extermination camp symbolizes the extraordinary brutality of the Holocaust;

Whereas the people of the United States must never forget the terrible crimes against humanity committed at the Auschwitz extermination camp;

Whereas the people of the United States must educate future generations to promote understanding of the dangers of intolerance in order to prevent similar injustices from happening again; and

Whereas commemoration of the liberation of the Auschwitz extermination camp will instill in all people of the United States a greater awareness of the Holocaust: Now, therefore, be it

*Resolved*,

*That the Senate—*

(1) commemorates January 27, 2015, as the 70th anniversary of the liberation of the Auschwitz extermination camp by Allied Forces during World War II;

(2) calls on all people of the United States to remember the 1,100,000 innocent victims murdered at the Auschwitz extermination camp as part of the Holocaust;

(3) honors the legacy of the survivors of the Holocaust and of the Auschwitz extermination camp; and

(4) calls on the people of the United States to continue to work toward tolerance, peace, and justice and to continue to work to end all genocide and persecution.

Mr. McCONNELL. I ask unanimous consent that the committee-reported substitute be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table with no intervening action or debate.

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

The committee amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 35), as amended, was agreed to.

The preamble was agreed to.

#### NATIONAL STALKING AWARENESS MONTH

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 59, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 59) raising awareness and encouraging prevention of stalking by designating January 2015 as "National Stalking Awareness 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 considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 59) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### SUPPORTING THE GOALS AND IDEALS OF OBSERVING THE NATIONAL SLAVERY AND TRAFFICKING PREVENTION MONTH

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 60, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 60) supporting the goals and ideals of observing the National Slavery and Trafficking Prevention Month from January 1 through February 1, 2015, to raise awareness of, and opposition to, modern slavery.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. Madam President, today I have submitted a resolution with Senator KIRK recognizing January as National Slavery and Trafficking Prevention Month. We are pleased to be joined by Senators LEAHY, TOOMEY, KLOBUCHAR, COONS, RUBIO, MURRAY, WYDEN, BROWN, SHAHEEN, GILLIBRAND, KAINE, HEITKAMP, KING, and MARKEY in sponsoring this resolution.

January 1 is the anniversary of the effective date of the Emancipation Proclamation, and February 1 is the anniversary of the date that President Abraham Lincoln signed the joint resolution sending the Thirteenth Amendment—which abolished slavery—to the States for ratification.

In 2009, the Senate unanimously approved a resolution I introduced to establish January as Human Trafficking Awareness Month. That resolution was made to raise awareness of, and opposition to, the human trafficking. It is important that we continue to bring attention to and raise awareness of this horrific practice.

Human trafficking is a crime in which persons are forced to work against their will in sweatshops, prostitution rings, farms, private homes, and other enterprises. The traffickers use force, threats of force, and coercion to ensure that their victims believe they have no other choice but to work for their captors. Frequently, human trafficking goes undetected because the victims are not only afraid of their traffickers, but they have been taught by their traffickers to fear law enforcement.

Human trafficking is estimated to be a \$32 billion criminal enterprise, making it the second largest criminal industry in the world, behind the drug trade. A 2014 Urban Institute study found that pimps in Atlanta can make nearly \$33,000 in just one week, which amounts to over \$1.7 million a year. The overwhelming majority of sex trafficking victims in the United States are American citizens—83 percent by one estimate from the Department of Justice.

Unfortunately, children are often victims of this horrendous crime. The National Center for Missing and Exploited Children has reported that one in seven endangered runaways are victims of sex trafficking.

Many of these children continue to be exploited into adulthood. A study of women and girls involved in street prostitution in my hometown of San Francisco found that 82 percent had been physically assaulted, 83 percent were threatened with a weapon, and 68 percent were raped.

Unfortunately, such abuse is common around the world. According to the United Nations, there are nearly 21 million people currently serving in some form of involuntary servitude. The United Nations also reported that in 16 percent of the 138 countries studied, there was not one trafficking-related conviction between 2007 and 2010.

Over the past decade, Congress has taken action to enhance the tools available to prosecute perpetrators of human trafficking and to assist and protect trafficking victims. We passed the Trafficking Victims Protection Act of 2000 and, 8 years later, passed the William Wilberforce Trafficking Victims Protection Reauthorization Act. These laws strengthened Federal efforts to combat international and domestic human trafficking by expanding administrative subpoena authority, increasing penalties for traffickers, and authorizing the Justice Department to seek preventive detention of those charged with trafficking offenses.

Despite these important laws, further action is needed. Earlier this year, Senator PORTMAN and I introduced the Combat Human Trafficking Act of 2015. This bill would reduce the demand for human trafficking, particularly the commercial sexual exploitation of children, by holding buyers accountable and making it easier for law enforcement to investigate and prosecute all persons who participate in sex trafficking.

In addition, I am pleased to join Senator KIRK in introducing the Stop Advertising Victims of Exploitation Act or the SAVE Act. This bill would strike at child sex trafficking where it is increasingly occurring—the Internet—by prohibiting Internet companies from profiting from allowing their websites to be used to traffic children.

We must act with urgency to end the practice of human trafficking. For

every day we wait, more lives are damaged by this horrible practice.

I urge my colleagues to join me in observing National Slavery and Trafficking Prevention Month to draw attention to human trafficking and to renew our collective efforts to eliminate this practice in the United States and around the world.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 60) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR MONDAY, FEBRUARY 2, 2015

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m. on Monday, February 2; 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 each until 4:30 p.m., equally divided in the usual form. I further ask that the Senate then proceed to consideration of H.R. 203, the Clay Hunt SAV Act, under the previous order.

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

#### PROGRAM

Mr. McCONNELL. On Monday the Senate will vote on the bipartisan House-passed bill on veterans suicide prevention. Chairman ISAKSON and Senator BLUMENTHAL reported out that bill from the Veterans' Affairs Committee last week, and we are moving quickly to send it to the President for his signature. That should be the only vote on Monday night.

#### ADJOURNMENT UNTIL MONDAY, FEBRUARY 2, 2015, AT 4 P.M.

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.

There being no objection, the Senate, at 11:56 a.m., adjourned until Monday, February 2, 2015, at 4 p.m.